



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

Monday, December 12, 2022

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

This meeting will be held pursuant to Government Code Section 54953 (as amended by AB 361), which authorizes teleconferenced meetings under the Brown Act during a proclaimed state of emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. Consistent with Government Code Section 54953, this meeting will not be physically open to the public and 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, and may provide public comment by sending comments to the Board Clerk by email at assistanttogm@unionsanitary.ca.gov before or during the meeting 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, assistanttogm@unionsanitary.ca.gov or 510-477-7503, 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: 886 2321 5410 #

Participant ID: #

Click the Zoom link below to watch and listen:

<https://us02web.zoom.us/j/88623215410>

	1.	Call to Order.
	2.	Salute to the Flag. (This item has been suspended until in-person meetings resume.)
	3.	Roll Call.
Motion	4.	Approve Minutes of the Union Sanitary District Board Meeting of November 14, 2022.
Motion	5.	Approve Minutes of the Union Sanitary District Special Board Meeting of November 15, 2022.
Information	6.	October 2022 Monthly Operations Report <i>(to be reviewed by the Budget & Finance and Legal/Community Affairs Committees)</i> .
	7.	Written Communications.
	8.	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	9.	Consider Confirming and Declaring the Need to Continue the Emergency Action to Repair Two Sewer Lines in the City of Fremont Damaged by Fiber Optic Line Installation <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Motion	10.	Consider Approval of a Settlement Agreement and Mutual Release with JK Communication & Construction/Kleven Construction, Inc., The Hartford, and Hartford Underwriters Insurance Company <i>(to be reviewed by the Legal/Community Affairs Committee)</i> .
Motion	11.	Award the Contract for Consulting Services for the SCADA Upgrade Project to Wunderlich-Malec <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Motion	12.	Cancel Award to KBL Associates and Award to Tesco Controls the Contract for the Supply of Electrical Equipment for the Switchboard No. 3 and Motor Control Center No. 25 Replacement Project <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Motion	13.	Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 1 with Quincy Engineers, Inc. for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project and Force Main Corrosion Repairs Project – Phase 3 <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .
Motion	14.	Consider a Resolution to Accept the Construction of the Aeration Blower No. 11 Project from Western Water Constructors, Inc. <i>(to be reviewed by the Engineering and Information Technology Committee)</i> .

Motion	15.	Review and Consider Approval of Proposed Revisions to Policy No. 3045, Board Education and Training Budget.
Motion	16.	Review and Consider Approval of Policy No. 2020, Financial Audit Policy.
Motion	17.	Approve the Award of a Three-Year Contract to Badawi & Associates, CPA for Auditing Services for Fiscal Years 2023 Through 2025 with an Option for Three, One Year Extensions.
Motion	18.	COVID-19 Update and Consider Adoption of a Resolution Authorizing the Use of Teleconference Meetings in Compliance with AB 361.
Information	19.	Fiscal Year 2022 Strategic Performance Annual Report <i>(to be reviewed by the Legal/Community Affairs Committee)</i> .
Information	20.	Report on the East Bay Dischargers Authority Meeting of October 20, 2022.
Information	21.	Legislative Update on Issues of Interest to the Board <i>(to be reviewed by the Legislative Committee)</i> .
Information	22.	Check Register.
Information	23.	Committee Meeting Reports. <i>(No Board action is taken at Committee meetings):</i> <ol style="list-style-type: none"> Budget & Finance Committee – Wednesday, December 7, 2022, at 9:00 a.m. <ul style="list-style-type: none"> Director Kite and Director Toy Legislative Committee - Wednesday, December 7, 2022, at 10:30 a.m. <ul style="list-style-type: none"> Director Fernandez and Director Handley Engineering and Information Technology Committee – Thursday, December 8, 2022, at 11:30 a.m. <ul style="list-style-type: none"> Director Handley and Director Lathi Legal/Community Affairs Committee – Friday, December 9, 2022, at 10:30 a.m. <ul style="list-style-type: none"> Director Kite and Director Lathi Investment & Portfolio Committee – will not meet. Legislative Committee – will not meet. Personnel Committee – will not meet.
Information	24.	General Manager’s Report. <i>(Information on recent issues of interest to the Board)</i> .
	25.	Other Business: <ol style="list-style-type: none"> Comments and questions. <i>Directors can share information relating to District business and are welcome to request information from staff.</i> Scheduling matters for future consideration.
	26.	Adjournment – The Board will adjourn to a Board Workshop to be held virtually on Monday, December 19, 2022, at 4:00 p.m.
	27.	Adjournment – The Board will then adjourn to the next Regular Board Meeting to be held virtually on Monday, January 9, 2023, at 4:00 p.m.

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.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

BUDGET & FINANCE COMMITTEE MEETING
Committee Members: Director Kite and Director Toy

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

AGENDA
Wednesday, December 7, 2022
9:00 A.M.

Karen W. Murphy
Attorney

Alvarado Conference Room
5072 Benson Road
Union City, CA 94587

This meeting will be held pursuant to Government Code Section 54953 (as amended by AB 361), which authorizes teleconferenced meetings under the Brown Act during a proclaimed state of emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. Consistent with Government Code Section 54953, 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 anytime during the meeting 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 December 12, 2022:

- October 2022 Monthly Operations Report – Financial Reports

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.

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.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

LEGISLATIVE COMMITTEE MEETING
Committee Members: Director Fernandez and Director Handley

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

AGENDA
Wednesday, December 7, 2022
10:30 A.M.

Karen W. Murphy
Attorney

Alvarado Conference Room
5072 Benson Road
Union City, CA 94587

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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 December 12, 2022:

- Legislative Update on Issues of Interest to the Board

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.

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.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**ENGINEERING AND INFORMATION TECHNOLOGY
COMMITTEE MEETING**
Committee Members: Director Handley and Director Lathi

AGENDA
Thursday, December 8, 2022
11:30 A.M.

Alvarado Conference Room
5072 Benson Road
Union City, CA 94587

This meeting will be held pursuant to Government Code Section 54953 (as amended by AB 361), which authorizes teleconferenced meetings under the Brown Act during a proclaimed state of emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. Consistent with Government Code Section 54953, 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 anytime during the meeting 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

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4. Items to be reviewed for the Regular Board meeting of December 12, 2022:

- Consider Confirming and Declaring the Need to Continue the Emergency Action to Repair Two Sewer Lines in the City of Fremont Damaged by Fiber Optic Line Installation
 - Award the Contract for Consulting Services for the SCADA Upgrade Project to Wunderlich-Malec
 - Cancel Award to KBL Associates and Award to Tesco Controls the Contract for the Supply of Electrical Equipment for the Switchboard No. 3 and Motor Control Center No. 25 Replacement Project
 - Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 1 with Quincy Engineers, Inc. for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project and Force Main Corrosion Repairs Project – Phase 3
 - Consider Resolution to Accept the Construction of the Aeration Blower No. 11 Project from Western Water Constructors, Inc.
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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.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

LEGAL/COMMUNITY AFFAIRS COMMITTEE MEETING

Committee Members: Director Kite and Director Lathi

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

AGENDA

Friday, December 9, 2022

10:30 A.M.

Karen W. Murphy
Attorney

Alvarado Conference Room

5072 Benson Road

Union City, CA 94587

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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 December 12, 2022:

- October 2022 Monthly Operations Report – Odor and Workgroup Reports
- Consider a Resolution to Approve a Settlement Agreement and Mutual Release with JK Communication & Construction/Kleven Construction, Inc. (JKC), The Hartford (“Hartford”), and Hartford Underwriters Insurance Company (“HUIC”)
- Fiscal Year 2022 Strategic Performance Annual Report

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.

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.

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
November 14, 2022**

This meeting was held pursuant to Government Code Section 54953 (as amended by AB 361), which authorizes teleconferenced meetings under the Brown Act during a proclaimed state of emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. Consistent with Government Code Section 54953, this 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 observe the Board Meeting and provide public comment by sending comments to the Board Clerk.

CALL TO ORDER

President Lathi 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: Anjali Lathi, President
Manny Fernandez, Vice President
Jennifer Toy, Secretary
Tom Handley, Director

ABSENT: Pat Kite, Director (arrived at 4:05 p.m.)

STAFF: Paul Eldredge, General Manager/District Engineer
Karen Murphy, District Counsel
Mark Carlson, Business Services Manager/CFO
Armando Lopez, Treatment and Disposal Services Manager
Jose Rodrigues, Collection Services Manager
Raymond Chau, Technical Services Manager
Scott Martin, FMC Electrical & Technology Coach
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Alisa Gordon, Human Resources Manager
Trieu Nguyen, IT Administrator
May Bautista, Administrative Specialist
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

VISITORS: Monique Spyke, PFM Asset Management
Christian Townes, Lance, Soll & Lunghard, LLP Certified Public Accountants

APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF OCTOBER 24, 2022

It was moved by Director Handley, seconded by Vice President Fernandez, to Approve the Minutes of the Board Meeting of October 24, 2022. Motion carried with the following vote:

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

APPROVE MINUTES OF THE UNION SANITARY DISTRICT SPECIAL BOARD MEETING OF OCTOBER 25, 2022

It was moved by Vice President Fernandez, seconded by Secretary Toy, to Approve the Minutes of the Special Board Meeting of October 25, 2022. Motion carried with the following vote:

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

FISCAL YEAR 2023 FIRST QUARTER MANAGED INVESTMENT PORTFOLIO REPORT FROM PFM

This item was reviewed by the Investment/Portfolio Ad Hoc. General Manager Eldredge and Business Services Manager/CFO Carlson introduced PFM Managing Director Spyke who presented the item.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

RECEIVE PRESENTATION OF THE FISCAL YEAR 2021/22 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND DIRECT STAFF TO FILE THE ACFR

This item was reviewed by the Audit Committee. Business Services Manager/CFO Carlson introduced Christian Townes with Lance, Soll and Lunghard, LLP, Certified Public Accountants, who presented an overview of the report and responded to Board questions. Staff recommended the Board direct staff to file the Fiscal Year 2021/22 Annual Comprehensive Financial Report.

It was moved by Vice President Fernandez, seconded by Secretary Toy, to Receive and File the Fiscal Year 2021/22 Annual Comprehensive Financial Report. Motion carried with the following vote:

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

**CONSIDER SIXTH AMENDED AND RESTATED EMPLOYMENT AGREEMENT
BETWEEN UNION SANITARY DISTRICT AND PAUL R. ELDREDGE AND PUBLICLY
AVAILABLE PAY SCHEDULE FOR UNCLASSIFIED STAFF**

District Counsel Murphy stated the Board appointed an ad hoc subcommittee of President Lathi and Vice President Fernandez to negotiate any contract amendments with Mr. Eldredge. The Board of Director conducted Mr. Eldredge's 2022 annual performance evaluation and the Board met with its designated ad hoc subcommittee on October 13 and 25, 2022. The following amendments were agreed upon: an increase to the General Manager's salary to \$320,836.14, or approximately 3.5%; an increase to the General Manager's deferred compensation contribution by 0.5% for a total annual contribution of \$15,912.93; a one-time payment of \$8,500, which will not be subject to PERS; and an increase in General Manager's annual vacation time from 160 to 210 hours per year. Staff recommended the Board approve the Sixth Amended and Restated Employment Agreement between Union Sanitary District and Paul R. Eldredge.

It was moved by Director Handley, seconded by Vice President Fernandez, to Approve the Sixth Amended and Restated Employment Agreement and Approve the Publicly Available Pay Schedule for Unclassified Staff. Motion carried with the following vote:

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

**CONSIDER CONFIRMING AND DECLARING THE NEED TO CONTINUE THE
EMERGENCY ACTION TO REPAIR TWO SEWER LINES IN THE CITY OF FREMONT
DAMAGED BY FIBER OPTIC LINE INSTALLATION**

This item was reviewed by the Engineering and Information Technology Committee. Collection Services Manager Rodrigues stated that on September 12, 2022, the Board adopted Resolution No. 2982 declaring an emergency and authorizing the expenditure of funds to allow staff to proceed with the expeditious repair of two sewer lines in the City of Fremont. Pursuant to Public Contract Code section 22050, the Board is required to review the status of emergency action at each subsequent meeting until the emergency action is terminated and authorize continuation of the emergency action by a four-fifths vote. Staff presented a desk item showing the updated traffic plan that replaced the traffic plan originally included in the Board meeting packet. Staff recommended the Board adopt a motion by a four-fifths vote declaring a continuance of emergency and authorizing continued repair of the two sewer lines in the City of Fremont.

It was moved by Vice President Fernandez, seconded by Director Kite, to Adopt a Motion by a Four-Fifths Vote Declaring a Continuance of Emergency and Authorizing Continued

Repair of Two Sewer Lines in the City of Fremont Damaged by Fiber Optic Line Installation. Motion carried with the following vote:

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

CONSIDER APPROVAL OF FIVE-YEAR CONTRACTS FOR SCADA LICENSING AND TECHNICAL SUPPORT WITH GE DIGITAL

This item was reviewed by the Engineering and Information Technology Committee. Information Technology Administrator Nguyen stated the District has been using SCADA software from GE Digital for over 20 years. The GE Digital suite of SCADA software used by the District includes: IFix, Historian, IGS Drivers, and Operations Hub. GE Digital announced that starting in 2023, the annual increase for licensing and support contracts will be tied to the Consumer Price Index (CPI). GE Digital announced the increase for 2023 will be 9.5% and they are anticipating the average increase for the next five years will be 6%. GE Digital has provided the option for a 5-year contract at increases of 3% per year. SCADA upgrades are done every five years, District staff plan to upgrade to the latest GE Digital SCADA applications in the coming months. Staff recommended the Board approve two 5-year contract totaling \$167,894.08 for SCADA software licensing and technical support with GE Digital, a breakdown of the contracts would be as follows: a change order in the amount of \$131, 095.11 to extend the current one year licensing and support contract for IFix, Historian, and Industrial Gateway Server; and a five-year contract for \$36,798.97 for the licensing and support of Operations Hub.

It was moved by Directory Handley, seconded by Director Kite, to Approve the Following Contracts for SCADA Software Licensing and Technical Support with GE Digital: a Change Order in the Amount of \$131,095.11 to Extend the Current One Year Licensing and Support Contract for IFix, Historian, and Industrial Gateway Server; and a Five-Year Contract for \$36,798.97 for the Licensing and Support of Operations Hub. Motion carried with the following vote:

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

AWARD THE CONTRACT FOR THE PURCHASE OF NEWARK PUMP STATION/IRVINGTON PUMP STATION PORTABLE VARIABLE FREQUENCY DRIVE FROM TELSTAR INSTRUMENTS

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Chau stated the Irvington Pump Station and Newark Pump Station pumps and Variable Frequency Drive's (VFD's) are 15 to 20 years old and approaching the end of their useful service life. The pumps are scheduled to be replaced in four years and the VFD's have are scheduled to be replaced in seven years. Staff have had difficulty procuring replacement parts for the VFD's as they are no longer supported by their manufacturers; therefore, staff recommends purchase of portable VFD's that

would be compatible for use at either pump station. In response to an Invitation for Bid (IFB), staff received three bids and Telstar Instruments was the apparent low bidder with a total bid amount of \$214,400. Upon further review, staff noted bid irregularities with the bids submitted by Telstar and MCC Controls. Staff determined the irregularity made both bids non-responsive. The IFB was reissued for the Project, there was no change in the bid results and Telstar remained the apparent low bidder with a total bid amount of \$214,400. All bids received exceeded the Engineer's Estimate of \$150,000, staff believe this was due to inflation, supply constraints, and delays associated with all materials and equipment as other District projects have experienced similar issues. Staff recommended the Board award the contract for the purchase of Newark Pump Station/Irvington Pump Station Portable Variable Frequency Drive from Telstar Instruments in the amount of \$214,400.

It was moved by Director Kite, seconded by Director Handley, to Award the Contract for the Purchase of Newark Pump Station/Irvington Pump Station Portable Variable Frequency Drive from Telstar Instruments in the amount of \$214,400. Motion carried with the following vote:

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

COVID-19 UPDATE AND CONSIDER ADOPTION OF RESOLUTION AUTHORIZING THE USE OF TELECONFERENCE MEETINGS IN COMPLIANCE WITH AB 361

General Manager Eldredge provided an update regarding COVID-19 impacts on District operations and coordination efforts. AB 361 requires public agencies to make findings by majority vote within 30 days of the first teleconferenced meeting under AB 361 and every 30 days thereafter that a state of emergency still exists and continues to directly impact the ability of the members to meet safely in person, or that officials continue to impose or recommend measures to promote social distancing. The District is continuing to hold teleconferenced meetings as allowed under AB 361 due to the ongoing public health threat of COVID-19. The proposed resolution includes findings required by AB 361 to allow the District to hold teleconferenced meetings. Staff provided an update on the status of the COVID-19 Emergency Order. Staff recommended the Board adopt a resolution authorizing the use of teleconference meetings in compliance with AB 361.

It was moved by Vice President Fernandez, seconded by Secretary Toy, to Adopt Resolution No. 2987 Authorizing the Use of Teleconference Meetings in Compliance with AB 361. Motion carried with the following vote:

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

INFORMATION ITEMS:

Provide Direction Regarding Board Education and Training Budget and Policy No. 3045

General Manager Eldredge introduced the item and requested the Board provide direction regarding next steps.

The Board directed staff to prepare revisions to Board Education and Training Budget Policy No. 3045 and bring the proposed revisions to a future meeting for Board consideration.

Provide Direction Regarding Process for Scheduling Board Workshops

Board Clerk McEvoy presented the item and requested the Board provide direction regarding the process for scheduling future Board workshops.

The Board directed staff to schedule future Board workshops on the first and third Monday's of the month and to notify the Board three to four weeks in advance.

REPORT ON THE EAST BAY DISCHARGER'S AUTHORITY MEETING OF SEPTEMBER 15, 2022

President Lathi provided an overview of the EBDA meeting minutes included in the Board meeting packet.

Check Register

There were no questions regarding the check register.

COMMITTEE MEETING REPORTS:

The Audit, Engineering and Information Technology, and Investment/Portfolio Ad Hoc Committees met.

GENERAL MANAGER'S REPORT:

- The second Board meeting in November has been canceled.
- The Enhanced Treatment and Site Upgrade Financing Board Workshop will be held November 15, 2022.
- District staff will attend an Alameda County Water District (ACWD) Board Workshop that will include a presentation on the recent ACWD reclaimed water study.
- General Manager Eldredge will be traveling November 23, 2022.
- Staff will consider moving the District's 2021A Bonds from LAIF to CAMP in an effort to earn an additional \$1.03 million over the next 15 months.

OTHER BUSINESS:

There was no other business.

ADJOURNMENT:

The meeting was adjourned at 5:10 p.m. to a Special Board Meeting to be held virtually on Tuesday, November 15, 2022, at 4:00 p.m.

The Board will then adjourn to the next Regular Board Meeting to be held virtually on Monday, December 12, 2022, at 4:00 p.m.

SUBMITTED:

ATTEST:

REGINA McEvoy
BOARD CLERK

JENNIFER TOY
SECRETARY

APPROVED:

ANJALI LATHI
PRESIDENT

Adopted this 12th day of December 2022

**MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
November 15, 2022**

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CALL TO ORDER

President Lathi called the special meeting to order at 4:00 p.m.

ROLL CALL

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

ABSENT: Jennifer Toy, Secretary (arrived at 4:19 p.m.)

STAFF: Paul Eldredge, General Manager/District Engineer
Mark Carlson, Business Services Manager/CFO
Raymond Chau, Technical Services Manager
Jose Rodrigues, Collection Services Manager
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Gus Carrillo, Enhanced Treatment and Site Upgrade Program Coordinator
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

PUBLIC COMMENT

There was no public comment.

BOARD WORKSHOP

General Manager Eldredge presented options for continued financing of the District's Enhanced Treatment and Site Upgrade Program.

ADJOURNMENT:

The special meeting was adjourned at approximately 5:10 p.m. to the next Regular Board Meeting to be held virtually on Monday, December 12, 2022, at 4:00 p.m.

SUBMITTED:

ATTEST:

REGINA McEVOY
BOARD CLERK

JENNIFER TOY
SECRETARY

APPROVED:

ANJALI LATHI
PRESIDENT

Adopted this 12th day of December, 2022



Union Sanitary District

Monthly Operations Report October 2022



Table of Contents

2022 MONTHLY OPERATIONS REPORT

The October 2022 Monthly Operations Reports highlights the District's performance in the following areas:

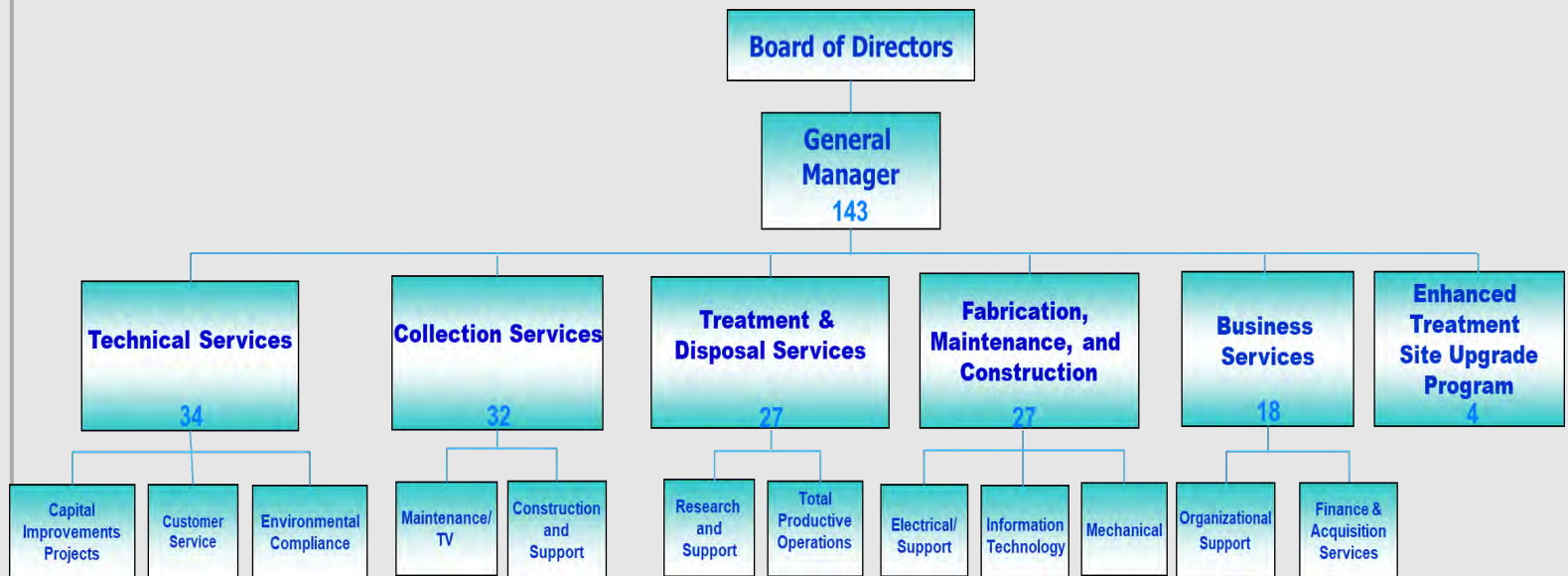
- **Organizational Overview**
- **Financial Reports**
 - Budget and Finance Report
 - Investment Portfolio
 - Portfolio Holdings by Asset Class and by Maturity Range
- **Customer Relations**
 - Odor Investigations and Response
 - Service Request and Response
 - Communication and Outreach
- **Plant Operations**
- **Maintenance Report**
 - Collection System
 - Plant and Pump Stations
 - Information Technology
- **Capital Improvement Projects (CIP) Report**
 - Current Construction Projects
 - Studies and Designs
- **Permitting and Inspections**
- **Staffing and Personnel**



Organizational Overview

2022 MONTHLY OPERATIONS REPORT

Union Sanitary District operates a 33-acre wastewater treatment facility in Union City and provides collection, treatment, and disposal services to a total population of over 356,000 in Fremont, Newark and Union City, California. The District maintains over 839 miles of underground pipeline in its service area.



Executive Team

Paul Eldredge	General Manager/District Engineer	Oversees District operations and liaison to the Board of Directors
Mark Carlson	Business Services/CFO	Includes Finance, Purchasing, Human Resources, and Safety
Jose Rodrigues	Collection Services	Maintains, and repairs the sewer lines and manholes throughout the service area
Raymond Chau	Technical Services	Permits and inspections, pretreatment program, and capital improvements
Armando Lopez	Treatment and Disposal Services	Operates the treatment plant, process and analyze wastewater samples
Robert Simonich	Fabrication, Maintenance, and Construction	Information technology, equipment installation, service, repair for the plant and pump stations



Financial Report

2022 MONTHLY OPERATIONS REPORT

Total Revenues and Expenditures

FY 2023

Year-to-date as of 10/31/22

33% of year elapsed

Revenues

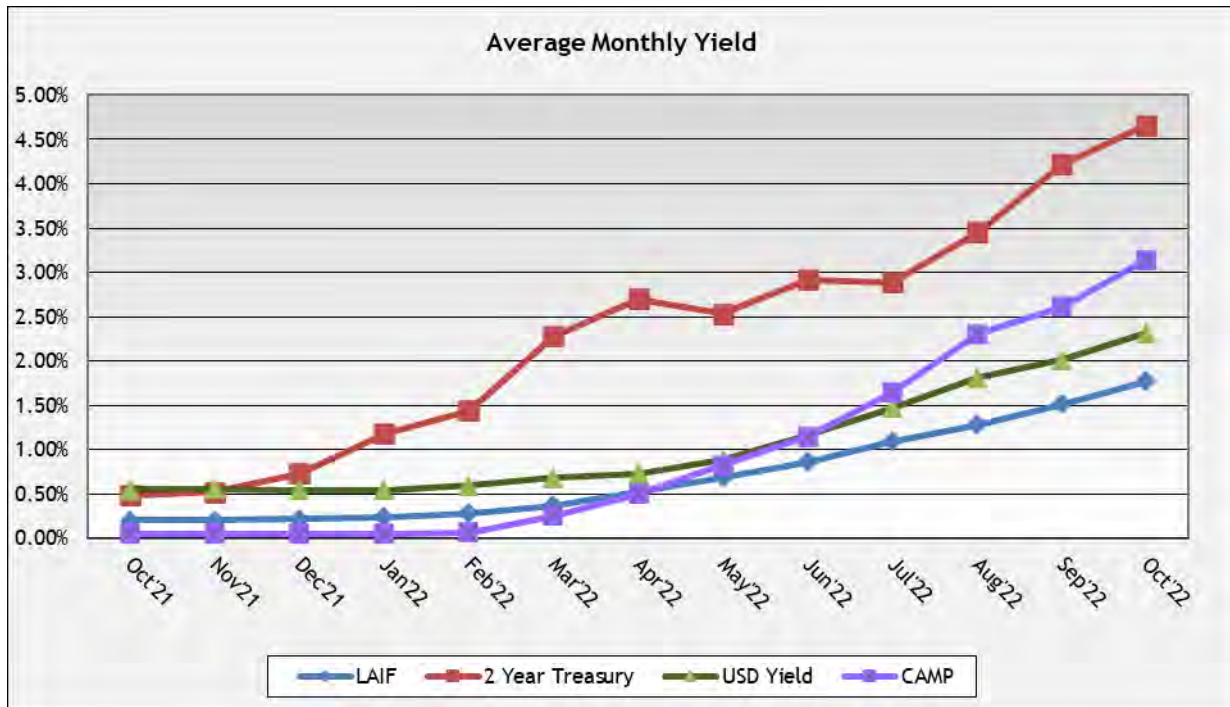
	Budget	Actual	% of Budget Rec'd	Audited Last Year Actuals 6/30/22
Capacity Fees	\$ 7,467,000	\$ 2,476,931	33%	\$ 11,145,152
Sewer Service Charges	76,965,000	1,064,969	1%	73,822,317
Operating (Includes work groups and fund 85)	1,234,500	356,184	29%	1,307,546
Interest	1,385,000	1,113,413	80%	1,122,856
Misc. (Annex fees, forfeited deposits)	-	22,124	0%	1,607,370
Subtotal Revenues	<u>\$ 87,051,500</u>	<u>\$ 5,033,621</u>	<u>6%</u>	<u>\$ 89,005,242</u>
Bond Proceeds	-	-	0.0%	110,317,768
Total Revenues + Bond Proceeds	\$ 87,051,500	\$ 5,033,621	6%	\$ 199,323,010

Expenses

	Budget	Actual	% of Budget Used	Audited Last Year Actuals 6/30/22
Capital Improvement Program:				
Capacity Proj.	\$ 15,624,000	\$ 1,036,728	7%	\$ 11,721,479
Renewal & Repl. Proj.	53,206,200	7,016,988	13%	14,840,229
Operating (includes fund 85)	50,509,850	15,001,710	30%	41,198,447
Special Projects	3,238,000	257,514	8%	1,002,174
Retiree Medical (ADC)	1,400,000	1,038,165	74%	- 27,870
115 Pension Trust	3,000,000	-	0%	3,000,000
Vehicle & Equipment	171,000	-	0%	-
Information Systems	1,207,500	100,191	8%	356,115
Plant & Pump Stat. R&R	400,000	-	0%	327,272
Emerg. Fund	-	-	0%	-
Cty Fee for SSC Admin.	113,000	-	0%	111,726
Debt Servicing:				
SRF Loans	-	-	0%	7,982
Bonds	9,017,480	7,152,169	79%	7,478,302
WIFIA	-	-	0%	363,040
Total Expenses	<u>\$ 137,887,030</u>	<u>\$ 31,603,466</u>	<u>23%</u>	<u>\$ 80,378,897</u>
Total Revenue & Proceeds less Expenses	\$ (50,835,530)	\$ (26,569,845)		118,944,113

Investment Portfolio

Performance Measures for the USD Investment Portfolio



	Jun'22	Jul'22	Aug'22	Sep'22	Oct'22
LAIF	0.86%	1.09%	1.28%	1.51%	1.77%
2 Year Treasury	2.92%	2.89%	3.45%	4.22%	4.66%
USD Yield	1.16%	1.47%	1.81%	2.01%	2.32%
CAMP	1.14%	1.64%	2.30%	2.61%	3.14%

LAIF: Local Agency Investment Fund Yield

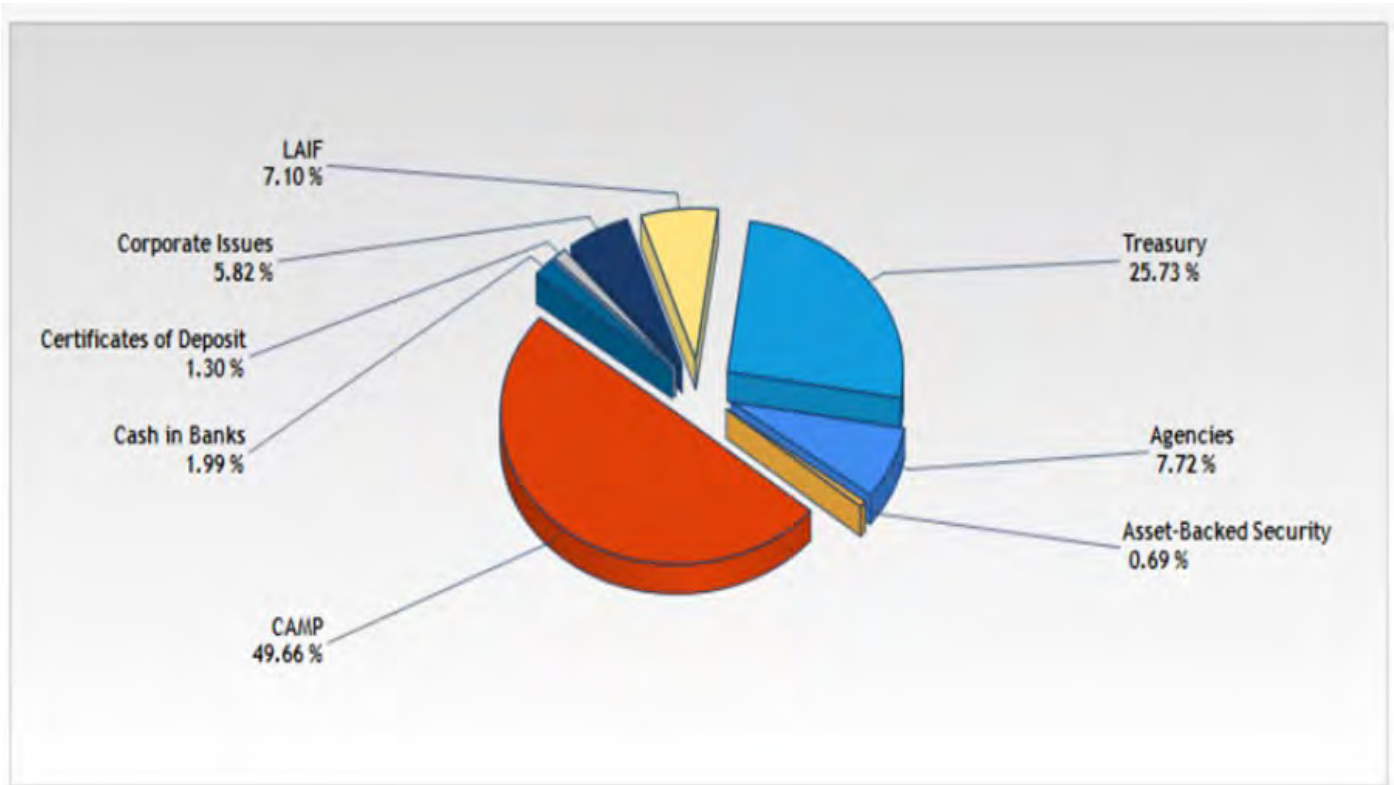
2 Year Treasury: Yield for investing in 2-Year U.S. Treasury security

USD Yield: Summarizes USD portfolio's yield

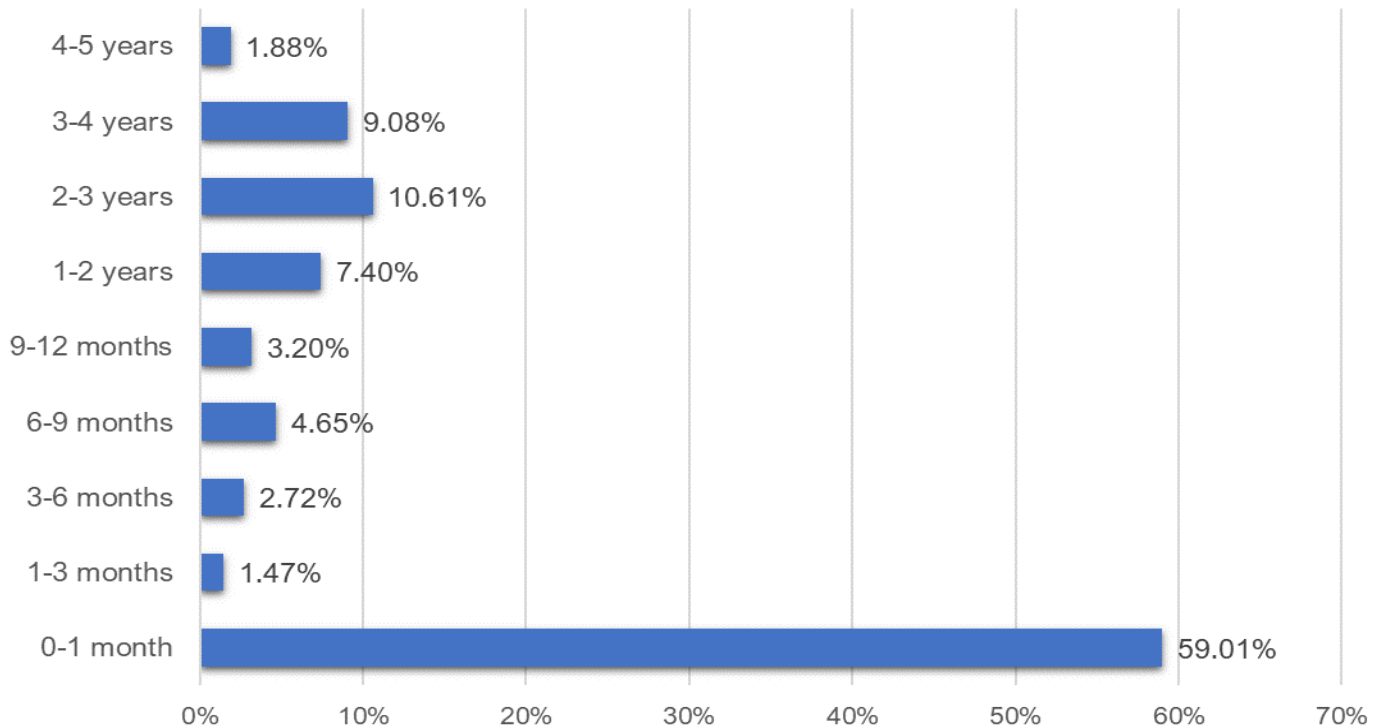
CAMP: California Asset Management Program Yield

Portfolio Holdings by Asset Class and by Maturity Range

Portfolio Holdings Distribution by Asset Class



Portfolio Holdings Distribution by Maturity Range



Union Sanitary District Odor Map and Report

During the recording period between October 1, 2022 through October 31, 2022, there were 4 odor related service request(s) received by the District.

City	Union City		
District Related:	Yes	Date/Time:	10/16/2022 6:10PM
Location:	Mackinaw Street	Reported by:	Sam Dua
Weather/Temp:	Clear / 64°F	Wind:	South West / 6.77 mph
Response and Follow-up: Customer called with an odor complaint citing the treatment plant as the source of the odor. He stated he detected an unpleasant odor.			
An on and off-site investigation was performed. The on-site investigation found no odors from USD plant, but the Piian System was found to not be working properly. The Piian Pump was not priming and discharging water mist only. The Piian feed tank was filled and the Piian Pump was reprimed. There were no reported problems afterward.			
Plant-related odors were detected at the complaint address. It was noted that the wind speed was very slow. At the time of the initial odor report, the tide level was high.			

City	Union City		
District Related:	No	Date/Time:	10/22/2022 5:15PM
Location:	Mackinaw Street	Reported by:	Mrs. Dua
Weather/Temp:	Clear & Breezy / 62°F	Wind:	South West / 22 mph
Response and Follow-up: Customer called with an odor complaint citing the treatment plant as the source of the odor. She stated she detected secondary treatment smell that made her feel unwell.			
An on and off-site investigation was performed. The on-site investigation found no odors from USD plant and no plant related odors at the complaint address. Mrs. Dua told the operator that we need to do something about this as she was feeling unwell related to the odors. Operators informed Mrs. Dua that we would confirm the odor scrubbing equipment was working correctly.			
M. Costello and A. Lopez reported our findings to the Dua family, indicating an area to the north of the treatment plant as the source of the odor. At the time of the initial odor report, the tide level was low.			

City	Union City		
District Related:	No	Date/Time:	10/25/2022 7:29PM
Location:	Mackinaw Street	Reported by:	Sam Dua
Weather/Temp:	Clear & Windy / 57°F	Wind:	West / 13 mph
Response and Follow-up: Customer called with an odor complaint citing the treatment plant as the source of the odor.			
An on and off-site investigation was performed. The on-site investigation found no odors from USD plant, no nuisance odors near 31354 Mackinaw St.			
The odor control system was working properly. At the time of the initial odor report, the tide level was low.			

Union Sanitary District Odor Map and Report

City	Union City		
District Related:	No	Date/Time:	10/26/2022 8:15PM
Location:	Mackinaw Street	Reported by:	Mrs.Dua
Weather/Temp:	Clear / 57°F	Wind:	West / 5.8 mph

Response and Follow-up: Customer called with an odor complaint citing the treatment plant as the source of the odor.

She stated there is a strong odor when opening door. An on and off-site investigation was performed. The on-site investigation found no odors from USD plant, no nuisance odors near 31354 Mackinaw St. Dispatched Collection Services (M. Lopez) to the complaint address.

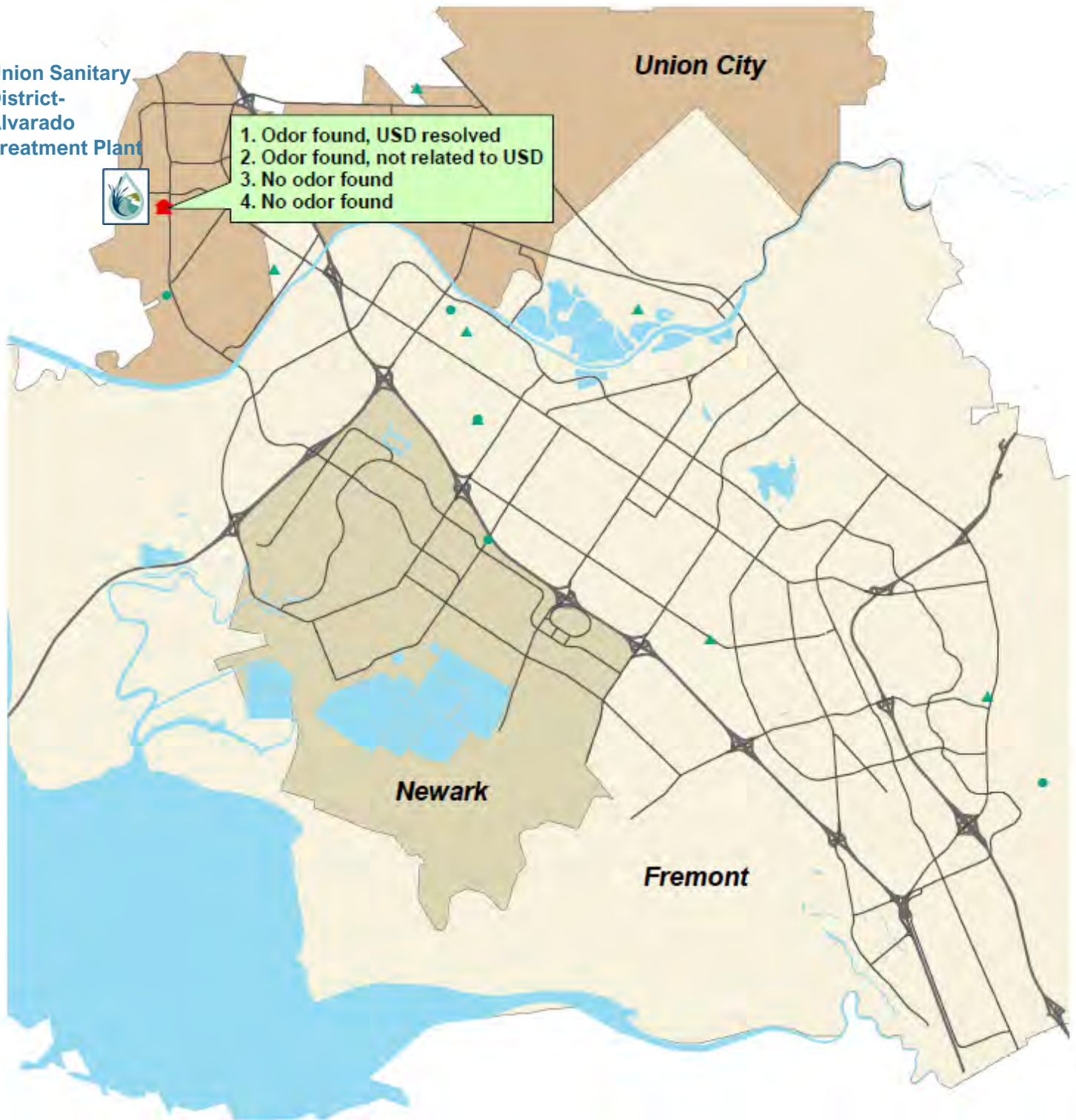
The odor control system was working properly. At the time of the initial odor report, the tide level was low.

Union Sanitary District Odor Map and Report

Union Sanitary
District-
Alvarado
Treatment Plant



1. Odor found, USD resolved
2. Odor found, not related to USD
3. No odor found
4. No odor found



Legend

Odor Complaints: October 2022

- ★ Odor found, USD resolved (1)
- Odor found, not related to USD (1)
- ▲ No odor found (2)

Odor Complaints: Nov. 2021 to Sep. 2022

- ★ Odor found, USD resolved (0)
- Odor found, not related to USD (12)
- ▲ No odor found (23)

**Location of Odor Reports
November 2021 to October 2022**

0 0.5 1 2 3 4 5 Miles





Customer Relations

2022 MONTHLY OPERATIONS REPORT

Customer Service Response

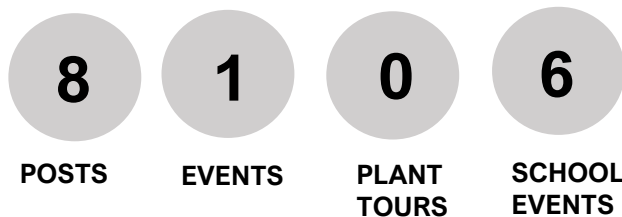
Front Desk Trouble Calls

Service calls that require immediate attention to support customer needs. Dispatched from the Front Desk during business hours.

Total Calls	Fremont	Newark	Union City	Total
Oct-22	9	0	1	10
Sep-22	6	0	1	7
Aug-22	14	1	2	17
Jul-22	5	1	3	9
Jun-22	9	3	1	13
May-22	10	1	1	12
6 Month Total				68
Oct-21	6	1	4	11

Communication and Outreach

Includes participation in local events, social media communication, plant tours, and school outreach events.



Social Media Posts:

- Water Professionals appreciation week
- Fats, Oils, and Grease
- Instrument Technician recruitment
- Clean Water Act 50th Anniversary
- GM presentation at Rotary Club of Fremont
- Keep coffee grounds out of drains
- Shared CASA post Halloween wipes
- Re-boost: Homeowner lateral video

Events:

- Science in the Park at CSEUB on 10/1/2022

Other Activities:

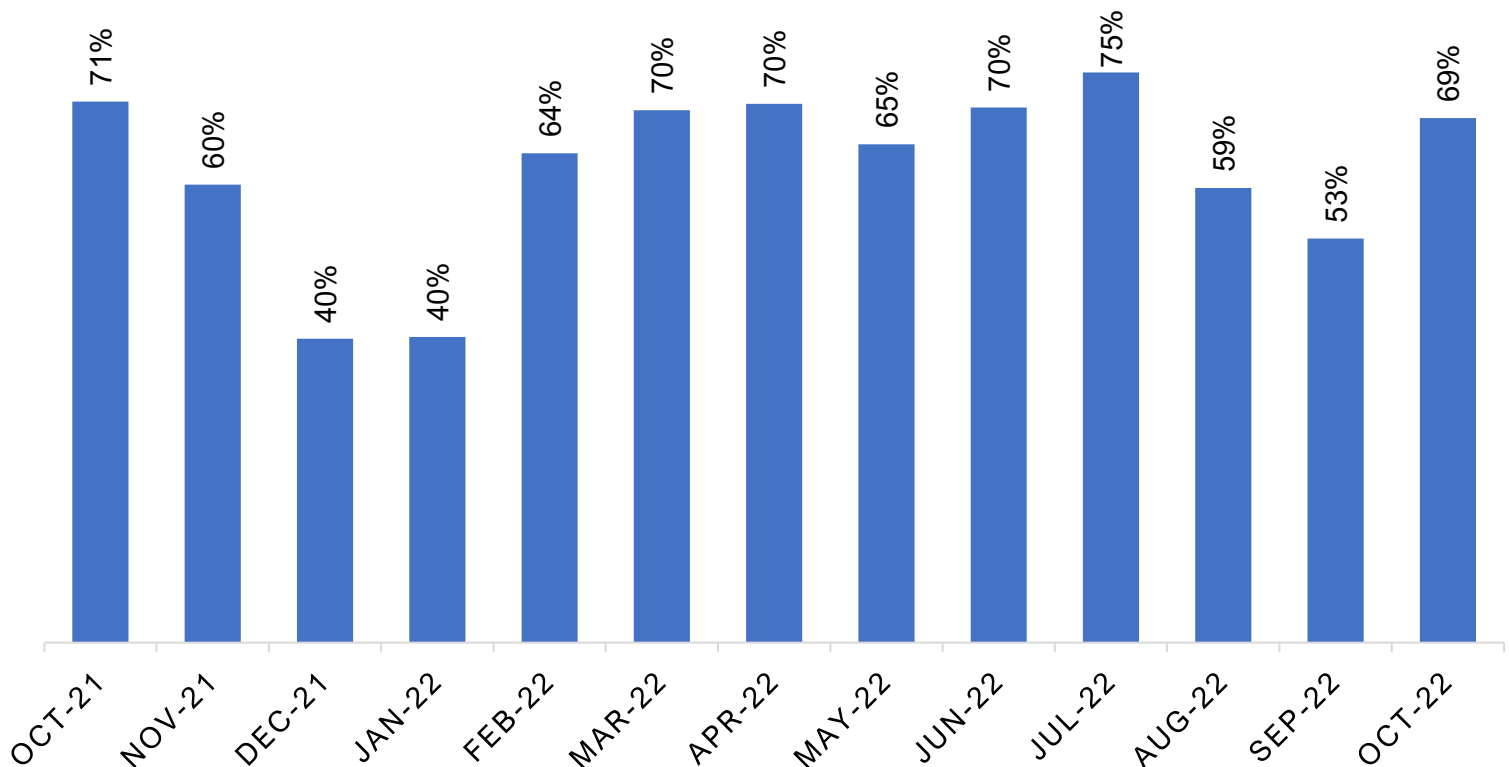
- Updated Org Chart web page



Cogeneration Engines at USD's Wastewater Treatment Plant

The chart below shows the percentage of Plant power usage generated by the District's cogeneration (cogen) engines monthly. The engines use biogas produced by the wastewater treatment process as the primary fuel to generate the majority of the plant's power needs, reducing operating costs.

Cogen Power Produced (% of total Plant load)





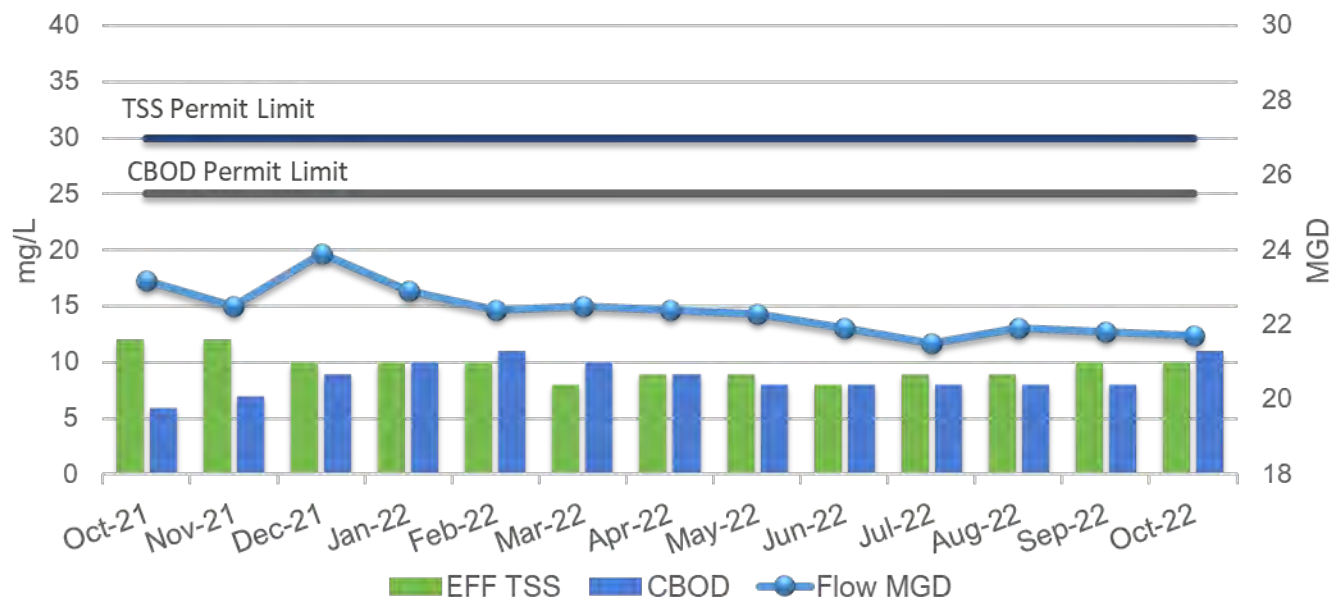
Plant Operations

2022 MONTHLY OPERATIONS REPORT

Lab Monitoring Results

USD's laboratory staff process over 6,200 samples and perform about 17,000 analyses every year to ensure discharges from the plant meet necessary standards.

Lab Results and Effluent Flow



EFF SS: Effluent Suspended Solids

CBOD: Carbonaceous Biochemical Oxygen Demand

MGD: Million Gallons per Day

USD's Final Effluent Monthly Monitoring Results

Parameter	Permit Limit	Aug-22	Sep-22	Oct-22
Copper, µg/l	53	4.9	4.1	7.2
Mercury, µg/l	0.066	0.003	N/A	N/A
Cyanide, µg/l	20	ND 0.9	ND 0.9	ND 0.9
Ammonia- N, mg/L (Range)	86	43.0 - 49.4	45 - 49.7	41.8 - 44
Fecal Coliform, MPN/100ml (Range)				
• 5-Day Geometric Mean	500	31 - 38	30 - 34	43 67
• 11-Sample 90th Percentile	1100	62 - 71	62 - 66	66 - 248
Enterococci				
• 6-Week Geometric Mean	280	12.5	24	33

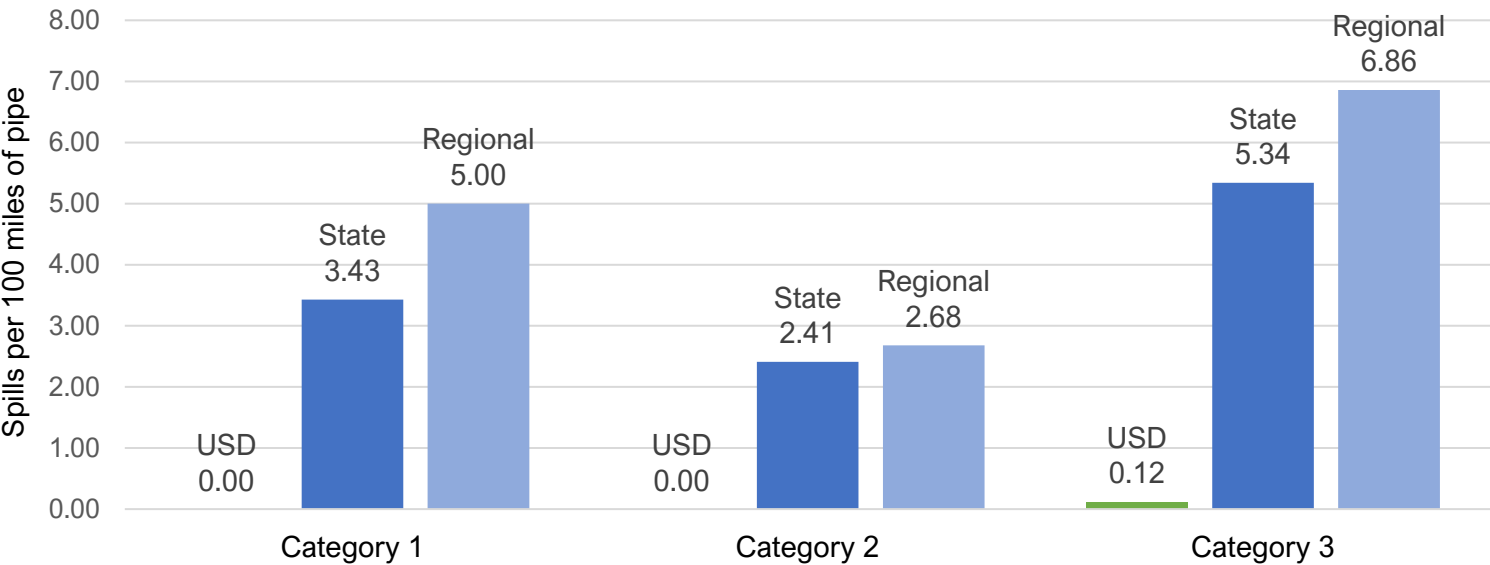
E = Estimated Value, concentration outside Calibration Range. ND = Not Detected, result is below Detection Limit.



Collection System Maintenance Work Completed

The Collection Services Workgroup maintains over 839 miles of gravity sewer through cleaning and televised inspection. They also service 63 District vehicles and maintain 3 buildings. Maintenance of equipment is completed by staff through sewer line repairs and work orders.

Average Spills per 100 Miles of Sewer Over the Last 12 Months
USD vs. Regional vs. State



Definition of Spill Categories

- Category 1: 1,000 gallons or more. Discharges to surface water, not fully captured.
- Category 2: 1,000 gallons or more. Does not reach surface water, not fully captured.
- Category 3: 1,000 gallons or less. Does not reach surface water, fully captured.

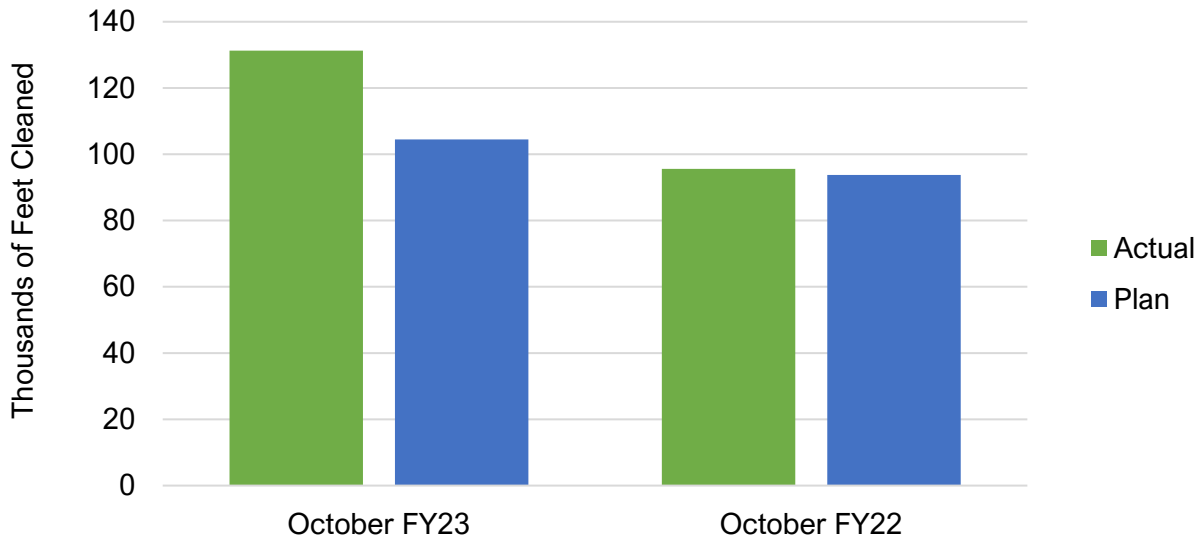
	This Month	Fiscal Year to Date	Historical Monthly Average
Sewer Line Repairs- # of Open Trench	0	0	2
Sewer Line Repairs- # of Trenchless	14	46	14
Work Orders Completed on Vehicles and Buildings	244	784	171



Maintenance Report

2022 MONTHLY OPERATIONS REPORT

Sewer Line Cleaning



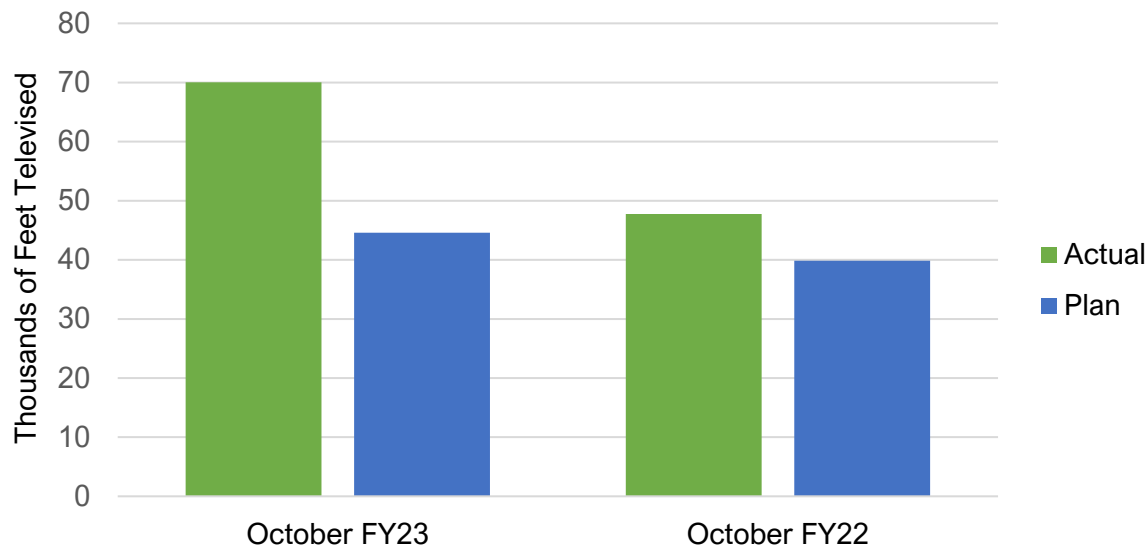
Cleaning Cost per Foot=\$1.20								
Description	Aug-22 Footage	Sept-22 Footage	FY23 Q1 Footage	Oct-22 Footage	FY23 YTD Footage	Historical FY22 Footage	FY23 YE Goal	% Completed to Plan
84 Month Hydro-Jet Clean	57,471	63,788	164,544	62,099	226,643	654,851	579,314	39.1%
Selective Line Cleaning	-	19,643	31,441	21,687	53,128	196,114	221,641	24.0%
Special Condition Clean (not in total)	639	751	1,390	1,446	2,836	32,029	28,940	9.8%
Root Control/Chemical Clean	2,759	39,964	42,723	44,816	87,539	320,841	410,502	21.3%
Cast Iron Cleaning	-	1,270	1,270	2,680	3,950	-	6,293	
Totals	60,230	123,665	239,978	131,282	371,260	1,171,806	1,217,750	30.5%



Maintenance Report

2022 MONTHLY OPERATIONS REPORT

Sewer Line Inspection and Televising



Televising Cost per Footage=\$1.19								
Description	Aug-22 Footage	Sept-22 Footage	FY23 Q1 Footage	Oct-22 Footage	FY23 YTD Footage/Count	Historical FY22 Footage/Count	FY23 Goal	% Completed to Plan
84 Month TV Inspection	61,583	22,997	108,880	59,996	168,876	481,639	477,964	35.3%
84 Month Manhole Inspection Count	147	135	525	146	671	1,163	2,468	27.2%
Visual/Condition, Pre/Post Cnst TV (not in total)	-	-	-	-	-	1,793	11,704	0.0%
Visual Manhole Inspection Count (not in total)	42	15	79	4	83	329	-	-
New Development, CIP, Misc (not in total)	235	961	1,507	-	1,507	33,140	34,056	4.4%
QA/QC Line Condition	-	-	-	-	-	19,201	16,074	0.0%
QA/QC Root Control	15,367	4,919	20,286	10,025	30,311	22,270	41,108	73.7%
Totals	76,950	27,916	129,166	70,021	199,187	523,110	535,146	37.2%

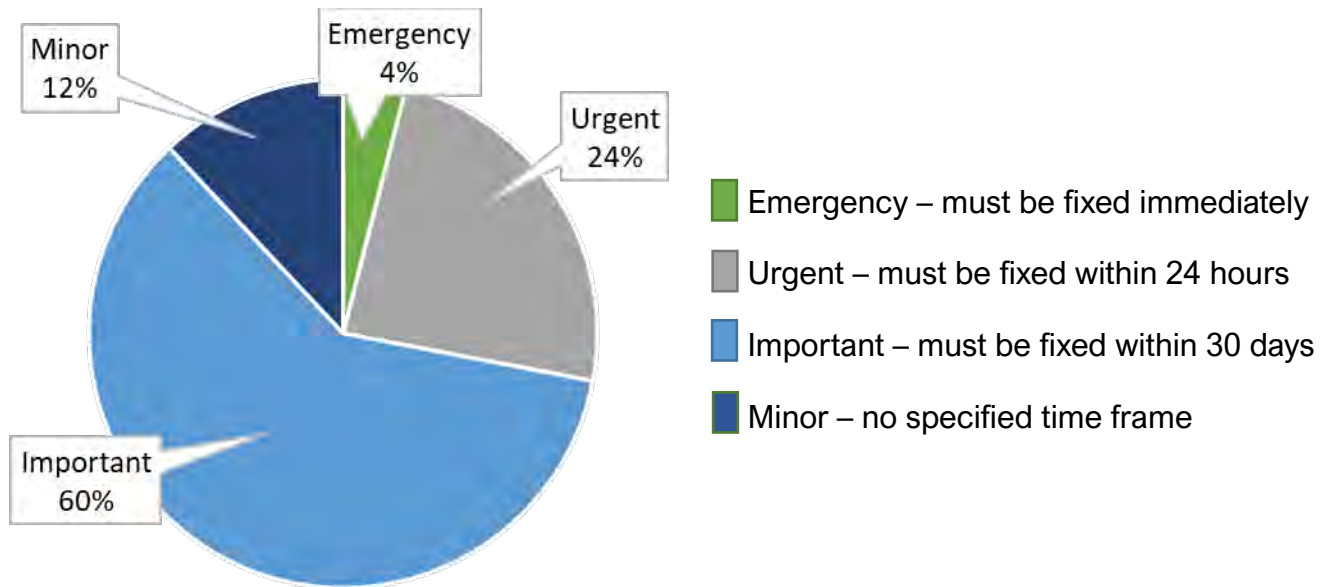


Maintenance Report

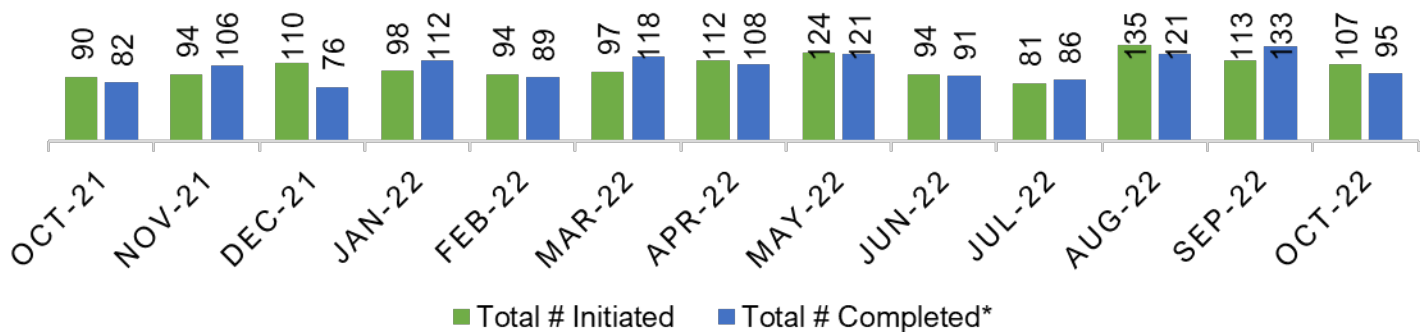
2022 MONTHLY OPERATIONS REPORT

Plant and Pump Stations Maintenance Work Completed

Equipment at our Plant and Pump/Lift stations is maintained by mechanics and other staff through completion of work orders. Staff completed 98.23% of preventative maintenance activities for the month in addition to the following shown below.



Work Orders Initiated and Completed



*The number of work orders completed in a month is dependent upon several factors including the availability of necessary parts and the amount of time required by staff to accomplish a given task.



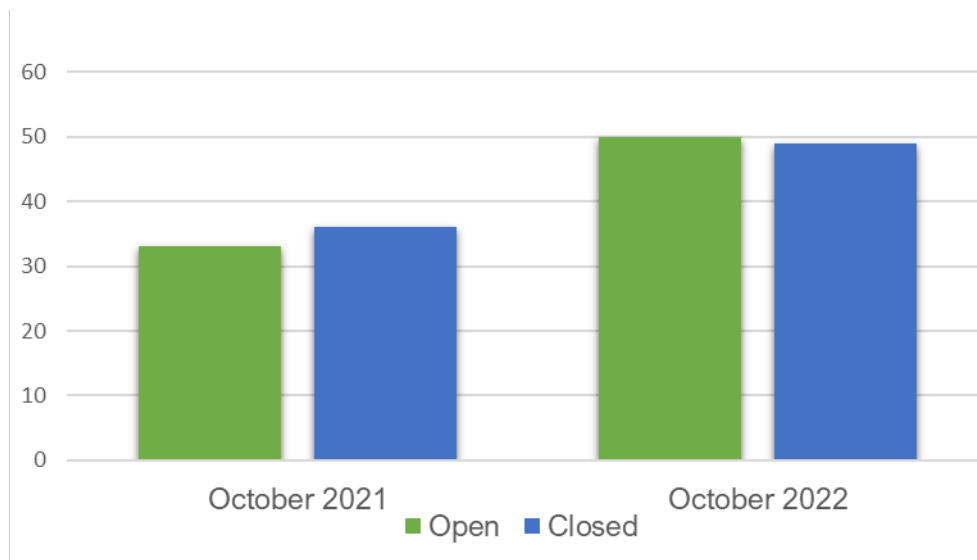
Maintenance Report

2022 MONTHLY OPERATIONS REPORT

Information Technology

USD's Information Technology (IT) staff install, upgrade, and maintain District computers and software systems. IT staff responsibilities include ongoing maintenance of systems critical to operation of our wastewater treatment plant and pump stations.

IT Help Desk Tickets



Managed and Hosted IT Asset Uptime

Asset Name	USD Managed or Hosted by Third Party	% Up time
USD Website	Hosted	99.95%
Email Server	Hosted	99.98%
Newark Pump Station	USD Managed	100%
Boyce Pump Station	USD Managed	100%
Irvington Pump Station	USD Managed	100%
SCADA	USD Managed	100%
Total Average of All USD Servers	USD Managed	99.99%

The majority of our IT network assets are maintained onsite by IT staff with an uptime target of 99.90%. Additional assets, such as the USD website, are hosted externally by a third party.



Capital Improvement Projects

2022 MONTHLY OPERATIONS REPORT

Capital Improvement Project (CIP) Activities

Our engineers manage and coordinate project activities including completion of studies, designing of future projects, and project management of construction work at our Plant, Pump Stations, gravity sewer network, and Force Mains.

Current CIP Projects – Budget and % complete

Current (FY23) CIP Projects	Budget (\$1,000)	Spent to Date (\$1,000)	Scheduled Completion	Completed Scope
1 – Aeration Blower No. 11 Project	\$1,652	\$1,469	12/21	100%
2 – Alvarado Influent Pump Station Improvements Project	\$9,028	\$8,420	11/21	98%
3 – Force Main Corrosion Repairs Project – Phase 3	\$1,064	\$889	10/22	84%
4 – FY21 Cast Iron/Pipe Lining Project	\$307	\$220	5/21	100%
5 – Irvington Basin Reinforced Concrete Pipe Rehabilitation Project	\$5,291	\$2,817	12/22	53%
6 – Primary Digester No. 7 Project	\$23,783	\$22,901	5/22	99%
7 – Standby Power Generation System Upgrade Project	\$21,135	\$1,603	6/24	8%



Digester #7 Project

[Click here to see time lapse video](#)



Capital Improvement Projects

2022 MONTHLY OPERATIONS REPORT

Design Phase – Budget and % of Completed Scope

Current (FY23) Design Phase	Budget (\$1,000)	Spent to Date (\$1,000)	Scheduled Completion	Completed Scope
1 – Cherry Street Pump Station Improvements Project	\$72	\$99	6/21	100%
2 – Plant Miscellaneous Improvements Project	\$199	\$199	9/22	97%
3 – Pump Stations Chemical System Improvements Project	\$762	\$753	10/21	99%
4 – Sodium Hypochlorite Loop Improvements Project	\$280	\$255	9/22	97%
5 – Switchboard No. 3 and MCC No. 25 Replacement Project	\$95	\$69	7/22	73%
6 – WAS Thickener Replacement Project	\$807	\$801	6/21	100%

Study Phase – Budget and % of Completed Scope

Current (FY23) Study Phase	Budget (\$1,000)	Spent to Date (\$1,000)	Scheduled Completion	Completed Scope
1 – Cogeneration Replacement and Ventilation Study	\$142	\$121	7/22	86%
2 – Energy Resiliency Study	\$256	\$133	12/22	52%
3 – Force Main Condition Assessment	\$121	\$32	10/22	60%
4 – Headworks Degritting Study	\$200	\$113	10/22	65%
5 – Odor Control Alternatives Study	\$504	\$476	12/20	99%
6 – Primary Digester No. 8 Feasibility Study	\$111	\$91	9/22	75%
7 – Pump Stations Condition Assessment Study	\$250	\$168	8/22	67%
8 – Sea Level Rise Study	\$162	\$91	11/22	60%
9 – Thermal Dryer Feasibility Study	\$128	\$101	7/22	79%
10 – 2022 Local Limits Study	\$44	\$0	12/22	50%



Permitting and Inspections

2022 MONTHLY OPERATIONS REPORT

Sewer Permits Issued

Permits issued upon approved completed plans.

Month	Repairs	Mains	New Laterals*	ADUs	Restaurants	Other**	Total
Oct-22	23	1	51	9	1	5	90
Sep-22	18	0	62	5	0	0	85
Aug-22	19	2	37	10	1	7	76

*New Laterals- New residential lateral connections

**Other- Non-residential construction (except restaurants)

Storm Water Inspections (City of Fremont)

Under contract with City of Fremont's Environmental Services Group, our inspectors conduct routine inspections and document enforcement actions.

Total Inspections		Total Monthly Enforcements						
Current Month	Fiscal Year to Date	Verbal Warning	Warning Letter	Notice of Violation	Admin Fine	Legal Action	Notice of Deficiency	Total
95	383	1	0	8	11	1	0	21

Pollution Prevention Inspections

Environmental Compliance conducts pollution prevention inspections at restaurants, car wash businesses, and other commercial facilities.

Total Inspections		Total Monthly Enforcements						
Current Month	Fiscal Year to Date	Verbal Warning	Warning Letter	Notice of Violation	Admin Fine	Legal Action	Notice of Deficiency	Total
81	227	10	11	0	0	0	0	21

Permitted Industrial Businesses

City	Industrial Permits
Fremont	59
Newark	13
Union City	12

Examples of Permitted Industrial Businesses:

- Tesla
- Washington Hospital
- US Pipe
- Western Digital
- Lam Research



Staffing and Personnel

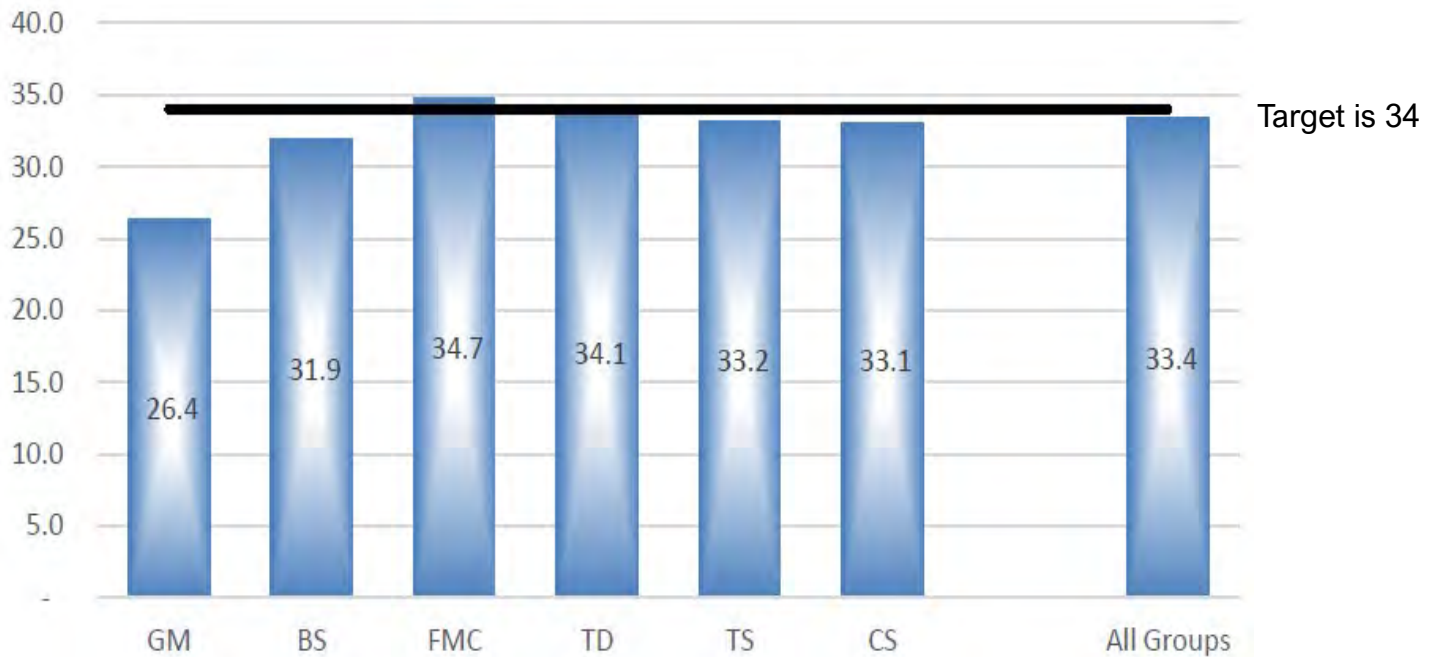
2022 MONTHLY OPERATIONS REPORT

Hours Worked and Leave Time by Work Group

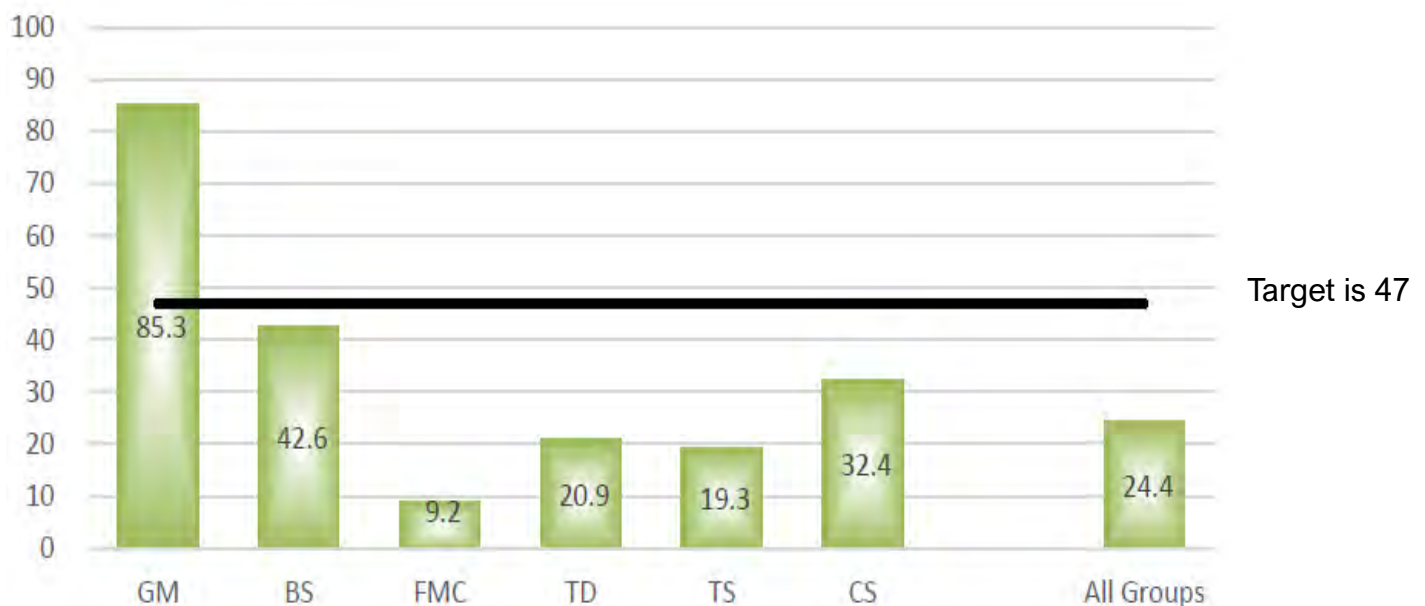
June 23, 2022 through October 26, 2022

Weeks to Date 18 out of 52 (34.62%)

At-Work Hours Per Employee Per Week



Average Annual Sick Leave Used Per Employee Per Date



Recruitments

Position	Position Posted	Status
Mechanic I/II	6/1/2022	Lee Rocha – DOH 10/17/2022
Plant Operator III Trainee – Limited Duration (2)	6/23/2022	Manuel De Avila Diaz – DOH 10/10/22; Noah Lundy – DOH 10/17/2022
Coach, Customer Service (Development Engineering Supervisor)	7/6/2022	Recruitment in process - continuing.
Accounting and Financial Analyst I/II	7/26/2022	Bobby Brotarlo – DOH 10/31/2022
Junior/Assistant/Associate Engineer – CIP (2)	8/8/2022	Recruitment in process. Guadalupe Leon, Junior Engineer – DOH 1/3/2023. Finalist interviews for second position.
Collection System Worker I	8/25/2022	Stanley Tarnowski – DOH 10/20/2022
Maintenance Assistant (Part-time)	9/7/2022	Francisco Zaragoza – DOH 11/21/2022
ETSU Junior/Assistant Engineer – Limited Duration	9/29/2022	Oscar Fajardo, Junior Engineer – LD. DOH 11/28/2022
Instrument Technician/Electrician	9/16/2022	Recruitment in process.



USD TREAT
PROTECT
PRESERVE
est. 1918
TRI-CITY WASTEWATER

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 9**

TITLE: Consider Confirming and Declaring the Need to Continue the Emergency Action to Repair Two Sewer Lines in the City of Fremont Damaged by Fiber Optic Line Installation (*This is a Motion Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Jose Rodrigues, Collection Services Work Group Manager
Raymond Chau, Technical Services Work Group Manager
Curtis Bosick, CIP Team Coach

Recommendation

Receive an update on repairs and adopt a motion by a four-fifths vote finding that there is a need to continue the action and confirming and declaring the continuance of the emergency.

Discussion

On November 14, 2022, the Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action to repair two sewer lines in the City of Fremont. Since that meeting, McGuire and Hester (MH) have completed the repairs on both sewer lines and are in the process of completing some minor miscellaneous tasks.

After the determination of an emergency pursuant to Public Contract Code section 22050, the Board is required to review the status of the emergency action at each subsequent meeting until the emergency action is terminated and authorize continuation of the emergency action by a four-fifths vote. This staff report seeks such authorization as there is a need to complete the actions described above.

Staff will continue to bring a similar agenda item to the Board to continue the emergency until it is terminated.

Background

In March of 2022, the District was notified that a contractor, HP Communications and JK Communication & Construction/Kleven Construction (JKC), working in the City of Fremont installing 5G fiber optic lines had damaged three separate sewer lines. Staff confirmed the damages by CCTV inspection. HP Communications repaired one of the damaged sewer mains due to its shallow depth and location. The District began discussions with the contractor and its insurance company about the repair of the other two damaged sewer mains given concerns about an inexperienced contractor further damaging the District's facilities sewer due to both sewer mains depth at (15'), groundwater concerns, the need to bypass sewage and possibly soft soil conditions in the area. The size and locations of the remaining damaged sewer mains are:

1. 8" sewer main near the intersection of Paseo Padre Parkway and Washington Blvd.
2. 18" sewer main near the intersection of Fremont Blvd. and Clipper Court.

Staff negotiated with the contractor and its insurance company for months to resolve the issue and complete the work without expending public funds, but the parties did not reach an acceptable resolution.

Given the upcoming wet weather season and time required to complete the work, it was necessary for the District to expeditiously proceed with the repair, while concurrently working toward reimbursement of funding from the contractor. The damaged sewer mains in their current condition create enough risk to the District that staff recommended an emergency be declared to expedite the necessary repairs.

The District's Purchasing Policy and California Public Contract Code (PCC) Section 20806 allow for emergency contracting without competitive bidding in accordance with the requirements of PCC Section 22050. Section 22050(a) provides that the District, pursuant to a four-fifths vote of the Board, "may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts."

The attached Resolution No. 2982, adopted on September 12, 2022, addressed the requirements of the PCC, and declared an emergency and authorized additional expenditures without the need for competitive bidding. As such, the District has proceeded with the work under our emergency services contract with McGuire and Hester, as described above. Cost estimates for the repairs range from \$583,000, with McGuire and Hester fully performing all of the repairs, to \$459,000, with McGuire and Hester performing the sewer line work and HP/ JK Communications performing the paving and restoration.

Previous Board Action

09/12/2022 Board Meeting – The Board adopted a resolution declaring an emergency and authorizing the emergency expenditure of funds for the repair of two sewer lines in the City of Fremont damaged by fiber optic line installation.

09/26/2022 Board Meeting – The Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

10/10/2022 Board Meeting – The Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

10/24/2022 Board Meeting – The Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

11/14/2022 Board Meeting – The Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

Attachments: Figures 1 through 4 – Location Maps and Photos of Damaged Sewers
 Figures 5 through 10 – Updated Construction Pictures
 Resolution No. 2982

Figure 1 - Location of Damaged 18" Sewer Main



Figure 2 - Photo of Damaged 18" Sewer Main



From MH: G21013 To MH: G21008

Figure 3 - Location of Damaged 8" Sewer Main

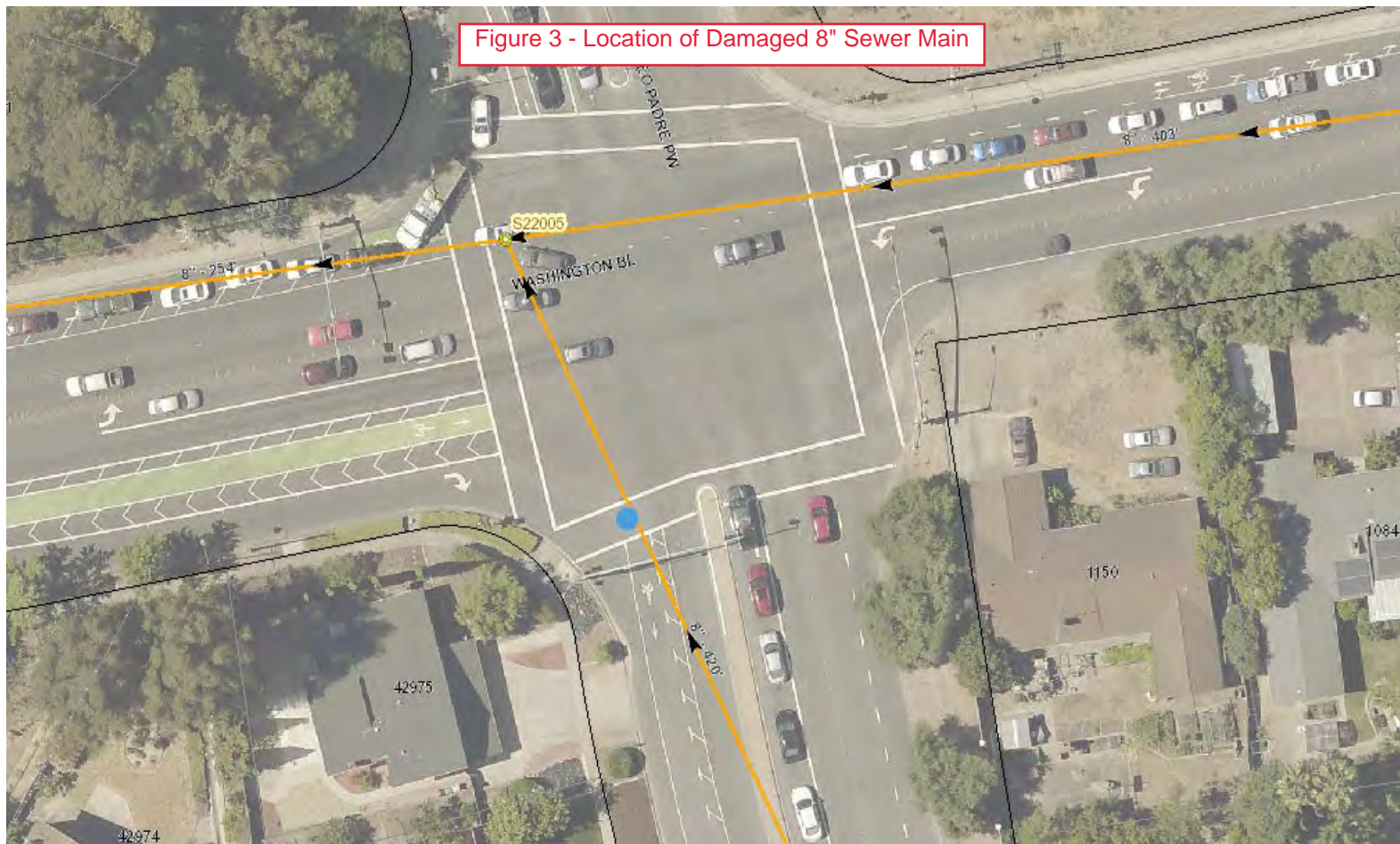


Figure 4 - Photo of Damaged 8" Sewer Main

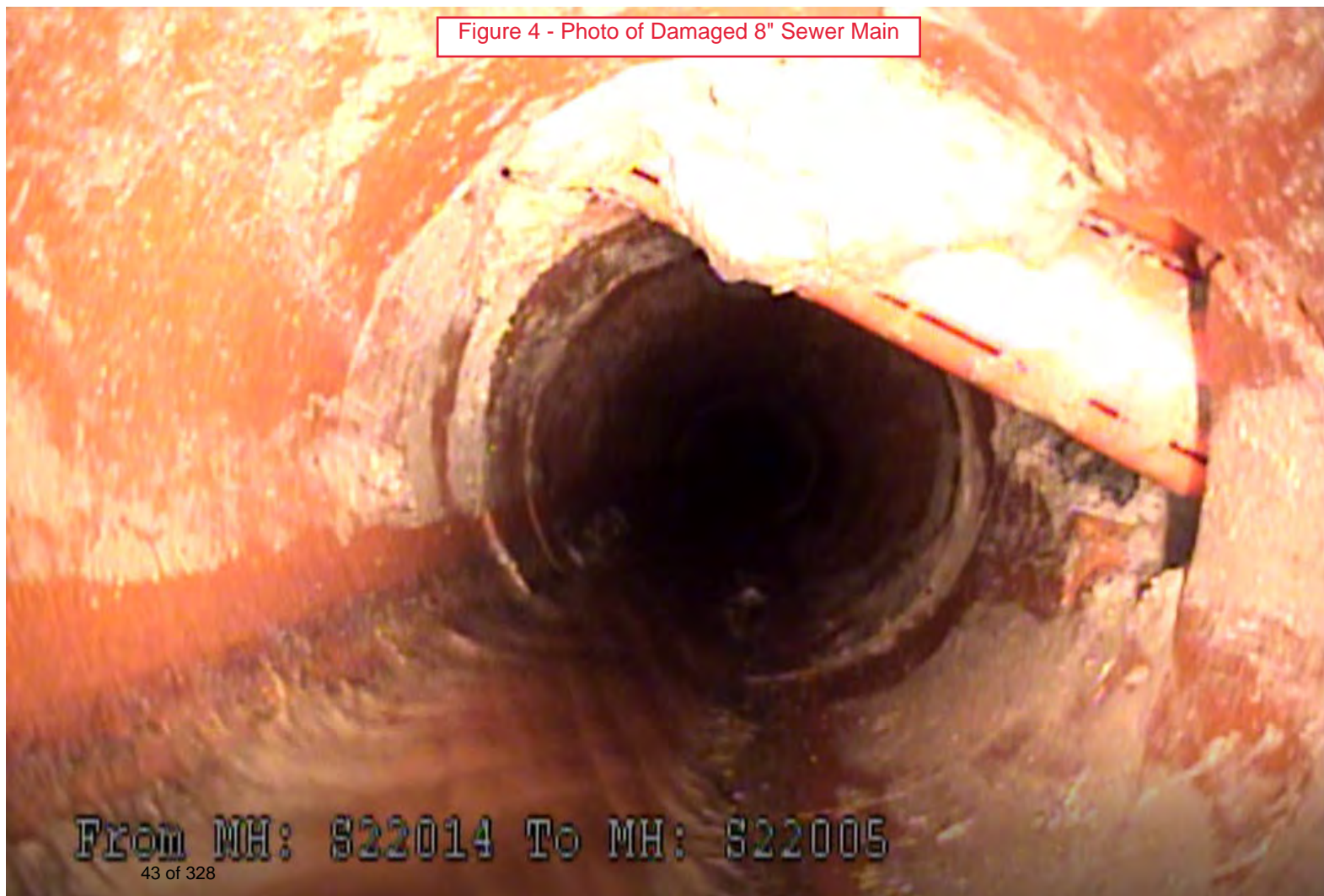


Figure - 5

46759 Fremont Blvd
Fremont CA 94538
United States



Figure - 6

46750 Fremont Blvd
Fremont CA 94538
United States



Figure - 7

1150 Washington Blvd
Fremont CA 94539
United States



Figure - 8

42975 Paseo Padre Pkwy
Fremont CA 94539
United States



Figure - 9

42975 Paseo Padre Pkwy
Fremont CA 94539
United States



Figure - 10

42975 Paseo Padre Pkwy
Fremont CA 94539
United States



RESOLUTION NO. 2982

DECLARING AN EMERGENCY AND AUTHORIZING THE EMERGENCY EXPENDITURE OF FUNDS FOR THE REPAIR OF TWO SEWER LINES IN THE CITY OF FREMONT DAMAGED BY FIBER OPTIC LINE INSTALLATION

WHEREAS, two gravity sewer mains in the City of Fremont located at (1) the intersection of Paseo Padre Parkway and Washington Blvd; and (2) the intersection of Fremont Blvd. and Clipper Court, have been damaged by a private third-party contractor installing 5G fiber optic lines in City's right-of-way; and

WHEREAS, the District has not been able to reach resolution with the contractor and its insurance company regarding the completion of the repair and reimbursement to the District; and

WHEREAS, given the upcoming wet weather season and time required to complete the work, it is necessary for the District to expeditiously proceed with the repair, while concurrently working toward resolution of the reimbursement of funding from the contractor; and

WHEREAS, the damaged sewer mains in their current condition create risk to the District and must be repaired; and

WHEREAS, compliance with competitive bidding procedures typically takes a number of months and would not allow prompt action to be taken to complete the repair, as required to safeguard the public and District facilities; and

WHEREAS, the District's Purchasing Policy and California Public Contract Code (PCC) Section 20806 allow for emergency contracting without competitive bidding in accordance with the requirements of PCC Section 22050; and

WHEREAS, the California Environmental Quality Act establishes a statutory exemption for emergency repairs to public service facilities necessary to maintain service, and other specific actions necessary to prevent or mitigate an emergency; and

WHEREAS, the damage involves a clear and imminent threat, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, and essential public services.

**NOW, THEREFORE, BE IT RESOLVED, BY THE UNION SANITARY
DISTRICT BOARD OF DIRECTORS, BASED ON THE STAFF REPORT AND ORAL
AND WRITTEN TESTIMONY, AS FOLLOWS:**

1. The above recitals are true and correct and are material to this Resolution and are incorporated into this Resolution as findings of the District Board.

2. The Board finds and declares, pursuant to Public Contract Code section 22050(a), that based on substantial evidence presented before the Board, the emergency will not permit a delay resulting from competitive solicitation for bids for the repair of the District's damaged sewer mains, and that this action is necessary to respond to the emergency.

3. The Board authorizes staff to continue to proceed with the repair or replacement of the two sewer mains in Fremont located at (1) the intersection of Paseo Padre Parkway and Washington Blvd; and (2) the intersection of Fremont Blvd. and Clipper Court, and procurement of the necessary equipment, services and supplies for that purpose without giving notice for bids to let contracts.

4. The Board will review the status of the emergency at each subsequent meeting of the Board of Directors and vote to authorize continuation of this resolution until the emergency action is completed.

PASSED, APPROVED, AND ADOPTED by at least a four-fifths vote, at a regular meeting of the Board of Directors on this 12th day of September, 2022.

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:



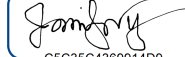
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ANJALI LATHI

President, Board of Directors
UNION SANITARY DISTRICT

Attest:

DocuSigned by:



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JENNIFER TOY

Secretary, Board of Directors
UNION SANITARY DISTRICT

Certificate Of Completion

Envelope Id: 81133E93D6A147E7B870935D3BB35AF5

Status: Completed

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Document Pages: 2

Signatures: 2

Certificate Pages: 5

Initials: 0

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Union City, CA 94587

sharona@unionsanitary.ca.gov

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Signer Events


Anjali Lathi

alathi@unionsanitary.ca.gov

Union Sanitary District

Security Level: Email, Account Authentication
(None)**Signature**

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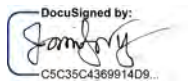
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Jennifer Toy

jtoy@unionsanitary.ca.gov

Security Level: Email, Account Authentication
(None)

DocuSigned by:



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Completed	Security Checked	9/15/2022 7:54:17 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		



USD TREAT
PROTECT
PRESERVE
est. 1918
TRI-CITY WASTEWATER

Directors

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM #10**

TITLE: Consider Approval of a Settlement Agreement and Mutual Release with JK Communication & Construction/Kleven Construction, Inc., The Hartford, and Hartford Underwriters Insurance Company (*This is a Motion Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Karen W. Murphy, General Counsel
J. Leah Castella, Assistant General Counsel

Recommendation

Approve and authorize execution of a Settlement Agreement with JK Communication & Construction/Kleven Construction, Inc. ("JKC"), The Hartford ("Hartford"), and Hartford Underwriters Insurance Company ("HUIC"), in the form attached.

Discussion

In March of 2022, the District was notified that a contractor, HP Communications and JKC (contractor), working in the City of Fremont had damaged three separate sewer lines. The District allowed HP Communications to repair one of the damaged sewer mains due to its shallow depth, but the other two lines required repair by the District.

The District negotiated with the contractor and its insurance company for months to resolve the issue and complete the work without expending public funds, but the parties were not able to reach a resolution. Therefore, the District has been completing the work and concurrently, on September 22, 2022, filed a complaint to recover damages against MCI Metro Access Transmission Services LLC d/b/a Verizon Access Transmission Services and MCI Communications Services, Inc. ("Verizon"), HP Communication, and JKC.

After the filing of the Complaint, JKC's insurance company agreed to pay the District's costs for the repair work. District counsel and counsel for JKC's insurance company negotiated the terms of a Settlement Agreement for the Board's consideration. Pursuant to the terms of the Settlement Agreement, JKC's insurance company has offered to pay the District a total of \$585,425.00, which consists of \$575,925.00 for the District's repair estimate and \$9,500.00 for District's staff time in managing the damaged sewer mains. In exchange for the payment from the insurance company, the District will release all claims against JKC, Hartford, HUIC, Verizon and HP Communication and will dismiss *Union Sanitary District vs. MCI Metro Access Transmission Services LLC, et.al.*; Alameda County Superior Court Case No. 22CV018330.

Background

In March of 2022, the District was notified that a contractor, HP Communications and JK Communication & Construction/Kleven Construction (JKC), working in the City of Fremont installing 5G fiber optic lines had damaged three separate sewer lines. Staff confirmed the damages by CCTV inspection. HP Communications repaired one of the damaged sewer mains due to its shallow depth and location. The District began discussions with the contractor and its insurance company about the repair of the other two damaged sewer mains given concerns about an inexperienced contractor further damaging the District's facilities sewer due to both sewer mains depth at (15'), groundwater concerns, the need to bypass sewage and possibly soft soil conditions in the area. The size and locations of the remaining damaged sewer mains are:

1. 8" sewer main near the intersection of Paseo Padre Parkway and Washington Blvd.
2. 18" sewer main near the intersection of Fremont Blvd. and Clipper Court.

Staff negotiated with the contractor and its insurance company for months to resolve the issue and complete the work without expending public funds, but the parties did not reach an acceptable resolution.

Given the upcoming wet weather season and time required to complete the work, it was necessary for the District to expeditiously proceed with the repair, while concurrently working toward reimbursement of funding from the contractor. The damaged sewer mains in their current condition create enough risk to the District that staff recommended an emergency be declared to expedite the necessary repairs.

The District's Purchasing Policy and California Public Contract Code (PCC) Section 20806 allow for emergency contracting without competitive bidding in accordance with the requirements of PCC Section 22050. Section 22050(a) provides that the District, pursuant to a four-fifths vote of the Board, "may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts."

Resolution No. 2982, adopted on September 12, 2022, addressed the requirements of the PCC, and declared an emergency and authorized additional expenditures without the need for

competitive bidding. As such, the District has proceeded with the work under our emergency services contract with McGuire and Hester, as described above. The current cost estimate is \$575,925.00.

Previous Board Action

09/12/2022 Board Meeting – The Board adopted a resolution declaring an emergency and authorizing the emergency expenditure of funds for the repair of two sewer lines in the City of Fremont damaged by fiber optic line installation.

09/26/2022 Board Meeting – The Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

10/10/2022 Board Meeting – The Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

10/24/2022 Board Meeting – The Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

11/14/2022 Board Meeting – The Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

Attachment

Proposed Settlement Agreement

SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS

This Settlement Agreement and Release of Claims (hereinafter referred to as the "Agreement"), effective _____, 2022 ("Effective Date"), is entered into by and among the Union Sanitary District (the "DISTRICT"), JK Communication & Construction/Kleven Construction, Inc. ("JKC"), The Hartford (the "HARTFORD"), and Hartford Underwriters Insurance Company ("HUIC") (said four parties sometimes being herein referred to individually as a "PARTY" and collectively as the "PARTIES").

RECITALS

1. **WHEREAS**, on or about August 12, 2021 and October 1, 2021, contractor, HP COMMUNICATIONS INC. ("HP") issued two respective Work Orders to JKC to trench, bore, and install 5G MCI fiber optic conduit underground at two locations: (1) the intersection of Fremont Blvd. and Clipper Ct. and (2) the intersection of Washington Blvd. and Paseo Padre, both located in Fremont, California (the "PROJECT").

2. **WHEREAS**, on or about March 17, 2022, it was discovered by CCTV investigation that two sewer lines at each respective location of the PROJECT were pierced by the 5G MCI fiber optic conduits installed.

3. **WHEREAS**, on or about March 17, 2022, the DISTRICT notified HP and JKC that the two sewer lines at issue on the PROJECT were pierced and requested compensation from JKC in order for the DISTRICT to retain DISTRICT-approved contractors to repair the two pierced sewer lines at the PROJECT (the "CLAIM").

4. **WHEREAS**, on or about April 21, 2022 the DISTRICT provided an initial bid proposal by McGuire & Hester with a total repair cost of \$575,925 to repair the CLAIM (the "REPAIR"). Attached as reference hereto is the subject bid proposal as **Exhibit A**.

5. **WHEREAS**, the PARTIES, in order to avoid the uncertainties, inconvenience and expense of litigation, and without in any way conceding the validity or sufficiency of any claims or contentions of any adverse PARTY, now desire to enter into this Agreement in full settlement and discharge of all claims that have or could have been asserted among the PARTIES, whether known or unknown, suspected or unsuspected, arising out of, occurring in connection with, and/or relating to the PROJECT and/or the REPAIR, on the terms and for and in consideration of the promises and agreements set forth below.

AGREEMENT

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged and in consideration of the foregoing recitals and **Exhibit A**, all of which are incorporated by reference herein, and the following provisions and covenants, the PARTIES hereto agree to the following terms:

1. Settlement Consideration

The consideration for settlement of all past, present and future claims as between the PARTIES to the CLAIM and arising out of or related to the PROJECT and the REPAIR is as follows:

- (a) JKC, by and/or through the HARTFORD and/or HUIC shall issue payment to the DISTRICT in the total sum of Five Hundred Eighty Five Thousand Four Hundred Twenty Five Dollars (\$585,425.00). The sum is comprised of \$575,925.00 for repair costs and \$9,500.00 for DISTRICT staff time. The sum shall be paid by draft payable to "The Union Sanitary District" ("Payee"). Payment shall be issued within 20-days after the HARTFORD and HUIC receive a fully-executed copy of this Agreement, and a W-9 for the Payee.

2. Release

Effective upon the DISTRICT's counsel's receipt of the settlement payment set forth in Paragraph 1 above, the DISTRICT hereby releases and forever discharges JKC, the HARTFORD, HUIC, HP, and all other entities within JKC's contractual chain pertaining to the PROJECT, and, as applicable, each of their respective direct and indirect, affiliated or related entities, predecessors and successors in interest, insurers, assigns, agents, representatives, officers, directors, shareholders, joint venturers, partners, employees, sureties, attorneys, and each of them, past, present, and future, whether or not named as parties to this CLAIM (collectively "Released Parties"), with respect to any and all claims, demands, liabilities, obligations, interests, liens, judgments, damages, debts, attorneys' fees, expert and consultant fees, accounts, actions, and causes of action whether in law, tort, contract, equity or otherwise, which the DISTRICT has, may have, or claims to have against the Released Parties on account of, arising from, relating to, and/or pertaining to the PROJECT, the REPAIR, and/or any of the claims, facts, or allegations in the CLAIM, the PROJECT, and/or the Agreement (collectively the "RELEASED CLAIMS").

The DISTRICT agrees this release shall constitute a complete bar to and/or full satisfaction of any and all past, present, and future judgments, awards, or claims against the Released Parties, arising out of, or in any way connected with the PROJECT and the REPAIR, causes of action, claims, rights or duties and/or disputes in the CLAIM and the REPAIR.

The DISTRICT acknowledges the release set forth herein is a general release with respect to the DISTRICT'S claims against the Released Parties arising out of the CLAIM, the PROJECT, and the REPAIR as described in the recitals and this section.

3. Risk of Unknown Claims

In connection with such releases, waivers and discharges as set forth in Paragraph 2 above, the PARTIES are represented by counsel or have had a full and complete opportunity to seek the advice of independent counsel, are aware of, fully understand and acknowledge that there is a risk that, subsequent to the execution of this Agreement, the DISTRICT may discover, incur, or suffer claims which were unknown or unanticipated at the time this Agreement is executed, including,

without limitation, unknown or unanticipated claims which arise from, are based upon, or are related to the CLAIM, the PROJECT, the RELEASED CLAIMS, and/or some aspect thereof, which if known by the DISTRICT on the date of this Agreement being executed, may have materially affected their decision to execute this Agreement. The DISTRICT expressly assumes the risk of such unknown and unanticipated claims and agrees that the releases provided in this Agreement apply to all such claims.

4. Indemnification

The DISTRICT shall indemnify, save, keep harmless and waive any action against the JKC, the HARTFORD, and HUIC, and their respective representatives, officers, directors, members and shareholders against and from all liabilities, demands, claims, actions or causes of action, assessments, levies, losses, including fines, penalties, damages, costs and expenses, including without limitation, reasonable attorney's fees, sustained or incurred by any of them, resulting from or arising out of or by virtue of the CLAIM or the subsequent REPAIR.

5. Waiver of California Civil Code Section 1542

The PARTIES expressly waive all rights or benefits which they now have or in the future may have under the terms of Section 1542 of the *Civil Code* of the State of California, which reads:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

In waiving the provisions of Section 1542 of the California *Civil Code*, the PARTIES acknowledge that they may hereafter discover facts in addition to or different from those which they may now believe to be true with respect to the RELEASED CLAIMS, but agree that the releases herein given shall be and remain in effect as full and complete releases notwithstanding the discovery or existence of any such additional or different facts, of which the PARTIES expressly assume the risk with regard to the RELEASED CLAIMS.

6. Non-Disparagement

Each PARTY agrees that it shall not make any statements about the other PARTIES that are in any way disparaging, derogatory or defamatory in nature. The PARTIES further agree that this paragraph shall not apply to any DISTRICT staff reports made available to the public which contain a reporting of the facts surrounding the claim pursuant to California Government Code Sections 54957.1(a)(3)(A) and 54957.5.

7. Binding Effect

This Agreement shall be binding upon the PARTIES and inure to the benefit of the PARTIES' hereto and their respective successors, heirs, assigns, spouses, children, grantees, lien claimants, personal representatives, agents, parent corporations, subsidiary corporations, affiliated entities, directors, shareholders, and all others, including but not limited to individuals, partnerships, and corporations connected with the CLAIM, previously mentioned herein in this Agreement.

8. Fees and Costs

The PARTIES shall each bear their own costs, including attorney's fees, expert costs, liens, and any other costs incurred in or with respect to the CLAIM, including the preparation, drafting, and execution of this Agreement and with respect to compliance with their respective obligations as set forth herein.

9. Disputes

Notwithstanding the above provisions, any disputes concerning application, interpretation, and/or breach of this Agreement arising between the PARTIES following execution of this Agreement, shall be submitted to the Alameda County Superior Court, and the Alameda County Superior Court shall have jurisdiction for that purpose. The prevailing party in any such subsequent litigation shall be entitled to reasonable attorneys' fees, investigative expenses, expert and consultant fees, and court costs incurred in such an action. The venue of any such dispute shall be the County of Alameda, and the controlling law shall be the law of the State of California.

10. No Admissions

This Agreement is entered into solely for purposes of compromise of the specific disputed claims set forth herein, and each PARTY expressly agrees and acknowledges that no other PARTY has admitted, and by execution and performance of this Agreement, does not admit any liability, wrongdoing, or obligation to any other PARTY, or the sufficiency of any defenses to any such claims, allegations, assertions, contentions or positions.

11. Inclusive Language

Whenever in this instrument the context requires the masculine, feminine, and/or neutral gender, each shall be deemed to include the other, and the singular and plural are each deemed to refer to the other.

12. Severability

In the event that, at any time after the execution of this Agreement, any portion or provision of it is found to be illegal, invalid, unenforceable, non-binding, or otherwise without legal force or effect, the remaining portion(s) will remain in force and be fully binding.

13. Controlling Law

This Agreement, its validity, the construction of its terms, and the interpretation of rights and duties of the parties hereto, shall be governed and construed under the laws of the State of California.

14. Counterparts

This Agreement may be executed in one or more counterparts, each of which when executed and delivered shall be an original, and all of the counterparts when executed and taken together shall constitute one and the same instrument. A digital PDF or scan, photocopy, or facsimile copy of a signature page shall be deemed to be an original for all purposes, and may be deemed effective pursuant to California Rules of Court, Rule 2.305(d).

15. Fully-Integrated Contract

This Agreement constitutes the sole and entire agreement between the PARTIES with regard to the subject matter hereof and supersedes any and all understandings and agreements made prior hereto. There are no collateral understandings, representations, or agreements other than those contained herein. No provision of this Agreement shall be amended, waived or modified except by an instrument in writing, signed by all PARTIES.

16. Modification

No modification, amendment, or waiver of any of the provisions contained in this Agreement shall be binding unless made in writing and signed by all of the affected PARTIES and/or by their duly authorized officers or agents.

17. Third Party Beneficiaries

This Agreement is not intended, nor shall it be construed, to create or confer any rights or benefits in anyone not a signatory hereto except as expressly provided herein. There are no third-party beneficiaries to this Agreement.

18. Joint Drafting

The PARTIES hereby acknowledge and agree that the drafting and finalizing of this Agreement is the product of a joint effort by all PARTIES, and/or their respective legal counsel, and that, as a result, any ambiguity in this Agreement shall not be interpreted to the detriment of any PARTY to this Agreement on any basis, including an application of any statutory or common law rule that may construe ambiguity against the drafting party.

19. Factual Uncertainty

The PARTIES hereby acknowledge that each may hereafter discover facts different from and/or in addition to those facts that each may now know or believe to be true, with respect to the claims and/or other matters herein released, and each PARTY agrees that this AGREEMENT shall be and remain in full force and effect in all respects, notwithstanding any such later discovered different and/or additional facts.

20. Independent Judgment/Legal Representation

Each of the PARTIES executes this Agreement, acting upon his/her/its independent judgment and with the advice of his/her/its respective legal counsel (or following an opportunity to seek the advice of independent counsel), without any representations or inducements, express or implied, of any kind or nature, from each to the other, or from any other party, except as specifically set forth herein.

21. Authority/Ownership of Claims

By execution of this Agreement, each PARTY represents and warrants that: (a) Such PARTY has full right and authority to undertake any action contemplated by this Agreement; (b) The execution of this Agreement has been duly and properly authorized by the PARTY on whose behalf said Agreement is executed in accordance with all applicable laws, regulations, agreements and procedures governing the authority of such person or entity to execute this agreement on behalf of such PARTY; (c) The consent of all persons or entities whatsoever necessary to ensure the due execution of this Agreement has been obtained; and (d) Such PARTY has not sold, transferred, conveyed, assigned, hypothecated, and/or subrogated any of the rights, claims or causes of action released herein.

22. Effectuation

The PARTIES agree and covenant to cooperate fully and to execute any and all supplementary documents and to take all additional actions that may be necessary or appropriate to give full force to the basic terms and intent of this Agreement and which are not inconsistent with its terms.

23. Good Faith Settlement

The PARTIES warrant, represent, and agree that this Agreement has been entered into in good faith, at arm's length, without collusion, and is the production of the negotiation of adverse interests as between the PARTIES.

24. Voluntary Execution

The PARTIES hereto, and each of them, further represent and declare that they have carefully read this Agreement and know the contents thereof, and that they sign the same freely and voluntarily. Each PARTY acknowledges that he, she, or it has been represented by counsel or has had the opportunity to consult with independent counsel, throughout the pendency of the negotiations of this Agreement.

25. Admissibility and Enforceability

The parties agree that this Agreement is admissible in any action to interpret or enforce its terms.

IN WITNESS WHEREOF, the undersigned hereto have accepted this Agreement on the dates specific below.

UNION SANITARY DISTRICT

Dated: _____

By: _____

Its: _____

JK COMMUNICATIONS &
CONSTRUCTION/KLEVEN
CONSTRUCTION INC.

Dated: 12/6/22

By:  _____

Its: John Mason

APPROVED AS TO FORM:

BURKE, WILLIAM & SORENSEN LLP

Dated: _____

By: _____

Leah J. Castella, Esq.
Karen W. Murphy, Esq.
Attorneys for the UNION SANITARY
DISTRICT

W&D LAW, LLP

Dated: 12-6-22

By:  _____

Jacqueline Pons-Bunney, Esq.
Tyler S. Sanders, Esq.
Attorneys for JK COMMUNICATIONS &
CONSTRUCTION/KLEVEN
CONSTRUCTION INC.

Exhibit A

Exhibit A

4/21/2022

Sent Via shawnn@unionsanitary.ca.gov

Attention: Shawn Nesgis

Reference: USD Direction Drill Repair: Washington and Paseo Padre; Fremont and Clipper

Subject: Bid Proposal

McGuire and Hester (M&H) is pleased to provide the following bid proposal for the above referenced project. Since this is a repair to existing utility, no project plans or geotechnical reports have been provided. As such, assumptions have been made and are clarified below outlining this proposal.

McGuire and Hester proposes to furnish and install the work outlined in the breakdown dated 4/21/2022 (attached) for the lump sum price of \$575,925.00.

Inclusions:

Washington and Paseo Padre – 8" VCP damaged during directional drilling

1. Encroachment Permit
2. Setup temporary traffic control
 - a. Traffic Control plans
 - b. PCMS boards
 - c. Setup Traffic control daily and detour around work area
3. Perform potholing to confirm location and depth of existing utilities located by USA.
 - a. Utility locate
 - b. Identify utilities withing the excavation
4. Layout, Sawcut and Demolish conflicting AC
 - a. Off haul and dispose of AC
 - b. Test soil for disposal
 - i. Soil is assumed to be clean
 - c. Stockpile soil in adjacent parking lot
5. Excavate and shore
 - a. Pit is assumed to be 6' widex20'longx14'deep
 - b. No ground water is anticipated at this location
6. SS Line repair
 - a. Prepare SDR 26 pipe with Fernco Couplings
 - b. Temporarily plug upstream manhole
 - c. Remove damaged section and install new section of SDR 26
 - d. Remove plug and restore flows
7. HP Comm Line
 - a. Hoist Comm line over pipe (By Others)
 - i. M&H will assist HP Comm
8. Backfill excavation and remove shoring
9. Finish subgrade to within +/- 0.10' vertical tolerance for

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SACRAMENTO OFFICE 1016 N. MARKET BLVD # 20 SACRAMENTO CA 95834 • PH 916 372 8910

Contractors License Numbers: CA: 95879, AZ: 251628, NV: 72389, OR: 184930 DBI: 1000000033



10. Patch pave and restore roadway
 - a. Assuming 4" HMA section
 - b. Thermo stripe crosswalk

Fremont and Clipper – 18" VCP damaged during directional drilling

1. Encroachment Permit
2. Setup temporary traffic control
 - a. Traffic Control plans
 - b. PCMS boards
 - c. Setup Traffic control to install k-rail
 - d. Setup crash cushions
 - i. 2 each
3. Perform potholing to confirm location and depth of existing utilities located by USA.
 - a. Utility locate
 - b. Identify utilities withing the excavation
4. Layout, Sawcut and Demolish conflicting AC
 - a. Off haul and dispose of AC
 - b. Test soil for disposal
 - i. Soil is assumed to be clean
 - c. Stockpile soil in adjacent parking lot
5. Excavate and shore
 - a. Pit is assumed to be 6' wide x 24' long x 18' deep
 - b. Assuming minimal ground water
 - i. F&I weir tank with secondary filtration per USD standard dewatering permit
6. SS Line repair
 - a. Prepare SDR 26 pipe with Fernco Couplings
 - b. Temporarily plug upstream manhole
 - c. Remove damaged section and install new section of SDR 26
 - d. Remove plug and restore flows
7. HP Comm Line
 - a. Hoist Comm line over pipe (By Others)
 - i. M&H will assist HP Comm
8. Backfill excavation and remove shoring
9. Finish subgrade to within +/- 0.10' vertical tolerance for
10. Patch pave and restore roadway
 - a. Assuming 4" HMA section
 - b. Re-stripe roadway median

Exclusions:

1. Clearing, grubbing or removal of existing trees, shrubs, ground cover, sod, stumps, roots, etc.
2. Demolition of existing pavements, curbs, slabs, footings or structures.
3. Disposal fees for asphalt concrete containing fabric or other materials unacceptable to recycle facilities.
4. Structural excavation or backfill.
5. Waterproofing, subdrains, drain boards or other water control measures.
6. Handling, removal or disposal of the spoils generated by others.
7. Pavement seals, striping, markings, markers, parking bumpers or signage.
8. Drain rock, sand or vapor mitigation measures.
9. Headers at asphalt pavement.

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Contractors License Numbers: CA: 99809, AZ: 251638, NV: 72399, OR: 184990

DIR: 1000000033



10. Soil sterilant.
11. Asphalt oil escalation. Current price of asphalt is \$500.00 per liquid ton.
12. Adjusting to grade of new or existing utility castings.
13. Restoration work resulting from the activities of others.
14. Installing, maintaining, backfilling or removal of bracing, shoring or underpinning.
15. Dewatering of subsurface ground water or control of rain / surface water.
16. Cathodic protection design and installation.
17. Water meters, bypass meters and associated fees.
18. Sleeving for walkways, roadways, buildings, walls, or other.
19. Import or export of soils.
20. Coring or boring.
21. Relocation, protection and removal of existing utilities, sub-surface obstructions or debris. It is assumed that all proposed improvements are free of conflicts.
22. Handling, removal or disposal of hazardous or contaminated substances.
23. Subgrade or trench stabilization by means of ripping, sub-excavation, fabric, chemical treatment, etc.
24. Dust control when our forces are not actively working on site.
25. SWPPP Plans, QSP/QSD services, BMP installation/maintenance/removal, inspection, sampling, monitoring, reporting and post construction BMP's.
26. Haul road and/or lay-down area installation, maintenance, repair or removal.
27. Air, settlement, vibration, sound, or other monitoring and mitigation.
28. Pre or post construction surveys (e.g. GPS, video, photographic, consultant, etc.).
29. Biologist services, wildlife surveys, demarcations and/or relocations. Rodent eradication or pest control.
30. Archeologist cost and related delays.
31. Tree trimming, root pruning, protection or arborist services.
32. Overtime, shift premiums or liquidated damages.
33. Traffic and pedestrian control measures, plans and fees.
34. M&H participation in composite cleanup crews, damage repair funds, or other similar composite activities, as well as related contract deductions.
35. Design, engineering and Building Information Modeling (BIM) participation.
36. Bond premium. Bonds must be requested at execution of contract.
37. Survey and construction staking.
38. Testing and inspection.
39. Permits and fees.
40. Compliance with project specific equipment emission standards.
41. Project specific project accounting software (Textura) costs.

Clarifications:

1. Price based on the award of the complete scope of work included herein.
2. All other work not specifically included shall be considered excluded from this proposal.
3. The inclusions, exclusions, and clarifications noted in this proposal shall be made a part of the contract and shall supersede any conflicting provisions.
4. Lump sum change orders to include 10% markup for overhead and 15% markup for profit. Work performed on a T&M basis will be paid according to the latest M&H labor and equipment rate sheets.
5. Material, subcontractor and other direct outside costs will be marked up 15%.
6. This proposal is valid for (30) days from the date of this proposal.
7. Payments are due within 30 days of invoice. Late payments subject to 1½% monthly finance charge.
8. Retention (5% max.) to be released within 35 days of M&H final billing.
9. Retention monies withheld to be deposited in an escrow account with M&H as the beneficial owner.

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10. Project schedule to be mutually agreeable and will allow M&H to perform its work in an efficient sequence and manner. M&H to receive a copy of the baseline and subsequent schedule updates.
11. Proposal includes 1 ea move-in(s). Costs of additional move-ins may include additional equipment mobilizations and losses in production charges due to interruptions in operations.
12. Proposal based on unobstructed access to all areas of work.
13. Work requested during or near inclement weather or wet jobsite conditions may result in additional costs.
14. Final price is subject to review of the final plans and permit requirements.
15. This proposal is based on using recycled Class 2 aggregate base.
16. On-site construction water to be provided by client. Hydrant meter and imported water costs by others.
17. Structural or trench excavation for concrete placement by others will be excavated as close as is reasonably possible to the dimensions shown. Some concrete over pour should be anticipated.
18. Verification of footing excavation must be made at the time of excavation. M&H not responsible for over pour quantity or trimming of excavation after verification.
19. All soil or soil rock mixtures to be exported from the site shall be free of deleterious materials and are assumed to not contain detectable concentrations of organic chemical contaminants or concentrations of inorganic chemical contaminants in excess of background levels typical for native soil in the area. In addition, the soil material is assumed to be suitable for unrestricted re-use on residential or commercial sites. Owner to provide all necessary soil sampling and analysis requested by soil re-use site.
20. This proposal is based on all excavation work to be productively ripped, trenched, loaded, handled and compacted using industry standard equipment sizes, as follows:
 - a. Backhoe (e.g. CAT 426 Backhoe) 450 CY per day
 - b. Dozer (e.g. CAT D4/D6/D8) 750/1200/1800 CY per day
 - c. Excavator (e.g. CAT 320/330/345) 1200/1800/2400 CY per dayAny other type of soil conditions (such as hard rock or rocky materials) will result in additional costs.
21. Utilities noted are to be stubbed to within 5' of building for final connection by others.
22. Native excavated material is assumed to be acceptable, without treatment, for trench zone backfill.
23. Price based on standard gray concrete with no allowance for lampblack, coloring agents, or stains, etc.
24. Price based on standard trowel or broom finish.
25. Price based on using standard silica based sand for sandblasting operations.
26. Grade for all hardscape areas to be received at $\pm 0.05'$ vertical tolerance, compacted and free of debris.
27. On-structure areas are to be received free of debris, with all flashing, access hatches, drain grates, waterproofing, protection board, root barrier, foam, drain board and fabric in place by others.
28. Proposal based on a contract agreement that is mutually agreeable.
29. M&H carries the following insurance limits with admitted "A" rated insurance carriers:
 - a. \$ 2,000,000 General Liability
 - b. \$ 2,000,000 Auto Liability
 - c. \$ 1,000,000 Employers Liability (Workers Compensation)
 - d. \$ 5,000,000 Pollution Liability
 - e. \$25,000,000 Excess Liability coverage (attaches over General, Auto, & Employers Liability)
 - f. \$10,000,000 Builders Risk/Installation coverage
 - g. \$ 1,000,000 Earthquake and Flood (subject to specific exclusions)
 - h. \$ 2,000,000 Design/Build Professional Liability
30. Additional costs apply for the following insurance enhancements: Railroad Protective Liability, Longshoreman/Harbor Workers, Federal Employers Liability Act, Job Specific Pollution Liability, or other.
31. OCIP / CCIP Policies and deductibles, are subject to M&H review and approval.
32. Any cancellation or modification of Owner or General Contractor procured Wrap Up (OCIP or CCIP) insurance will result in reimbursement to Contractor or Subcontractor tier to procure equivalent coverage. To the extent equivalent insurance is unavailable, or a gap in coverage does occur as a result of

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cancellation or modification, Owner or General Contractor shall reimburse contractor and/or subcontractor tier for all costs incurred for any and all claims.

33. This proposal includes and follows McGuire and Hester's Site Specific Covid-19 Response Protocol dated 4/30/2020. M&H's Site Safety Representative (SSR) is considered a senior member of the proposed crew. Third party Jobsite Safety Accountability Supervisor (JSAS), if required, is not included in this proposal. Overall site safety is the responsibility of the Owner, or General Contractor which includes providing adequate social distance space for M&H to productively and safely perform our work, and in accordance with CalOSHA and CDPH requirements.
34. Due to the current pandemic, or Force Majeure event (strikes, lockouts, terrorism, acts of God, COVID-19, or governmental restrictions on the work) there may be material, or manpower shortages, impacts to the work, or supply chain issues. McGuire and Hester will do our best to mitigate these issues, but will not be held liable for delays, or impacts to the project schedule and/or costs associated with such impacts.

Thank you for the opportunity to provide our proposal. If you have any questions, please feel free to call.

Sincerely,

McGuire & Hester

A handwritten signature in blue ink, appearing to read "Michael Laganowsky".

Michael Laganowsky
Project Manager

Encl.

Estimate No.: 4661-01
License No. CA95879
Public Works Contractor Registration No. 1000000033
Version 2018-00

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04/21/2022

10:33

4661-01

USD - WASHINGTON AND FREMONT BLVD REPAIR

*** Michael Laganowsky

BID TOTALS

<u>Biditem</u>	<u>Description</u>	<u>Status - Rnd</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Bid Total</u>
1001	MOBILIZE	U	1.000	LS	28,000.00	28,000.00
1010	TRAFFIC CONTROL/TEMPORARY STRIPING	U	1.000	LS	79,000.00	79,000.00
1020	SAWCUT/REMOVE AC/POTHOLE	U	1.000	LS	12,500.00	12,500.00
1040	EXCAVATE PIT	U	1.000	LS	64,500.00	64,500.00
1050	DEWATERING		1.000	LS		
1060	REPAIR SEWER	U	1.000	LS	11,250.00	11,250.00
1070	ASSIST DIRECTIONAL BORING UTILITY	U	1.000	LS	5,000.00	5,000.00
1080	BACKFILL PIT	U	1.000	LS	50,000.00	50,000.00
1090	RESTORE AC	U	1.000	LS	7,500.00	7,500.00
1100	STRIPING	U	1.000	LS	3,500.00	3,500.00
1110	MONUMENT RESET		1.000	LS		
1130	PERMITS	U	1.000	LS	3,000.00	3,000.00
1140	COMPACTION TESTING 3RD PARTY	U	1.000	LS	5,500.00	5,500.00

PASEO PADRE AND WASHINGTON

\$269,750.00

2001	MOBILIZE K-RAIL	U	1.000	LS	35,350.00	35,350.00
2010	TRAFFIC CONTROL/TEMPORARY STRIPING	U	1.000	LS	24,500.00	24,500.00
2020	SAWCUT/REMOVE AC/POTHOLE	U	1.000	LS	18,250.00	18,250.00
2040	EXCAVATE PIT	U	1.000	LS	65,800.00	65,800.00
2050	DEWATERING	U	1.000	LS	47,000.00	47,000.00
2060	REPAIR SEWER	U	1.000	LS	11,300.00	11,300.00
2070	ASSIST DIRECTIONAL BORING UTILITY	U	1.000	LS	6,700.00	6,700.00
2080	BACKFILL PIT	U	1.000	LS	52,900.00	52,900.00
2090	RESTORE AC	U	1.000	LS	8,800.00	8,800.00
2100	STRIPING	U	1.000	LS	3,200.00	3,200.00
2110	MONUMENT RESET		1.000	LS		
2120	REMOVE K-RAIL	U	1.000	LS	28,000.00	28,000.00
2130	PERMITS	U	1.000	LS	3,000.00	3,000.00
2140	COMPACTION TESTING 3RD PARTY	U	1.000	LS	8,000.00	8,000.00

FREMONT BLVD AND CLIPPER

\$312,800.00

04/21/2022

10:33

4661-01

USD - WASHINGTON AND FREMONT BLVD REPAIR

*** Michael Laganowsky

BID TOTALS

<u>Biditem</u>	<u>Description</u>	<u>Status - Rnd</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Bid Total</u>
			Bid Total	=====>		\$582,550.00



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 11**

TITLE: Award the Contract for Consulting Services for the SCADA Upgrade Project to Wunderlich-Malec (*This is a Motion Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Chris Pachmayer, Acting FMC Work Group Manager
Trieu Nguyen, Information Technology Administrator

Recommendation

Staff recommends the Board award the consulting services contract for the SCADA Upgrade Project to Wunderlich-Malec in the amount of \$138,100.00.

Discussion

At the November 14, 2022 Board meeting, the Board approved five-year contracts with GE Digital that allow the District the right to use the company's SCADA software and to receive technical support. These contracts do not cover the installation, configuration, and customization of SCADA software.

The District's current SCADA systems are approaching end of life status and will eventually become unsupportable. The proposed consulting services contract with Wunderlich-Malec would include installation, setup, and configuration of updated SCADA software and systems to the District's specifications. In addition, District staff would receive training on the new software and systems. This would modernize the District's SCADA infrastructure and allow staff to operate the plant more efficiently.

The SCADA Upgrade Project was originally advertised for bid on August 17, 2022 but the District did not receive enough qualified bids. The project was advertised for bid again on October 6, 2022, and the District received three qualified bids on October 25, 2022 as summarized by Table 1.

Table 1

Contractor	Bid Amount
Wunderlich-Malec	\$138,100.00
Eramosa International	\$209,007.00
Woodward & Curran	\$397,090.00

Staff reviewed all three qualified bids and determined that Wunderlich-Malec was the lowest responsive and responsible bidder.

The Board approved \$100,000.00 for the project as part of the FY22-23 budget at the June 27, 2022 Board meeting. Staff is requesting Board approval to proceed as the lowest bid is more than 15% over the approved budgeted amount.

The cost of the project is higher than expected due to the following reasons:

- GE Digital unexpectedly changed the source code of the SCADA applications for the first time in 15 years. The change in code will require more time and resources to upgrade SCADA than in previous projects.
- The effects of COVID-19 and inflation have raised prices.

Staff believes the bid from Wunderlich-Malec is reasonable based on market conditions.

Background

The District's SCADA infrastructure consists of mission critical systems that allow staff to operate the plant and to collect and report plant data. Staff upgrades the SCADA systems every five years to keep them up to date. The last upgrade was completed in 2018.

The SCADA Upgrade Project will provide the following improvements:

- A modern looking and more intuitive user interface
- New tools to efficiently operate the plant and to manage and maintain the SCADA systems
- Better utilization of system resources for faster and smoother performance
- Increased SCADA system security

Wunderlich-Malec is based out of Pleasanton, CA and has completed similar projects for the City of Palo Alto, Santa Clara Valley Water District, and Dublin San Ramon Services District. Staff contacted these agencies and received positive comments. Work on the project is expected to begin by early February and conclude by the end of May.

Previous Board Action

6/27/2022 Board Meeting – Approval of \$100,000.00 for the SCADA Upgrade Project as part of the FY22-23 budget.



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*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 12**

TITLE: **Cancel Award to KBL Associates and Award to Tesco Controls the Contract for the Supply of Electrical Equipment for the Switchboard No. 3 and Motor Control Center No. 25 Replacement Project (*This is a Motion Item*)**

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Raymond Chau, Technical Services Work Group Manager
Curtis Bosick, CIP Team Coach
Kevin Chun, Associate Engineer

Recommendation

Staff recommends the Board cancel the contract award to KBL Associates (KBL) and award to Tesco Controls (Tesco) the contract for the supply of electrical equipment in the amount of \$841,000 for the Switchboard No. 3 (SWBD-3) and Motor Control Center No. 25 (MCC-25) Replacement Project (Project).

Discussion

On October 24, 2022, the Board awarded the contract for the supply of the electrical equipment to KBL in the amount of \$805,000 for the Project. Subsequently, staff was informed by multiple sources in the wastewater industry that KBL was going out of business. Staff contacted KBL who confirmed in the attached letter dated November 7, 2022 that KBL has ceased operations as of October 31, 2022 due to continually worsening supply chain and inflationary pressures. After reviewing the letter and conferring with legal counsel, staff recommends cancelling the award of the contract to KBL and awarding the contract to the second low bidder, Tesco, in the amount of \$841,000. Tesco confirmed in writing they hold open their bid and are prepared to execute a supply contract with the District for the electrical equipment on the Project.

Tesco's bid amount of \$841,000 is 30% below the Engineer's Estimate of \$1.2 million. Staff reviewed the bid proposal documents submitted by Tesco and found them to be responsive to the bid.

The submittal process and procurement of the electrical equipment is estimated to have a lead time of approximately 16 months. Staff will coordinate with Beecher Engineering, Inc. (BEI) to finalize the bid documents for the installation construction contract that coincides with the delivery date of the electrical equipment. Staff anticipates the installation construction contract for the Project will be advertised for bids in January 2024 with a construction duration of approximately 12-months.

Background

SWBD-3 distributes electrical power to several smaller load circuits (including MCC-25) and contains over-current and other protective devices, buses, metering, and instrumentation components. Since the 1993 Upgrade Project, additional loads were connected to SWBD-3 such as a backup feeder to Substation No. 1, Motor Control Center No. 33, and Switchboard “FOB” at the Field Operations Building (FOB). MCC-25 distributes electrical power to smaller standard motor control equipment such as breakers and starters for pumps and equipment in and around the MEB.

The purpose of this Project is for the “in-kind” replacement of SWBD-3 and MCC-25 electrical gear equipment. SWBD-3 and MCC-25 were installed in the Main Electrical Building (MEB) as part of the 1993 Upgrade Project and are approaching the end of their useful service life. Additionally, the District has had trouble procuring replacement parts, as these types of SWBDs and MCCs are no longer supported by their respective manufacturers.

In October 2021, staff executed an agreement and Task Order No. 1 with BEI in the amount of \$95,340 to provide professional engineering services for the Project. The scope of services performed by this task order included:

- Conducting a preliminary assessment of up to three location alternatives for SWBD-3 and MCC-25 within the MEB.
- Developing specific construction sequencing requirements and constraints for the Project.
- Assessing the existing solar inverters at the Irvington Pump Station and the Plant and make recommendations for either their refurbishment or replacement.
- Preparation of technical specifications and drawings required to replace SWBD-3, MCC-25 and the existing solar inverters at the Irvington Pump Station.
- Preparation of 50%, 90% and final design documents, including Engineer’s construction cost estimates to accompany each submittal deliverable.
- Providing engineering support services during the bidding process.

As part of the construction sequencing considerations, BEI recommended the pre-purchase of the new SWBD-3 and MCC-25 equipment as well as the temporary panelboards necessary to facilitate the work. This recommendation was primarily due to the anticipated long lead times for procuring the electrical equipment, which ultimately impacts how quickly SWBD-3 and MCC-25 can be replaced.

Bid Results

On August 18, 2022, staff prepared and issued an Invitation for Bid (IFB) for the supply of the electrical equipment for the Project. Staff received two bids on September 14, 2022 and the results are as follows:

Vendor	Bid Amount
Tesco Controls	\$841,000
KBL Associates	\$1,005,000

Tesco Controls (Tesco) was the apparent low bidder with a total bid amount of \$841,000 or 29% below the Engineer's Estimate of \$1.2 million. Staff reviewed the bid proposals and noted the following bid irregularities with Tesco's bid:

- Bid Item No. 3 for the preparation of submittal documents exceeded the specified "Not to Exceed" amount of \$10,000. Tesco listed \$25,000 for this bid item.
- Bid Item No. 5 for the California sales tax listed an amount lower than the Union City tax rate. Staff confirmed with Tesco that this was a typo and did not change the overall bid proposal amount.

District's legal counsel reviewed these bid irregularities and determined that the bid irregularity associated with Bid Item No. 3 made Tesco's bid non-responsive. Therefore, based on this determination and the significant difference in price between the next lowest bidder, staff deemed Tesco's bid non-responsive, rejected all bids, and re-issued the IFB.

On September 30, 2022, the IFB was re-issued for the Project. Staff received three bids on October 12, 2022 and the results are as follows:

Vendor	Bid Amount
KBL Associates	\$805,000
Tesco Controls	\$841,000
MCC Controls	\$1,288,870*
*Bidder used incorrect bid forms and bid was deemed non-responsive.	

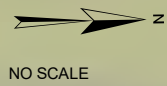
Previous Board Action

October 24, 2022, the Board awarded the contract for the supply of electrical equipment to KBL in the amount of \$805,000 for the Project.

October 24, 2022, the Board authorized the General Manager to execute Amendment No. 1 to Task Order No. 1 with BEI in the amount of \$13,020 for providing additional design services for the Project.

Attachments: Figure 1 – Site Plan
 Figures 2-3 – Photos
 KBL Letter

UNION SANITARY DISTRICT
ALVARADO WASTEWATER TREATMENT PLANT



Location of Switchboard No. 3
and Motor Control Center No. 25

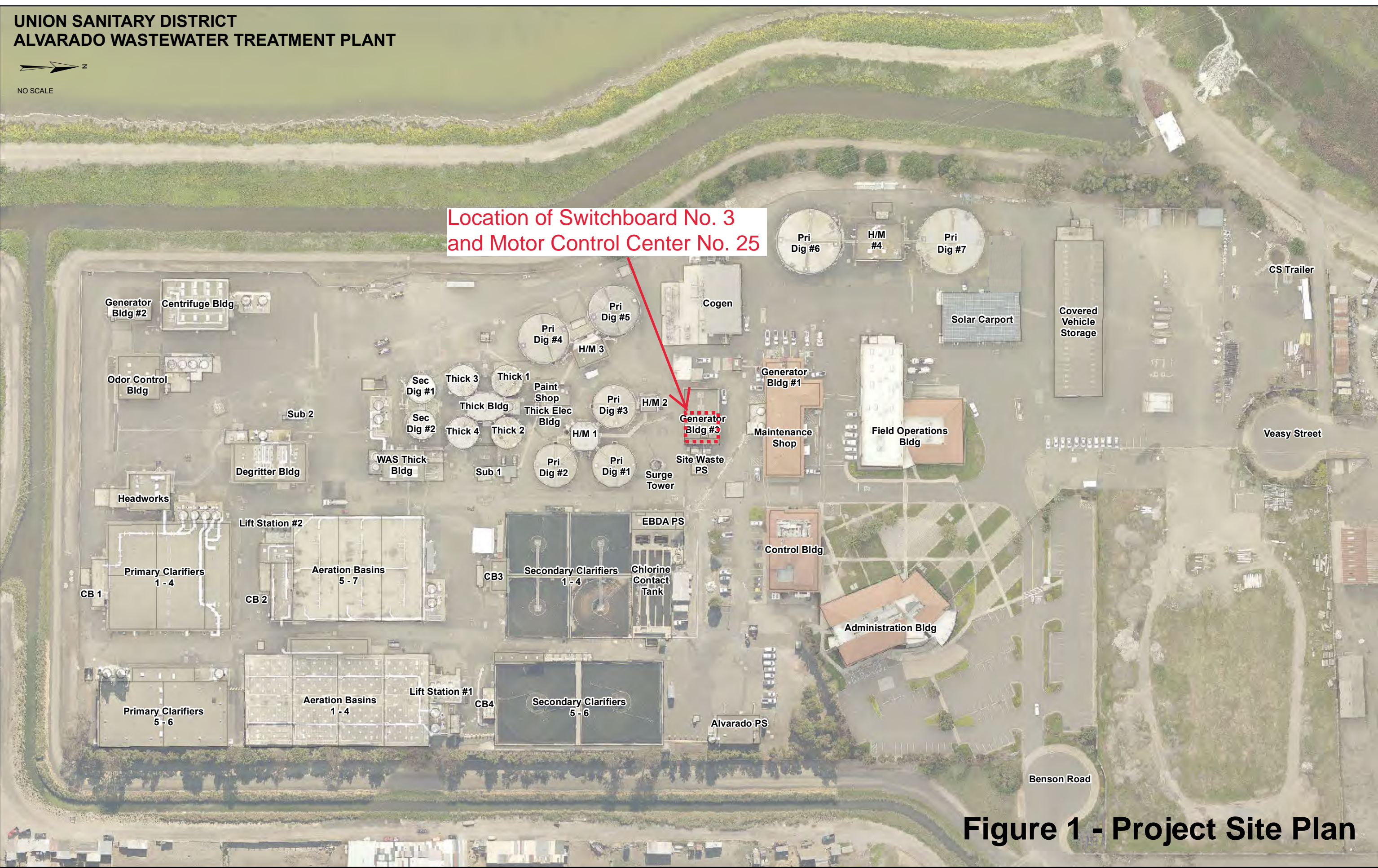


Figure 1 - Project Site Plan



Figure 2 – Switchboard No. 3 (located in the Main Electrical Building)



Figure 3 – Motor Control Center No. 25 (located in the Main Electrical Building)



KRUG-BIXBY-LONG ASSOCIATES
ELECTRICAL • CONTROLS • INSTRUMENTATION

November 7, 2022

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

Attn: Skip Calvo, Purchasing Agent

Re: IFB No. S-23-E-309 Equipment Switchboard #3 & MCC #25

Confirming, KBL has ceased operations on October 31, 2022.

At the time of your inquiry to Mr. Sidor on October 26, 2022, this decision was unknown to him.

We were investigating several merger and acquisition prospects at that time but unfortunately none of them came to pass.

The continually worsening supply chain situation and inflationary pressures have made it unfeasible to continue our business.

I believe that we enjoyed a mutually beneficial relationship for many years and certainly it was not our first choice to terminate our business.

We apologize for any problems this presents for you, but this became the only alternative for us.

Regards,

William D. Bixby

A handwritten signature in blue ink that reads 'William D. Bixby'.

Vice President.



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Directors

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 13**

TITLE: Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 1 with Quincy Engineers, Inc. for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project and Force Main Corrosion Repairs Project – Phase 3 (*This is a motion item*)

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

Recommendation

Staff recommends the Board authorize the General Manager to execute Amendment No. 1 to Task Order No. 1 with Quincy Engineers, Inc. (who has merged with Consor North America) in the amount of \$117,187 to provide additional construction management services for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project and Force Main Corrosion Repairs Project – Phase 3.

Discussion

On February 14, 2022, the Board awarded the construction contract for Irvington Basin Reinforced Concrete Pipe Rehabilitation Project (RCP Project) to Insituform Technologies, LLC in the amount of \$5,290,884. Among other things, the scope of this project included the cured-in-place pipe rehabilitation of 7,580 linear feet of trunk sewer mains ranging from 18-inch to 48-inch diameter. A more detailed project scope is included in the background section of this report.

During design, some of the construction areas within roadways and intersections were not originally anticipated to be performed at night due to their proximity to residences and staff's preliminary discussions with the City of Fremont. However, as the detailed temporary bypass

system and traffic control plans were developed by the contractor, many work areas required more impactful setups which resulted in large portions of the construction taking place at night and/or on the weekends to minimize the duration of impacts to road traffic. Additionally, the installation of CIPP liner sections for larger diameter pipes took approximately 12 to 16 hours each to be completed.

On September 12, 2022, the Board authorized the emergency repair of two sewer mains in the City of Fremont damaged by a fiber optics contractor. Due to the proximity of this work to the other projects, staff obtained the services of Quincy Engineers, Inc. (Quincy) to perform the onsite inspection for these repairs.

Amendment No. 1 to Task Order No. 1

The purpose of this amendment is to provide additional construction management and inspection services for the RCP Project and inspection services for the emergency repair of two sewer mains damaged by a fiber-optics contractor in the City of Fremont. The scope of services and fees for Amendment No. 1 are summarized below:

Task Description	Amount
Additional Construction Management and Inspection Services for RCP Project:	
• Premium time costs for overtime, nights, and/or weekend work	\$99,006
Inspection Services for the Emergency Sewer Repairs in Fremont:	
• Construction Oversight	\$18,181
• Project Reporting	
Amendment No. 1 Not to Exceed Fee	\$117,187

No additional construction management services are required for the Force Main Corrosion Repairs Project – Phase 3.

The task order amounts for the Projects' agreement with Quincy are summarized in the table below:

Description	Amount
Task Order No. 1 – Construction Management Services	\$494,790
Amendment No. 1 to Task Order No. 1 – Additional Construction Management Services	\$117,187
Total	\$611,977

The total not-to-exceed construction management fee of \$611,977 is 6.2 percent of the total construction cost of \$6,354,556 for the RCP Project and the Force Main Corrosion Repairs Project – Phase 3. Industry standard is to budget 30 percent for all project soft costs (e.g., design, construction management, inspection, engineering services during construction). If design and engineering services during construction costs are added, the percentage would rise to about 18.5 percent.

Background

Irvington Basin Reinforced Concrete Pipe Rehabilitation Project

The Irvington drainage basin covers the southern end of the District's service area, collecting wastewater primarily from the city of Fremont and an eastern section of the city of Newark. Several trunk sewers collect the wastewater in the basin and eventually terminates at the Irvington Pump Station located at the southern end of the District. Within the Irvington Basin, there are two lift stations that collect and lift wastewater from deeper collection sewer system sewer mains to higher sewer mains that drain to Irvington Pump Station. The Boyce Road Lift Station is located near the northern section of the basin and the Fremont Boulevard Lift Station is located near the southern section of the basin.

There are approximately 6.25 miles (33,000 feet) of 33- to 48-inch diameter trunk sewers in the Irvington Basin that were installed between the late 1950s and mid-1960s using reinforced concrete pipe (RCP). The trunk sewers are located within the city of Fremont and are the main collectors of the wastewater from the smaller-diameter sewers in the upstream portions of the basin and are vital in transporting the basin's total wastewater to the Irvington Pump Station. Woodard & Curran completed the Project's final design in December 2021. The final design identified pipes to be rehabilitated due to concrete deterioration due to hydrogen sulfide corrosion, with defects such as extensive concrete spalling with exposed aggregate, exposed steel reinforcement in the concrete, and visual indications of "ribbing," which is the stage of concrete deterioration right before steel reinforcement is exposed. The defects noted for the vitrified clay and cast-iron pipes included circumferential and longitudinal cracks, deteriorated joint mortar, pulled joints, roots, infiltration, and heavy tuberculation (cast iron corrosion). The defects noted for the trunk sewer manholes included corroded frames and steps, concrete deterioration, roots, and groundwater infiltration at joints.

The project consists of the following:

- Cured-in-Place Pipe (CIPP) rehabilitation of 7,580 linear feet of sanitary sewer trunk mains in the city of Fremont, which comprises of the following:
 - 6,370 linear feet of 33-inch diameter to 48-inch diameter RCP.
 - 1,060 linear feet of 42-inch diameter vitrified clay pipe.
 - Three sections of 50 linear feet each of 18-inch diameter cast iron siphons.
- Installation of one new sanitary sewer trunk manhole

- Concrete rehabilitation of 26 trunk sewer manholes
- Sewage flow control
- Lateral reinstatement
- Traffic control and surface restoration.

Force Main Corrosion Repairs Project – Phase 3

The District operates and maintains the transport system that consists of three pump stations and three lift stations and approximately 12.5 miles of twin force main pipelines. The transport system conveys wastewater from the Irvington and Newark drainage basins to the Alvarado Wastewater Treatment Plant.

Force main facilities include 78 manholes along the pipeline alignment. Of the 78 manholes, 46 of them provide access into the force main pipelines via a manway inside the manholes, and each manway is sealed with a blind flange. At the other 32 manholes, appurtenances such as air release valves or blow off valves are connected to the blind flanges.

The air release valves are located at the higher elevations of the force main pipelines to allow air from the pipelines to vent in order to maintain the full hydraulic capacity of the pipelines. The blow off valves are located at the lower elevations of the force main pipelines to allow staff to drain the wastewater from the pipelines when there is a need to remove as much wastewater as possible, typically for a long-term outage for maintenance or construction activities. This does not happen very often but if there is a need to do so, staff will need to set up pumps and hoses to connect the blow off valves to the closest sanitary sewer manhole.

These facilities were installed over 40 years ago, as part of the original force main construction. Over time, the presence of groundwater, moisture, and the buildup of hydrogen sulfide gas in these force main manholes have caused many of the manways, blind flanges, and appurtenances to become corroded. This corrosion is of primary concern, as failure of any single element could precipitate a leak from the force main pipeline.

During the summer of 2015, staff performed visual inspection inside all 78 force main manholes, and conducted non-destructive testing on elements with the worst corrosion conditions. In the fall of 2015 through the spring of 2016, staff hired Carollo Engineers to review and evaluate the data collected during the inspections and testing; as a result, they recommended that all corroded elements within the 78 manholes be rehabilitated or replaced. Staff hired West Yost Associates to complete preliminary design services in the fall of 2016, and West Yost completed this work while outlining a plan to accomplish the repairs in several phases.

Phases 1 and 2 of the Force Main Corrosion Repairs Project addressed repairs in the force main manholes located between the Newark Pump Station and the Plant, and construction was completed in 2017 (eastern force main) and 2018 (western force main).

Phase 3 of the Force Main Corrosion Repairs Project will address repairs in the manholes on the western force main between the Irvington Pump Station and the Newark Pump Station. The Project will also include repairs to the concrete structure of an access manhole located on the Cargill Salt property.

The project consists of the following:

- Removing and replacing manways and appurtenances of air release valves, blow offs, and access manways located along the District's twin force mains.
 - 12 Access Manways
 - 5 ARV Manholes
 - 3 Blow Off Manholes
- Welding new steel components.
- Sandblasting and painting/coating existing and new components.
- Implementing biological control measures.
- Dewatering approximately 700,000 gallons from the force mains.
- Apply chemical injection grout inside manhole.
- Abandon one existing force main manhole.
- Clean-up of oil substance inside manhole.
- Removing and replacing one concrete flat slab top, access hatch, and vent piping.

Emergency Sewer Repairs in Fremont

In March of 2022, the District was notified that a contractor, HP Communications and JK Communication & Construction/Kleven Construction (JKC), working in the City of Fremont installing 5G fiber optic lines had damaged three separate sewer lines. Staff confirmed the damages by CCTV inspection. HP Communications repaired one of the damaged sewer mains due to its shallow depth and location. The District began discussions with the contractor and its insurance company about the repair of the other two damaged sewer mains given concerns about an inexperienced contractor further damaging the District's facilities sewer due to both sewer mains depth at (15'), groundwater concerns, the need to bypass sewage and possibly soft soil conditions in the area. The size and locations of the remaining damaged sewer mains are:

- 8" sewer main near the intersection of Paseo Padre Parkway and Washington Blvd.
- 18" sewer main near the intersection of Fremont Blvd. and Clipper Court.

Previous Board Action

Irvington Basin Reinforced Concrete Pipe Project

July 27, 2020, the Board authorized the General Manager to execute an agreement and Task Order No. 1 with Woodard & Curran in the amount of \$104,815 to provide predesign services for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project.

February 22, 2021, the Board authorized the General Manager to execute Task Order No. 2 with Woodard & Curran in the amount of \$271,417 to provide final design services for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project.

February 14, 2022, the Board awarded the contract for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project to Insituform Technologies, LLC in the amount of \$5,290,884.

March 14, 2022, the Board authorized the General Manager to execute Task Order No. 3 with Woodard & Curran in the amount of \$79,510 to provide engineering services during construction of the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project.

April 25, 2022, the Board authorized the General Manager to execute an agreement and Task Order No. 1 with Quincy Engineers, Inc. in the amount of \$494,790 to provide construction management and inspection services for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project and Force Main Corrosion Repairs Project – Phase 3.

Force Main Corrosion Repairs Project – Phase 3

October 22, 2018, the Board authorized the General Manager to execute Task Order No. 6 with West Yost Associates in the amount of \$59,533 to provide engineering services during construction of the Force Main Corrosion Repairs Project – Phase 3.

April 11, 2022, the Board awarded the contract for the Force Main Corrosion Repairs Project – Phase 3 to Power Engineering Construction Co. in the amount of \$1,063,672.

April 25, 2022, the Board authorized the General Manager to execute an agreement and Task Order No. 1 with Quincy Engineers, Inc. in the amount of \$494,790 to provide construction management and inspection services for the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project and Force Main Corrosion Repairs Project – Phase 3.

Emergency Sewer Repairs in Fremont

September 12, 2022, the Board adopted a resolution declaring an emergency and authorizing the emergency expenditure of funds for the repair of two sewer lines in the City of Fremont damaged by fiber optic line installation.

September 26, 2022, the Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

October 10, 2022, the Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

October 24, 2022, the Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

November 14, 2022, the Board received an update on the emergency action and adopted a motion to continue the action and confirmed and declared the continuance of the emergency action.

PRE/RC/CB/AB

Attachment: Amendment No. 1 to Task Order No. 1

**IRVINGTON BASIN REINFORCED CONCRETE PIPE REHABILITATION PROJECT
FORCE MAIN CORROSION REPAIRS PROJECT – PHASE 3**

AMENDMENT NO. 1

TO

TASK ORDER NO. 1

TO

AGREEMENT

BETWEEN

UNION SANITARY DISTRICT

AND

QUINCY ENGINEERING, INC.

FOR

PROFESSIONAL SERVICES

This Amendment No. 1 to Task Order No. 1 is issued by the Union Sanitary District (District) and accepted by Consor North America, formerly Quincy Engineering, Inc. (Construction Manager), pursuant to the mutual promises, covenants, and conditions contained in the Agreement between the above-named parties dated May 2, 2022, associated with the two projects: Irvington Basin Reinforced Concrete Pipe Rehabilitation Project and Force Main Corrosion Repairs Project – Phase 3 (Projects).

1. PURPOSE

The purpose of this amendment is to provide additional construction management services associated with the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project and include part-time inspection services for the emergency repair of two sewer mains in the City of Fremont.

2. PROJECT UNDERSTANDING AND PROJECT COORDINATION

2.1 Irvington Basin Reinforced Concrete Pipe Rehabilitation Project

All work related to this project remains unchanged and are as described in Task Order No. 1. However, during traffic control plan coordination with the City of Fremont and private property owners, various requirements were added requiring large portions of the work to be performed during the night and/or on the weekend due to heavy traffic loads.

These locations are as follows:

- Area A – Blacow Rd. and Grimmer Blvd.
- Area B – Auto Mall Pkwy between Davenport Place and Doane St.
- Area E – Fremont Blvd between S. Grimmer Blvd. and Industrial Place.
- Area F – Kato Rd. by Tesla Motors HQ

Additionally, the actual durations for the installation of cured-in-place pipe (CIPP) liner sections ranged from 12 to 16 hours each to be completed. Previous assumption was that each liner section could be completed in a typical 8-hour day.

2.2 Force Main Corrosion Repairs Project – Phase 3

All work related to this project remain unchanged and are as described in Task Order No. 1.

2.3 Emergency Sewer Repairs in Fremont

This emergency project consists of, but not limited to, the following:

- Open cut repair of an 8” sewer main, approximately 15 feet deep near the intersection of Paseo Padre Parkway and Washington Blvd.,
- Open cut repair of an 18” sewer main, approximately 15 feet deep near the intersection of Fremont Blvd. and Clipper Court,
- Sewage flow control,
- Handling drainage and groundwater removal,
- Installation and maintenance of facilities required for traffic control,
- Pavement removal,
- Sheeting, shoring, and bracing of adjoining ground, where necessary,
- Surface restoration.

All work related to this amendment shall be coordinated through the District’s Project Manager, Andrew Baile.

3. CONSTRUCTION MANAGER’S SCOPE OF SERVICES

The scope of services for task order shall be amended as follows:

Task 2: Construction Field Inspection and Management

Construction Manager shall perform additional construction field inspection and management services as required to support the overtime, night and/or on the weekend work associated with Irvington Basin

Reinforced Concrete Pipe Rehabilitation Project and the work associated with the Emergency Sewer Repairs in Fremont.

All other scope of services associated with Task Order No. 1 remain unchanged.

4. DELIVERABLES

All deliverables for the Projects remain unchanged and shall be provided as defined in Task Order No. 1.

5. PAYMENT TO THE CONSTRUCTION MANAGER

Payment to the Construction Manager shall be as called for in Article 2 of the Agreement. The billing rate schedule is equivalent to an overall labor multiplier of 2.672 for office staff, and 2.672 for field staff, including profit. Subconsultants and outside services will be billed at actual cost plus 5%; other direct costs will be billed at actual cost; and mileage will be billed at prevailing IRS standard rate.

The not-to-exceed amount for Amendment No. 1 to Task Order No. 1 shall be \$117,187. A summary of the anticipated distribution of cost and manpower over the project duration is shown in Exhibit A.

The following table summarizes the task orders and amendments under the Agreement:

Task Order / Amendment	Not to Exceed Amount	Board Authorization Required?	District Staff Approval
Task Order No. 1 - Construction Management Services	\$494,790	Yes	Paul R. Eldredge
Amendment No. 1 to Task Order No. 1 – Additional Construction Management Services	\$117,187	Yes	Paul R. Eldredge
Total	\$611,977		

6. TIME OF COMPLETION

Anticipated schedule for completion of Construction Manager's scope of services is summarized as follows:

- Notice to Proceed (NTP): April 26, 2022
- Complete Construction Closeout Activities: January 31, 2023

7. KEY PERSONNEL

Engineer's personnel assigned for this Task Order No. 1 are as follows:

<u>Key Person to be Assigned</u>	<u>Role</u>
Mike Hagerty	Principal
Stephen Schork	Construction Manager
Joe Lockwood	Inspector

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 Amendment No. 1 to Task Order No. 1 as of _____ and therewith incorporate it as part of the Agreement.

DISTRICT

CONSTRUCTION MANAGER

UNION SANITARY DISTRICT

QUINCY ENGINEERS, INC.

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

By: _____
Jason Jurrens
California Regional Manager

Date: _____

Date: _____

EXHIBIT A - COST BREAKDOWN

Union Sanitary District
Monthly Cost Forecasting
Quincy Engineering

Month	Nov	Dec	Jan	Feb	
Working Days	23	22	23	21	0
	Hours Per Month				Total Hrs
Irvington Basin/Force Main					
Resident Engineer	90	100			190
Inspector	265	150			415
Emergencny Repair Work					
Resident Engineer					0
Inspector	92	16			108
					0
Irvington and FM	\$ 69,383.94	\$ 51,075.38	\$ -	\$ 120,459.32	
Emergency Repair Project	\$ 15,487.28	\$ 2,693.44	\$ -	\$ 18,180.72	
	Nov	Dec	Jan		
Projected Monthly Invoice:	\$ 84,871.22	\$ 53,768.82			

Total Cost : \$ 138,640.04

Proposed Rates		
PIC	\$	256.95
RE	\$	224.83
Inspect	\$	168.34
PMA	\$	106.90

Amount Remaining in contract	\$	21,452.91
Amendment No. 1	\$	117,187

includes estimate for premium time during nights and weekends



USD TREAT
PROTECT
PRESERVE
est. 1918
TRI-CITY WASTEWATER

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 14**

TITLE: Consider a Resolution to Accept the Construction of the Aeration Blower No. 11 Project from Western Water Constructors, Inc. *(This is a Motion Item)*

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

Recommendation

Staff recommends the Board consider a resolution to accept the construction of the Aeration Blower No. 11 Project (Project) from Western Water Constructors, Inc. (Western Water) and authorize recordation of a Notice of Completion.

Discussion

On September 28, 2020, the Board awarded the construction contract for the Project to Western Water in the amount of \$1,652,000. Staff issued the Notice to Proceed to Western Water on October 28, 2020. The 327-day project was initially scheduled to be completed on September 19, 2021. Contract Change Order No. 1 extended the completion date to December 5, 2021, and Western Water substantially completed all contract work on June 30, 2022. Project completion was delayed due to unforeseen site conditions and the contractor's coordination of the commissioning process for the new aeration blower.

Change Orders

The Project included 11 contract change orders (CCOs) in the amount of \$8,469, which is approximately 0.5% of the original contract amount of \$1,652,000. A list of the CCOs is included in the attached Table 1. A summary of the notable CCOs is provided below:

1. CCO No. 1 was in the amount of \$101,145 and granted a 78 calendar-day time extension for design changes to the ventilation system 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 Aeration Blowers No. 11 and No. 12. On May 10, 2021, the Board authorized the General Manager to execute CCO No. 1.

2. CCO No. 2 was in the credit amount of \$54,121 for the deletion of the new master control panel. The blower manufacturer determined that the new aeration system controls could be added to existing PLC-08 instead of a new PLC within the new master control panel, saving material and installation costs.
3. CCO No. 11 was in the credit amount of \$36,354 and granted a total time extension of 207 days. Staff negotiated this credit change order as the mechanism for resolving all outstanding disputes on the Project.
 - a. Western Water was granted a time extension of 116 days for delays due to unforeseen conditions with the existing building roof structure for work completed under CCOs No. 4, No. 6, and No. 8.
 - b. Western Water agreed to drop all remaining disputed claims and provide a credit of \$34,210 in return for the District granting a time extension of 91 days.
 - c. Western Water agreed to provide a credit of \$2,144 for inspection and administration costs related to work that took place on the weekends.

Background

The Alvarado Wastewater Treatment Plant meets the National Pollutant Discharge Elimination System permit requirements for secondary treatment by using conventional activated sludge as its biological liquid treatment process. This plant process consumes the most energy by using large aeration blowers to continuously deliver air to the activated sludge in the aeration basins. The existing multistage centrifugal blowers were installed during the 1993 Plant Upgrade Project and are nearing the end of their useful lives.

In 2016, the District completed the High Speed Aeration Blower Project at the Plant to install a new high-speed Aeration Blower No. 12 to improve the energy efficiency of the process and to evaluate it as a replacement option for the existing multistage centrifugal blowers. In 2018, the District evaluated the performance of Aeration Blower No. 12 and determined that it was operating more efficiently than the existing multistage centrifugal blowers. Staff was satisfied with its performance and decided to install another high-speed blower to provide additional blower capacity and to increase aeration system reliability.

The major elements of the Project are as follows:

- Installation of a second high-speed blower, Aeration 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.

Staff hired Carollo Engineers, Inc to provide the design services for the Project.

The Bidding Process

The Project was advertised for bids on August 4, 2020. Four bids were received on September 15, 2020 with the results shown as follows:

Contractor	Total Contract Price
Western Water Constructors, Inc. Santa Rosa, CA	\$1,652,000
TNT Industrial Contractors, Inc. Sacramento, CA	\$1,823,694
Auburn Constructors, LLC Sacramento, CA	\$2,156,300
Kiewit Infrastructure West Co. Fairfield, CA	\$2,301,000

Staff hired Tanner Pacific, Inc. (TPI) to provide construction management and inspection services for the Project. The contract with TPI was combined with the Centrifuge Building Improvements Project.

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 Aeration Blower No. 11 Project.

September 28, 2020, the Board awarded the construction contract for the Aeration Blower No. 11 Project to Western Water 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 Aeration Blower No. 11 Project.

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

May 10, 2021, the Board authorized the General Manager to execute Contract Change Order No. 1 with Western Water in the amount of \$101,145 for the Aeration Blower No. 11 Project. The contract change order included modifications to the ventilation system at the East Aeration Blower Building.

February 28, 2022, the Board authorized the General Manager to execute Amendment No. 1 with TPI in the amount of \$84,870 to provide additional construction management services for the Aeration Blower No. 11 Project and Centrifuge Building Improvements Project.

PRE/RC/CB/DC

Attachments: Figure 1 – Site Plan
Figure 2-6 – Photos
Table 1 – Contract Change Order Summary
Resolution
Notice of Completion

UNION SANITARY DISTRICT
ALVARADO WASTEWATER TREATMENT PLANT

NO SCALE



Figure 1 - Project Site Plan



FIGURE 2 – New Aeration Blower No. 11 in the East Aeration Blower Building



FIGURE 3 – New Sections Added to MCC- 13 the East Aeration Blower Building



FIGURE 4 – Ventilation Improvements – North End of Building



FIGURE 5 – Ventilation Improvements – South End of Building

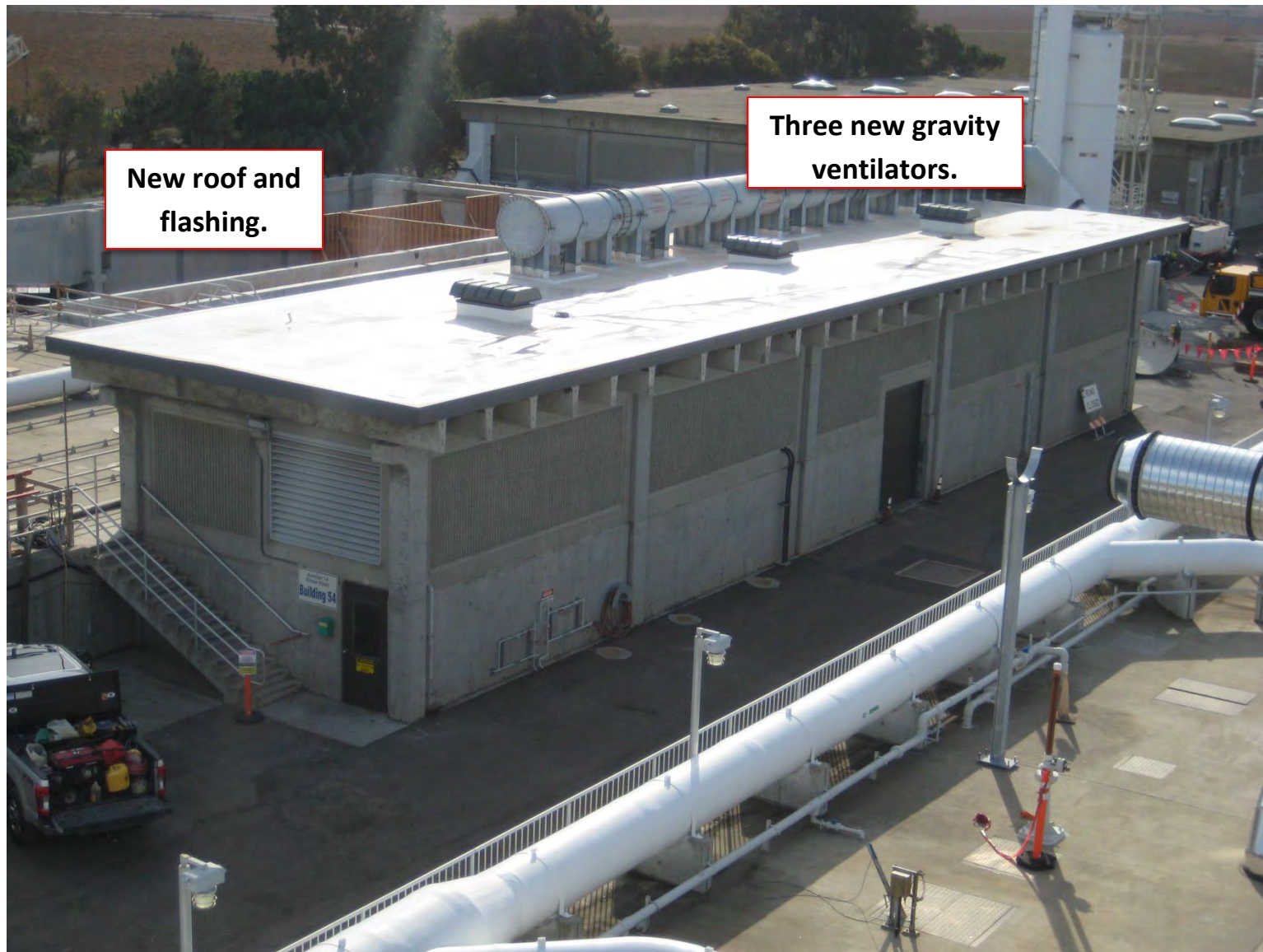


FIGURE 6 – East Aeration Blower Building Roofing System

Table 1
Aeration Blower No. 11 Project
Contract Change Order Summary

No.	Contract Change Order Title	Contract Time Adjustment, Calendar Days	Cost of Change
1	Blower Room Intake Ventilation Modifications	78	\$101,145.00
2	Blower Master Control Panel Deletion	0	-\$54,121.00
3	Blower No. 11 Additional Power Supply for Network Switch	0	\$8,345.00
4	Install Fascia Extender to the East Blower Room Roof	0	\$15,019.00
5	Blower No. 11 Additional Pipe Support	0	\$5,920.00
6	FRP Strengthening Sheet Surface Preparation	0	\$6,634.00
7	24-inch Butterfly Valve Operator Modifications	0	\$2,371.48
8	FRP Strengthening Sheet Modification	0	-\$20,925.65
9	Roof Wooden Nailers	0	-\$5,105.32
10	Bid Items Reconciliation	0	-\$14,460.00
11	Project Closeout Change Order	207	-\$36,354.00
Total		285	\$8,468.51
% Change Order (\$1,652,000 Contract Amount)			0.5%

RESOLUTION NO. ____

**ACCEPT CONSTRUCTION OF THE
AERATION BLOWER NO. 11 PROJECT
LOCATED IN THE CITY OF UNION CITY, CALIFORNIA
FROM WESTERN WATER CONSTRUCTORS, INC.**

RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT that it hereby accepts the Aeration Blower No. 11 Project from Western Water Constructors, Inc., effective December 12, 2022.

FURTHER RESOLVED: That the Board of Directors of the UNION SANITARY DISTRICT authorize the General Manager/District Engineer, or his designee, to execute and record a "Notice of Completion" for the Project.

On motion duly made and seconded, this resolution was adopted by the following vote on December 12, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

ANJALI LATHI
President, Board of Directors
Union Sanitary District

Attest:

JENNIFER TOY
Secretary, Board of Directors
Union Sanitary District



**RECORDING REQUESTED BY
AND WHEN RECORDED
RETURN TO:**

**Regina McEvoy
Union Sanitary District
5072 Benson Road
Union City, CA 94587**

NO RECORDING FEE – PER GOVERNMENT CODE SECTIONS 6103 & 27283 (R&T Code 11911)

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN by the **UNION SANITARY DISTRICT**, Alameda County, California, that the work hereinafter described, the contract for the construction of which was entered into on September 28, 2020, by said District and **WESTERN WATER CONSTRUCTORS, INC.**, 707 Aviation Blvd., Santa Rosa, CA 95403, Contractor for the Project, “Aeration Blower No. 11 Project,” was substantially completed on June 30, 2022, and accepted by said District on December 12, 2022.

The name and address of the owner is the **UNION SANITARY DISTRICT**, at 5072 Benson Road, Union City, CA 94587.

The estate or interest of the owner is: FEE SIMPLE ABSOLUTE.

The description of the site where said work was performed and completed is the Union Sanitary District’s Alvarado Wastewater Treatment Plant, located at 5072 Benson Road, City of Union City, County of Alameda, State of California.

The undersigned declares under penalty of perjury that the foregoing is true and correct.

Executed on _____ at UNION CITY, CALIFORNIA.

PAUL R. ELDREDGE, P.E.
GENERAL MANAGER/DISTRICT ENGINEER
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

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 15**

TITLE: Review and Consider Approval of Proposed Revisions to Policy No. 3045, Board Education and Training Budget (*This is a Motion Item*)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Karen Murphy, District Counsel
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

Recommendation

Review and consider approval of proposed revisions to Policy No. 3045, Board Education and Training Budget.

Discussion

Staff prepared revisions to Policy No. 3045 pursuant to Board direction received at a previous meeting. Proposed revisions to the Policy include:

- Increasing the Board's annual education and training budget to \$12,000 each
- Annually adjusting the Board's annual education and training budget by \$400 to reflect average annual Consumer Price Index increases
- Adding language regarding the process members of the Board to follow in the event they exceed the annually budgeted amount
- Expanding the list of agencies that may offer trainings that would not require prior Board approval
- Minor updates to the Policy

Background

Board Education and Training Budget, Policy No. 3045 is reviewed and approved by the Board every five years.

Previous Board Action

The Board last reviewed and approved Policy No. 3045 in September of 2020.

Attachments

Board Education and Training Budget, Policy No. 3045 – redline
Board Education and Training Budget, Policy No. 3045 – clean

Effective: September 29, 2020 <u>December 14, 2022</u>	Board Education and Training Budget	Policy Number 3045 Page 1 of 2
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Policy

Boardmembers are responsible for using their own education and training budget to further their knowledge, provided the total spent does not exceed the annual budgeted dollar amount and the subject is relevant to the business of Union Sanitary District. The annual budget amount per Boardmember is \$12,000, and shall be increased annually starting July 1, 2023~~INSERT DATE, e.g., "January 1, 2023"~~ by \$400 (average CPI) to reflect average annual Consumer Price Index increases. If a Boardmember anticipates they will exceed the budgeted amount, they shall make every reasonable effort to inform the Board prior to doing so. The Boardmember shall inform the Board at a regularly scheduled Board meeting prior to incurring the expenses. 5,000.

Purpose

Recognizing that Boardmembers have differing areas of expertise, this policy provides for tailoring education and training needs to the individual.

Procedure

1. If the conference, meeting, seminar, webinar, or workshop is conducted by CASA or one of its member agencies, CSDA, CWEA, BACWA or one of its member agencies, California Water, APWA, East Bay Economic Development Alliance, EPA, Lorman, NACWA, Special District and Local Government Institute, WEF, the Cities and/or Chambers of Commerce for Fremont, Union City, or Newark (if the Boardmember is attending as a USD Boardmember not a chamber member), Alameda County, Alameda County Water District, the State of California or WaterReuse, Board approval is not required for reimbursement for expenses and compensation for attendance. If the function is provided by any other organization, attendance must be approved by the Board.
2. Follow procedures contained in Policy No. 3030 (Boardmember Business and Travel Expense) to make travel arrangements and obtain prepayment or reimbursement.
3. Any unexpended travel/conference funds at the end of the fiscal year will be returned to the District's operating reserves.

Management Responsibility

Boardmembers shall make every effort to ensure that reimbursable conference/seminar attendance is related to the business of Union Sanitary District. Should there be any uncertainty, a Boardmember may confer with the General Manager or request that the issue be discussed by

the full Board at a regularly scheduled Board meeting. The General Manager will be responsible for ensuring that Boardmembers are notified of their "to date" expenditures on a quarterly basis. The General Manager will also be responsible for ensuring any unexpended funds are dispersed in accordance with this policy.

Approved by: Board of Directors

Author/owner: General Manager

Reviewers: Board of Directors, General Manager, District's General Counsel

Notify Person: General Manager

Review Frequency: 5 years

Next Review:

December~~September~~ 2027~~5~~

Effective: December 14, 2022	Board Education and Training Budget	Policy Number 3045 Page 1 of 2
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Policy

Boardmembers are responsible for using their own education and training budget to further their knowledge, provided the total spent does not exceed the annual budgeted dollar amount and the subject is relevant to the business of Union Sanitary District. The annual budget amount per Boardmember is \$12,000, and shall be increased annually starting July 1, 2023 by \$400 to reflect average annual Consumer Price Index increases. If a Boardmember anticipates they will exceed the budgeted amount, they shall make every reasonable effort to inform the Board at a regularly scheduled Board meeting prior to incurring the expenses.

Purpose

Recognizing that Boardmembers have differing areas of expertise, this policy provides for tailoring education and training needs to the individual.

Procedure

1. If the conference, meeting, seminar, webinar, or workshop is conducted by CASA or one of its member agencies, CSDA, CWEA, BACWA or one of its member agencies, California Water, APWA, East Bay Economic Development Alliance, EPA, Lorman, NACWA, Special District and Local Government Institute, WEF, the Cities or Chambers of Commerce for Fremont, Union City, or Newark (if the Boardmember is attending as a USD Boardmember not a chamber member), Alameda County, Alameda County Water District, the State of California or WaterReuse, Board approval is not required for reimbursement for expenses and compensation for attendance. If the function is provided by any other organization, attendance must be approved by the Board.
2. Follow procedures contained in Policy No. 3030 (Boardmember Business and Travel Expense) to make travel arrangements and obtain prepayment or reimbursement.
3. Any unexpended travel/conference funds at the end of the fiscal year will be returned to the District's operating reserves.

Management Responsibility

Boardmembers shall make every effort to ensure that reimbursable conference/seminar attendance is related to the business of Union Sanitary District. Should there be any uncertainty, a Boardmember may confer with the General Manager or request that the issue be discussed by the full Board at a regularly scheduled Board meeting. The General Manager will be responsible for ensuring that Boardmembers are notified of their "to date" expenditures on a quarterly basis. The General Manager will also be responsible for ensuring any unexpended funds are dispersed in accordance with this policy.

Approved by: Board of Directors

Author/owner: General Manager

Reviewers: Board of Directors, General Manager, District's General Counsel

Notify Person: General Manager

Review Frequency: 5 years

Next Review: December 2027



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM 16**

TITLE: **Review and Consider Approval of Policy 2020, Financial Audit Policy (*This is a Motion Item*)**

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

Recommendation

Review and consider approval of policy 2020, Financial Audit Policy.

Discussion

California law requires that governmental agencies audit their financial records on an annual basis. AB 1345 further stipulates that the auditing firm must change every 6 years unless the firm changes the engagement partner assigned to the audit. While many firms have more than one partner, there are those who do not.

Staff met with the Audit Committee on December 1, 2022, to discuss the policy and the Audit Committee is recommending that Policy 2020 be updated to a more conservative level that require the District to change the audit firm every 6 years. This can provide for a fresh look at the Districts financial processes and practices. The policy also provides for an exception to the 6-year limit for unforeseen circumstances whereby the General Manager can extend the audit contract for up to two years provided the firm has another audit partner to rotate to.

The remainder of the changes to this policy are either minor administrative updates or clarifications.

Background

Policy No. 2020, Financial Audit, requires review and approval by the Board of Directors every five years.

Previous Board Action

10/23/2017 Board Meeting – Approval of Financial Audit Policy #2020

Attachments

Policy 2020, Financial Audit Policy – Redline Version

Policy 2020, Financial Audit Policy – Cleanline Version

12/01/22 Audit Committee PowerPoint

Union Sanitary District
Policy and Procedure Manual

Effective: October 24, 2017 <u>December 2022</u>	Financial Audit Policy	Policy Number 2020 Page 1 of 3
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Policy

It is the policy of the District to ~~obtain the most~~retain a highly qualified accounting firm to audit the District's annual financial statements at the most competitive price. The District's financial books, records, internal control, and annual financial statements are to be maintained accurately and prepared in accordance with generally accepted accounting principles so that the accounting firm is able to express an "unqualified opinion" in its Independent Auditor's Report.

Purpose

The purpose is to establish District guidelines for the selection of the accounting firm- and for the conduct of the annual financial audit.

Assembly Bill 1345 added section 12410.6.(b) to the California Government Code regarding auditor rotation requirements for public accounting firms providing audit services to local agencies.

Government Code section 12410.6.(b) provides that, commencing with the 2013-14 fiscal year, "a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency for six consecutive fiscal years."

This policy sets forth guidelines regarding the length of contracts for auditor services in compliance with Government Code section 12410.6(b). The District shall change auditing firms via a competitive process at least every 6 years.

The General Manager shall have the authority to extend the auditor contract for one additional two year extension term (8 years total) in the event that unforeseen or emergency circumstances warrant such an extension. If the contract is extended beyond six years, the lead audit partner or coordinating partner having primary responsibility for the audit and the audit partner responsible for reviewing the audit shall not serve in that capacity for no more than six consecutive years. The General Manager shall notify the Board of Directors as soon as possible of such an extension.

Definitions

<i>Annual Financial Statements</i>	The District's annual financial statements are based on the financial activities of its fiscal year, which commences July 1 and ends on June 30 of the succeeding year. The financial statements are presented on a comparable basis— (current year vs. last year—) consisting of a Statement of Net Position (Balance Sheet), Statement of Revenues, Expenses & Changes in Net Position, and Statement of Cash Flows. It is supported by the financial books and records of the District.
<i>Audit Committee</i>	The Audit Committee represents the Board of the Directors with the auditor and forwards to the Board of Directors recommendations related to: <ul style="list-style-type: none"> • Selection of,<u>and</u> termination of, an accounting firm. • Establishing or amending the audit scope. • Receiving and reviewing the final audit report and audit findings.
<i>Audit or Examination</i>	The auditor conducts the audit in accordance with generally accepted auditing standards (GAAS), performing the audit to obtain reasonable assurance that the financial statements are free of material misstatement. Those standards include: <ul style="list-style-type: none"> • Examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. • Assessing the accounting principles used. • Assessing the significant estimates made by management. • Evaluating the overall financial statement presentation. <p>The audit is to provide a reasonable basis for the auditor to express an opinion on the financial statements.</p>
<i>Audit Scope</i>	The scope of the audit defines the books, records, and financial activities covered by the audit. Generally, the audit scope for the District covers its annual financial statements and their supporting activities.
<i>Auditor</i>	A public accounting firm that is certified by the State of California to audit and who is able to provide an independent opinion on the annual financial statements of the District.

<i>Engagement Letter</i>	A letter of understanding submitted by the auditor covering the audit scope, parties' responsibilities, and fees.
<i>Independent Auditor's Report</i>	<p>A report by the auditor stating what financial statements are being audited, that they were audited in accordance with GAAS, that they present fairly—in the opinion of the auditor—the financial position of the District, and that they were in conformity with generally accepted accounting principles (GAAP). The auditor may express several opinions, depending on the compliance's<u>compliances</u> with GAAS and GAAP:</p> <p>Unqualified: Auditor was able to conduct the audit in accordance with GAAS, and the financial statements were in compliance with GAAP.</p> <p>Qualified: Certain financial activities could not be audited in accordance with GAAS, or they were not in compliance with GAAP. The auditor identified those activities in the body of the report and, if measurable, indicates the effect on the financial statements.</p> <p>Adverse: The financial statements could not be audited in accordance with GAAS, or were substantially out of compliance with GAAP, or both. In this situation, the auditor is unable to form a basis for an opinion.</p>
<u><i>Maximum Length of Audit Contract</i></u>	<p><u>The maximum length of a consecutive audit contract with any single audit firm shall not exceed six years. The initial term of the contract shall be three years with the possibility of three one year extensions for a total possible contract length of six years.</u></p> <p><u>The General Manager shall have the authority to extend the auditor contract for one additional two year extension term (8 years total) in the event that unforeseen or emergency circumstances warrant such an extension. If the contract is extended beyond six years, the lead audit partner or coordinating partner having primary responsibility for the audit and the audit partner responsible for reviewing the audit shall not serve in that capacity for no more than six consecutive years. The General Manager shall notify the Board of Directors as soon as possible of such an extension.</u></p>
<i>Single Audit</i>	A rigorous <u>An</u> audit of an entity that expends \$750,000 or more of Federal assistance (e.g. certain State Revolving Fund loan proceeds or other Federal Awards) received for its operations.

Procedure

~~In the event~~Every six years, or sooner if needed, the District ~~desires, or finds it necessary, to change accounting firms, selection is to be made by requesting proposals from~~shall conduct a competitive process with qualified firms.~~– for audit services.~~ A sufficient number of requests for proposals should be distributed in order to provide a qualified pool for selection. The District reserves the right to reject any or all proposals. Staff will follow a selection process defined in the ~~request for proposals~~competitive process and make a recommendation to the Audit Committee. If the Audit Committee concurs, the recommendation will go to the full Board for approval.

~~The initial proposal will be for three years. Providing services are satisfactory, the firm may be retained on an annual basis thereafter, subject to the District's approval of the auditor's engagement letter.~~

The audit services contract shall be for the Maximum Length of Audit Contract.

Management Responsibility

It is management's responsibility to understand the scope of the audit and ensure that the financial records are complete, accurate, and available. It is the responsibility of the Business Services Workgroup Manager to coordinate the audit with the auditor's audit Manager, ensuring that the financial records are available and that the audit is completed, with the reports submitted to the Audit Committee and the Board of Directors on a timely basis.

Staff Responsibility

It is staff's responsibility to be prepared for the annual audit and to follow up on outstanding audit items in a timely manner. Staff is responsible for submitting annual Single Audit exemption letters to the State Controller's Office, when applicable.

Approved by: Board of Directors

Author/owner: Business Services ~~Coach~~Workgroup Manager

Reviewers: Executive Team and Audit Committee

Notify Person: Business ~~Service Coach~~Services Workgroup Manager

Revision frequency: Every 5 years

Next revision: ~~October, 2022~~December 2027

Union Sanitary District
Policy and Procedure Manual

Effective: December 2022	Financial Audit Policy	Policy Number 2020 Page 1 of 3
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Policy

It is the policy of the District to retain a highly qualified accounting firm to audit the District's annual financial statements at the most competitive price. The District's financial books, records, internal control, and annual financial statements are to be maintained accurately and prepared in accordance with generally accepted accounting principles so that the accounting firm is able to express an "unqualified opinion" in its Independent Auditor's Report.

Purpose

The purpose is to establish District guidelines for the selection of the accounting firm and for the conduct of the annual financial audit.

Assembly Bill 1345 added section 12410.6.(b) to the California Government Code regarding auditor rotation requirements for public accounting firms providing audit services to local agencies.

Government Code section 12410.6.(b) provides that, commencing with the 2013-14 fiscal year, "a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency for six consecutive fiscal years."

This policy sets forth guidelines regarding the length of contracts for auditor services in compliance with Government Code section 12410.6(b). The District shall change auditing firms via a competitive process at least every 6 years.

The General Manager shall have the authority to extend the auditor contract for one additional two year extension term (8 years total) in the event that unforeseen or emergency circumstances warrant such an extension. If the contract is extended beyond six years, the lead audit partner or coordinating partner having primary responsibility for the audit and the audit partner responsible for reviewing the audit shall not serve in that capacity for no more than six consecutive years. The General Manager shall notify the Board of Directors as soon as possible of such an extension.

Definitions

<i>Annual Financial Statements</i>	The District's annual financial statements are based on the financial activities of its fiscal year, which commences July 1 and ends on June 30 of the succeeding year. The financial statements are presented on a comparable basis (current year vs. last year) consisting of a Statement of Net Position (Balance Sheet), Statement of Revenues, Expenses & Changes in Net Position, and Statement of Cash Flows. It is supported by the financial books and records of the District.
<i>Audit Committee</i>	<p>The Audit Committee represents the Board of the Directors with the auditor and forwards to the Board of Directors recommendations related to:</p> <ul style="list-style-type: none"> • Selection and termination of an accounting firm. • Establishing or amending the audit scope. • Receiving and reviewing the final audit report and audit findings.
<i>Audit or Examination</i>	<p>The auditor conducts the audit in accordance with generally accepted auditing standards (GAAS), performing the audit to obtain reasonable assurance that the financial statements are free of material misstatement. Those standards include:</p> <ul style="list-style-type: none"> • Examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. • Assessing the accounting principles used. • Assessing the significant estimates made by management. • Evaluating the overall financial statement presentation. <p>The audit is to provide a reasonable basis for the auditor to express an opinion on the financial statements.</p>
<i>Audit Scope</i>	The scope of the audit defines the books, records, and financial activities covered by the audit. Generally, the audit scope for the District covers its annual financial statements and their supporting activities.
<i>Auditor</i>	A public accounting firm that is certified by the State of California to audit and who is able to provide an independent opinion on the annual financial statements of the District.

<i>Engagement Letter</i>	A letter of understanding submitted by the auditor covering the audit scope, parties' responsibilities, and fees.
<i>Independent Auditor's Report</i>	<p>A report by the auditor stating what financial statements are being audited, that they were audited in accordance with GAAS, that they present fairly—in the opinion of the auditor—the financial position of the District, and that they were in conformity with generally accepted accounting principles (GAAP). The auditor may express several opinions, depending on the compliances with GAAS and GAAP:</p> <p>Unqualified: Auditor was able to conduct the audit in accordance with GAAS, and the financial statements were in compliance with GAAP.</p> <p>Qualified: Certain financial activities could not be audited in accordance with GAAS, or they were not in compliance with GAAP. The auditor identified those activities in the body of the report and, if measurable, indicates the effect on the financial statements.</p>
	<p>Adverse: The financial statements could not be audited in accordance with GAAS, or were substantially out of compliance with GAAP, or both. In this situation, the auditor is unable to form a basis for an opinion.</p>
<i>Maximum Length of Audit Contract</i>	<p>The maximum length of a consecutive audit contract with any single audit firm shall not exceed six years. The initial term of the contract shall be three years with the possibility of three one year extensions for a total possible contract length of six years.</p> <p>The General Manager shall have the authority to extend the auditor contract for one additional two year extension term (8 years total) in the event that unforeseen or emergency circumstances warrant such an extension. If the contract is extended beyond six years, the lead audit partner or coordinating partner having primary responsibility for the audit and the audit partner responsible for reviewing the audit shall not serve in that capacity for no more than six consecutive years. The General Manager shall notify the Board of Directors as soon as possible of such an extension.</p>
<i>Single Audit</i>	An audit of an entity that expends \$750,000 or more of Federal assistance (e.g. certain State Revolving Fund loan proceeds or other Federal Awards) received for its operations.

Procedure

Every six years, or sooner if needed, the District shall conduct a competitive process with qualified firms for audit services. A sufficient number of requests for proposals should be distributed in order to provide a qualified pool for selection. The District reserves the right to reject any or all proposals. Staff will follow a selection process defined in the competitive process and make a recommendation to the Audit Committee. If the Audit Committee concurs, the recommendation will go to the full Board for approval.

The audit services contract shall be for the Maximum Length of Audit Contract.

Management Responsibility

It is management's responsibility to understand the scope of the audit and ensure that the financial records are complete, accurate, and available. It is the responsibility of the Business Services Workgroup Manager to coordinate the audit with the auditor's audit Manager, ensuring that the financial records are available and that the audit is completed, with the reports submitted to the Audit Committee and the Board of Directors on a timely basis.

Staff Responsibility

It is staff's responsibility to be prepared for the annual audit and to follow up on outstanding audit items in a timely manner. Staff is responsible for submitting annual Single Audit exemption letters to the State Controller's Office, when applicable.

Approved by: Board of Directors

Author/owner: Business Services Workgroup Manager

Reviewers: Executive Team and Audit Committee

Notify Person: Business Services Workgroup Manager

Revision frequency: Every 5 years

Next revision: December 2027

UNION SANITARY DISTRICT

Audit Committee Meeting

December 1, 2022



Audit Committee Meeting December 01, 2022

Meeting Agenda

- Review Proposed Edits to Policy 2020, Financial Audit Policy
- Review Staff Recommendation for Professional Auditing Services and Prepare Recommendation for Board Consideration

Policy 2020, Financial Audit Policy

- This policy is reviewed every 5 years by the Executive Team and the Audit Committee and considered by the Board for approval. It was last reviewed in October of 2017.
- The one significant change to the policy is the addition of limiting the consecutive years that an audit firm may audit the Districts financial records to 6 years with the General Manager having the authority to extend 2 additional years (8 years total) for unforeseen circumstances.
- AB 1345 limits an audit firms partner having primary responsibility for the audit to 6 consecutive years before another partner assumes those responsibilities.
- The change to this policy is more conservative than AB 1345.
- The remaining changes to the policy are administrative and clerical in nature.

Attachments for Reference (email and in drop box)

- Policy 2020 redline version
- Policy 2020 cleanline version

Professional Auditing Services Request for Proposals (RFP)

Policy 2020, Financial Audit Policy requires an RFP for audit services and that the Audit Committee review the results of the selection process.

- RFP
 - Issued 09/21/2022
 - 5 proposals received, 1 disqualified for signature issues
- Evaluation
 - 35 points Expertise and Experience
 - 25 points Auditing Approach
 - 40 points Cost Proposal

Professional Auditing Services Request for Proposals (RFP) Summary

Results of staff evaluation of proposals

RFP #S-23-P-307 Professional Auditing Services Evaluation Team Scoring				
Proposer	Average Score	Initial 3 Years	3 - 1 Year Extension Options	6 Year Total
Badawi & Associates	98.33%	\$ 116,559	\$ 127,370	\$ 243,929
Lance, Soll & Lunghard, LLP (LSL)	94.57%	\$ 134,872	\$ 147,376	\$ 282,248
Vasquez Company LLC	91.78%	\$ 139,375	\$ 150,990	\$ 290,365
Eide Bailly	82.89%	\$ 184,826	\$ 217,210	\$ 402,036

Professional Auditing Services Request for Proposals (RFP) Recommendation

Recommendation – Award contract to Badawi & Associates for three years with an option for three, one-year extensions for a not to exceed total cost of \$ 243,929.

Attachments for reference (in drop box)

- Proposals
- RFP for Auditing Services
- Attachment A to the RFP – Scope of Services
- Attachment B to the RFP – Proposal Cost Sheet and Rates



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM 17**

TITLE: Approve the Award of a Three-Year Contract to Badawi & Associates, CPA for Auditing Services for Fiscal Years 2023 Through 2025 with an Option for Three, One Year Extensions (*This is a Motion Item*).

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

Recommendation

The Audit Committee is recommending that the Board direct staff to enter into a three-year agreement with the option for three, one-year extensions with Badawi & Associates, CPA for auditing services in an amount not exceed \$243,929.

Discussion

The District contract for auditing services has expired and a new financial auditor contract needs to be entered into for Fiscal Year 2023. In September of 2022, the District published a Request for Proposals (RFP) for firms to perform annual auditing services. In response to the RFP, five firms submitted proposals. Of the five respondents, one was disqualified for not submitting the required forms. The remaining four were evaluated by District staff according to the scoring criteria in the RFP. Staff met with the Audit Committee on December 1, 2022, to discuss the proposals and after due consideration are recommending the Board enter into a contract with Badawi & Associates, CPA for a period of three years with an option for three, one-year extensions for a possible total contract length of 6 years, with a not to exceed total of \$243,929.

The schedule of contract values is presented below:

Fiscal Year	Three Year Contract			3 - 1 Year Extensions			Total
	2023	2024	2025	2026	2027	2028	
Audit Services	\$34,015	\$35,036	\$36,087	\$ 37,170	\$38,285	\$ 39,434	\$220,027
Single Audit (if needed)	3,695	3,806	3,920	4,038	4,159	4,284	23,902
Total	<u>\$37,710</u>	<u>\$38,842</u>	<u>\$40,007</u>	<u>\$ 41,208</u>	<u>\$42,444</u>	<u>\$ 43,718</u>	<u>\$243,929</u>

Background

The previous audit contract was awarded by the Board in April 2017 for Fiscal Years 2017 through 2021 to Lance Soll & Lunghard, LLP. The Board approved a 1-year extension to that contract for the 2021-22 audit.

The RFP, as sent out in September, indicated that the District would be considering issuing a base contract for 5 years with the potential of a two-year extension for a total possible contract length of 7 years. Subsequent to the RFP issuance, the Audit Committee recommended limiting the length of an audit contract to 6 years. In discussions with Badawi and Associates, CPA, they are willing to accept a 6-year contract at the pricing provided in the proposal.

The following summarizes the scoring results of the proposers:

RFP #S-23-P-307 Professional Auditing Services Evaluation Team Scoring				
Proposer	Average Score	Initial 3 Years	3 - 1 Year Extension Options	6 Year Total
Badawi & Associates	98.33%	\$ 116,559	\$ 127,370	\$ 243,929
Lance, Soll & Lunghard, LLP (LSL)	94.57%	\$ 134,872	\$ 147,376	\$ 282,248
Vasquez Company LLC	91.78%	\$ 139,375	\$ 150,990	\$ 290,365
Eide Bailly	82.89%	\$ 184,826	\$ 217,210	\$ 402,036

Previous Board Action

None.

Attachments

Request for Proposals Published 09/21/22 RFP
Submission by Badawi & Associates, CPA
12/01/22 Audit Committee PowerPoint



UNION SANITARY DISTRICT

Request for Proposal Professional Auditing Services

RFP# S-23-P-307

Issue Date: September 21, 2022
Proposals Due Date: October 10, 2022

Union Sanitary District
5072 Benson Road
Union City, CA 94587

Skip Calvo, Purchasing Agent
5072 Benson Road
Union City, CA 94587
Phone: 510-477-7526
E-Mail: skipc@unionsanitary.ca.gov

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DOCUMENTS TO BE SUBMITTED WITH RFP RESPONSE:

Appendix A1 – Offer and Signature	27
Appendix A2 – Non-Collusion Declaration	29

ATTACHMENTS – TO BE SUBMITTED WITH RFP RESPONSE AS WELL:

Attachment A – Scope of Services	
Attachment B - Proposal Cost Sheet and Rates	

SECTION I: INVITATION

The Union Sanitary District (the District) is requesting proposals from qualified firms of Certified Public Accountants to audit its financial statements beginning with the fiscal year ending June 30, 2023 through the fiscal year ending June 30, 2027, with the option of auditing its financial statements for each of the two subsequent fiscal years. These audits are to be performed in accordance with auditing standards generally accepted in the United States of America, the standards set forth for financial audits in the current U.S. General Accounting Office's (GAO) Government Auditing Standards, the provisions of the federal Single Audit Act, and U.S. Office of Management and Budget (OMB) Circular A-133, Audits of State, Local Governments, and Non-Profit Organizations, as amended.

The District reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this Request for Proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the District and the firm selected.

It is anticipated the selected firm will be notified of the District's intent to award during the week of 10/25/2022, but a contract/purchase order will only be executed after review and approval of the District's Board of Directors. It is expected this contract/purchase order will be executed between both parties by end of calendar year 2022.

Initial agreement will be for a five-year period, with an optional two-year period subsequent to agreement by both parties. Prior to any optional renewal, the District will conduct an internal review of the prior periods performance.

SECTION II: DEFINITIONS

- A. **Proposer** - The entity, supplier, person, firm, or corporation submitting a Proposal.
- B. **USD, District** – The Union Sanitary District, Union City, California
- C. **RFP** - This Request for Proposal
- D. **Proposal** - A response to this RFP
- E. **Vendor, Contractor, Supplier** – Successful Proposer or Proposer awarded the contract or purchase order for the work or services.
- F. **Time** stated as number of days shall mean “calendar” days.
- G. **Contract, Agreement** – The contract or purchase order to be awarded under this RFP
- H. **Work, services** – interchangeably, the work and services required by the Contract

SECTION III: RFP PROPOSED TIME SCHEDULE

The following is an anticipated proposal and engagement schedule:

Date: 9/21/2022	RFP posted on www.publicpurchase.com
Date: 9/28/2022	Last date to Submit Written Questions via Public Purchase by 4:00 pm Local Time
Date: 10/3/2022	Addendum (if applicable) via Public Purchase
Date: 10/10/2022	Proposals Due by 4:00 pm Local Time
Week of 10/11/2022	Evaluation of Proposals
Week of 10/17/2022	Clarification / Oral Discussion
Week of 10/25/2022	Make recommendation to Board of Directors
Week of 10/25/2022	Send letter of Intent to Award

SECTION IV: INSTRUCTIONS TO PROPOSERS

1. **PROPOSAL:** Proposers' prices shall remain firm for a period of ninety- (90) days from the Date Due, unless otherwise specified in the Request for Proposal (RFP).
2. **FORMS:** Proposals must be submitted on forms attached to this RFP.
3. **INFORMED PROPOSER:** Before submitting Proposals, Proposers must fully inform themselves of the conditions, requirements and specifications of the work, equipment or materials to be furnished. Failure to do so will be at Proposer's own risk and they cannot secure relief on the plea of error.
4. **INK OR TYPEWRITTEN:** All information, prices, notations, signatures, and corrections must be in ink or typewritten. Mistakes may be crossed out and corrections typed or printed adjacent to the mistake and initialed in ink by the person signing the Proposal.
5. **PAYMENT TERMS:** Discounts for payments made twenty (20) days or more from receipt of invoice will not be considered in award of Proposal. Payment discounts must be clearly shown on Appendix A1, Offer and Signature.
6. **PRICES:** Prices shall be stated in units and Proposals made separately on each item. Where there is a conflict between unit prices and extended prices, unit prices will govern. Discrepancies between the indicated sum of any column of figures and the correct sum of the column will be resolved in favor of the correct sum. Where there is a conflict between words and figures, words will govern.
7. **RESULTS:** No public opening of Proposals submitted will be conducted.
8. **RULES FOR SUBMITTING PROPOSALS:**
 - a. **Date Due:** Proposals must be submitted through www.PublicPurchase.com only by the due date and time Section III – RFP PROPOSED TIME SCHEDULE of this RFP.
 - b. **Responsibility:** Proposers are solely responsible for ensuring their Proposal is received by the District in accordance with the solicitation requirements, before the date and time specified in the RFP, and at the place specified. The District shall not be responsible for any transmission errors or delays or mistaken delivery. Delivery of Proposal shall be made through www.PublicPurchase.com.
 - c. **Late Proposals:** The Proposal shall be due on the date and time indicated in Section III - RFP PROPOSED TIME SCHEDULE. Proposals received after the date and/or time stated will not be accepted through www.PublicPurchase.com.
 - d. **Extension of Date and Time:** The District reserves the right to extend the Date Due and/or time when it is in the best interest of the District.
 - e. **Forms.** To be considered for award, each Proposal shall be made on forms furnished by the District/Proposer.

- f. **Signature.** To be considered for award, each Proposal shall be signed by a representative of the Proposer who is authorized to bind the firm to the Proposal.

9. **QUESTIONS AND ADDENDA:**

- a. Proposer shall post any questions on Public Purchase www.publicpurchase.com by the deadline specified in Section III - RFP PROPOSED TIME SCHEDULE.
- b. The District's Procurement Department will respond to inquiries deemed necessary and relevant to responding to the RFP in a written Addendum posted on Public Purchase. Proposers are responsible for checking Public Purchase for postings.
- c. The RFP and addenda will be posted on Public Purchase's website. Proposers may view and print the RFP and addenda by registering on Public Purchase website at www.publicpurchase.com
- d. By submitting a proposal, Proposer represents and warrants to the District that it has no questions regarding this RFP, including without limitation any aspect of the District's Contractor selection process or any Agreement provision.
- e. The District is not liable for verbal responses, interpretations or representations.
- f. The District makes no guarantee that any questions submitted will be answered before the RFP closing date and time.
- g. The District reserves the right to extend any deadlines, including the deadline for questions, by posting an addendum to the RFP on public purchase. Proposers are responsible for checking the public purchase website for any addenda.

10. **SUBMISSION OF PROPOSAL:**

- a. Any proposal not submitted on the provided District forms may be considered non-responsive.
- b. Proposals must be submitted by www.publicpurchase.com. Proposals submitted in the following manner will not be accepted: Oral, telegraph, telephone, and email.
- c. Proposer must submit the following documents with the Proposal, via www.publicpurchase.com by the RFP closing date and time specified in Section III and in the manner specified in Section V.
 - i. Appendix A1 – Offer and Signature
 - ii. Appendix A2 – Non-Collusion Declaration
 - iii. Attachment A – Scope of Services
 - iv. Attachment B – Proposal Cost Sheet and Rates
- d. Apparent successful Proposer must submit the following document(s) within 10 days of notification by the District:
 - i. Request for Taxpayer Identification Number (W-9)
 - ii. Certificates of Insurance as described in Article 17 of the Terms and Conditions
- e. Proposals will not be accepted after the due date and time. The District shall not be responsible for any delays by transmission errors.
- f. The RFP number must be prominently noted on submittal.

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- g. All Proposals must be signed with the Proposer's name or by a responsible officer or employee with the authority to bind the Proposer to contractual obligations. Obligations assumed by such signature must be fulfilled.
 - h. All information submitted is subject to investigation, as well as to disclosure to third parties under the California Public Records Act.
11. **MULTIPLE PROPOSALS:** Only one Proposal will be accepted from any one Proposer.
12. **PUBLIC PROPOSAL OPENING:** There will be **no** public proposal opening at the RFP closing date.
13. **POINT OF CONTACT:**
- a) The Point of Contact for this solicitation is Skip Calvo, skipc@unionsanitary.ca.gov
 - b) Except as otherwise expressly provided in this RFP, Proposers are not permitted to contact District employees regarding this RFP, other than the Point of Contact identified in 13(a) above.
14. **LATE RESPONSES:** To be considered, a Proposal must be received by the District no later than the RFP closing date and time.
15. **ACCEPTANCE OF PROPOSAL:** The District's acceptance of Proposer's offer shall be limited to the terms herein unless expressly agreed in writing by the District. Proposals offering terms other than those shown herein will be declared non-responsive and will not be considered. The District may award a contract to a Proposer at any time within 90 days after the RFP Date Due, unless otherwise specified in the Request for Proposal.
16. **NO WAIVER:** The District's failure to address errors or omissions in a Proposal or acceptance of a Proposal shall not constitute a waiver of any requirement of the RFP by the District.
17. **MODIFICATION OR WITHDRAWAL OF PROPOSAL:**
- a. A Proposer may withdraw its Proposal before the RFP closing date and time by removing its Proposal; from www.publicpurchase.com prior to the RFP closing date and time.
 - b. After the proposal closing time, Proposers may not withdraw their proposals for a period of ninety-(90) days from the date of opening.
 - c. At no time may the successful Proposer withdraw its Proposal.
 - d. Proposer may modify a Proposal by withdrawing its original Proposal and submitting a replacement Proposal, via www.publicpurchase.com provided that the Proposer's withdrawal and replacement Proposal occurs prior to the RFP closing date time.
 - e. A replacement Proposal must be executed and submitted in a form and manner that complies with the requirements set forth in this RFP.
 - f. No withdrawal requests or replacement Proposals will be allowed after the RFP closing time.
18. **GROUND FOR REJECTION:** Any false, incomplete or otherwise unresponsive statements in or in connection with a Proposal or any documentation or other information supplied to the District by a Proposer shall be cause for rejection by the District of the Proposal or disqualification of the Proposer at the District's sole discretion. Any judgment as to the

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significance of any falsity, incompleteness or unresponsiveness shall be made at the discretion of the District, and its judgment shall be final.

19. **RESERVATION:** The District reserves the right to do any of the following at any time:
- a. To reject any and all proposals.
 - b. Accept a proposal other than the lowest price.
 - c. Accept a proposal other than the highest total score.
 - d. Waive or correct any minor or inadvertent defect, irregularity, informality or technical error in any proposal or procedure, as part of the RFP.
 - e. Require any Proposer to submit breakdown of cost or pricing data provided in its Proposal.
 - f. Accept a Proposal for any item or group of items, unless the Proposer specifies otherwise in its Proposal or gives notice of an all or nothing award.
 - g. Terminate this RFP or any portion of the RFP process and issue a new RFP any time thereafter.
 - h. Extend any or all deadlines in the RFP, including the deadline for accepting proposals.
 - i. Disqualify any Proposer on the basis of any real or apparent conflict of interest or evidence of collusion that is disclosed by its Proposal or other data available to the District. Such disqualification is at the sole discretion of the District and its decision shall be final.
 - j. Reject the Proposal of any Proposer that is in breach of or in default under any other agreement with the District.
 - k. Reject the Proposal of any Proposer who provided previous work to the District and did not perform to the District's standards and expectations. Such rejection is at the sole discretion of the District and its decision shall be final.
 - l. Reject any proposal deemed by the District to be non-responsive and/or conditional.
 - m. Make such investigations as deemed necessary to determine if a Proposer is capable of meeting contract requirements. The determination of the District as to the Proposer's ability to perform is at the sole discretion of the District and its decision shall be final.
 - n. Determine whether a Proposal meets, exceeds or does not meet District's specification.
20. **PROPOSAL EVALUATION PROCESS--GENERAL:** The District will evaluate each proposal based on two categories of "Criteria", as described below. The first group of Minimum Requirements Criteria, identified in Section VI - PROPOSAL CRITERIA AND EVALUATION of this RFP, paragraph 1, Minimum Requirements, will be evaluated on a "pass-fail" basis, with a Proposer needing to pass all of them to be considered for award of contract. Any Proposer not satisfying all of the Minimum Requirements in Section VI, paragraph 1 below shall be deemed nonresponsive, and shall be ineligible for award of contract. The second group of Criteria, identified in Section VI - PROPOSAL CRITERIA AND EVALUATION of this RFP, paragraph 2, Evaluation Criteria, will all be evaluated on a "points" basis as described in Section VI, paragraph 2.
21. **FOB POINT:** NOT APPLICABLE
22. **BRAND NAME OR APPROVED EQUAL:** NOT APPLICABLE

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23. **INTENT OF AWARD:** If an award is made, it will be to the responsive Proposer whose Proposal is determined to provide the best value to the District.
24. **TIE PROPOSALS:** A tie proposal exists when two or more responsive and responsible Proposers submit proposals which the District determines to have an identical score. Award will be determined by a toss of a coin performed by the Purchasing Agent in the presence of the two tie Proposers.

PLEASE NOTE:

The Union Sanitary District does not pay for services before it receives them. Therefore, do not propose contract terms that call for upfront payments or deposits.

Any and all data, materials, documentation, and proposals become the property of the District, which is a public agency subject to the disclosure requirements of the California Public Records Act (“CPRA”). If Contractor proprietary information is contained in documents submitted to the District, and Contractor claims that such information falls within one or more CPRA exemptions, Contractor must clearly mark such information “CONFIDENTIAL AND PROPRIETARY,” and identify the specific lines containing the information.

In the event of a request for such information, the District will make best efforts to provide notice to Contractor prior to such disclosure. If Contractor contends that any documents are exempt from the CPRA and wishes to prevent disclosure, it is required to obtain a protective order, injunctive relief or other appropriate remedy from a court of law in Alameda County before the District’s deadline for responding to the CPRA request. If Contractor fails to obtain such remedy within the District’s deadline for responding to the CPRA request, The District may disclose the requested information. Contractor further agrees that it shall defend, indemnify and hold The District harmless against any claim, action or litigation (including but not limited to all judgments, costs, fees, and attorney’s fees) that may result from denial by the District of a CPRA request for information arising from any representation, or any action (or inaction), by the Contractor.

SECTION V: SUBMITTAL OF PROPOSAL FORMAT AND CONTENT

These instructions outline the guidelines governing the format and content of the proposal and the approach to be used in its development and presentation. The intent of the RFP is to encourage responses that clearly communicate the Proposer's understanding of the District's requirements and its approach to successfully provide the products and/or services on time and within budget. Only that information which is essential to an understanding and evaluation of the proposal should be submitted. Items not specifically and explicitly related to the RFP and proposal, e.g. brochures, marketing material, etc. will not be considered in the evaluation.

All proposals shall address the following items in the order listed below and shall be numbered 1 through 9 in the proposal document and should not exceed a maximum of 25 pages, single sided, double spaced.

1. – Cover Letter and Proposal Summary

This section shall discuss the highlights, key features and distinguishing points of the Proposal and a signed Cover Letter. A separate sheet shall include a list of individuals and contacts for this Proposal and how to communicate with them. Limit this section to a total of three (3) pages including the separate sheet.

2. – Profile on the Proposing Firm(s)

This section shall include a brief description of the Prime Proposer's firm size as well as the proposed local organization structure. Include a discussion of the Prime Proposer firm's financial stability, capacity and resources. Include all other firms participating in the Proposal, including similar information about the firms.

Additionally, this section shall include a listing of any lawsuit or litigation and the result of that action resulting from (a) any public project undertaken by the Proposer or by its subcontractors where litigation is still pending or has occurred within the last five years or (b) any type of project where claims or settlements were paid by the consultant or its insurers within the last five years.

3. – Qualifications of the Firm

This section shall include a brief description of the Proposer's and sub-Proposer's qualifications and previous experience on a minimum of three similar or related projects within the last five years. Provide descriptions of pertinent project experience with other public municipalities and private sector that includes a summary of the work performed, the total project cost, the percentage of work the firm was responsible for, the period over which the work was completed, and the name, title, and phone number of client's to be contacted for references.

Give a brief statement of the firm's adherence to the schedule and budget for the project. Overview of the Proposer's firm and descriptions of relevant work performed by the Proposer within the past three years.

4. – Work Plan for Proposal

This section shall present a well-conceived service plan. Include a full description of major tasks and subtasks. This section of the proposal shall establish that the Proposer understands the District's objectives and work requirements and Proposer's ability to satisfy those objectives and requirements.

Succinctly describe the proposed approach for addressing the required services and the firm's ability to meet the District's schedule, outlining the approach that would be undertaken in providing the requested services.

5. – Proposed Innovations

In this section discuss any ideas, innovative approaches, or specific new concepts included in the Proposal that would provide benefit to the District. The Proposer may also suggest technical or procedural innovations that have been used successfully on other engagements and which may provide the District with better service delivery.

6. – Project Staffing

This section shall discuss how the Proposer would propose to staff this project. Key project team members shall be identified by name, title and specific responsibilities on the project. An organizational chart for the project team and resumes for key Proposer personnel shall be included. Key personnel will be an important factor considered by the evaluation committee. Changes in key personnel may be cause for rejection of the proposal. Listing of the proposed team members assigned to the project and the areas of responsibilities for each team member.

7. – Transmittal Letter

A signed letter of transmittal should briefly state the proposer's understanding of the work to be done, the commitment to perform the work within the time period, a statement why the firm believes it to be best qualified to perform the engagement and a statement that the proposal is a firm and irrevocable offer for 90 days.

8. – Proposal Exceptions

This section shall discuss any exceptions or requested changes that Proposer has to the District's Terms and Conditions. If there are no exceptions noted, it is assumed the Proposer will accept all conditions and requirements identified in the "Terms and Conditions for Professional Services." Items not excepted will not be open to later negotiation.

9. – Proposal Cost Sheet and Rates

To be provided in Attachment C – Proposal Cost Sheet and Rates, on bidder's forms.

SECTION VI: PROPOSAL CRITERIA AND EVALUATION

MINIMUM REQUIREMENTS:

In order for a Proposer to be considered for contract award, it must first demonstrate compliance with all of the following (“**Minimum Requirements**”):

1. Compliance with all RFP requirements.
2. Demonstrated ability to meet contractual requirements, including, but not limited to, Proposer’s experience, references, and past performance under previous contracts with the District and others.

EVALUATION CRITERIA

District will evaluate each Proposal satisfying all Minimum Requirements identified in Section VI, paragraph 1 above, based upon the following criteria (“**Evaluation Criteria**”), with the maximum number of points allocated to each criterion as indicated in the table below.

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EVALUATION CRITERIA		MAXIMUM POINTS
1.	<u>Expertise & Experience</u> <ul style="list-style-type: none"> The firm's experience and performance on comparable government engagements. The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation 	35
2.	<u>Auditing Approach</u> <ul style="list-style-type: none"> Such as adequacy of proposed staffing plan for various segments of the engagement. Adequacy of sampling techniques Adequacy of analytical procedures 	25
3.	<u>Cost Proposal</u> <p>The proposer submitting the lowest priced cost proposal shall be awarded the total points for this evaluation criterion. Every other Proposal found to be in the competitive range will be given points proportionately in relation to the lowest price. This point total will be calculated by dividing the lowest cost proposed by the cost of the proposal being evaluated, with the result multiplied by the maximum weight for the price</p> <p>Example: Lowest Total Quote $(\text{Price Proposer's Total Proposed Price}) \times (\text{Points for Price})$</p> <p>The application of the above formula will result in a uniform assignment of points relative to the criterion of price.</p>	40
Total Maximum Points		100

PROCEDURES

- Proposals will be evaluated to conformance to the Minimum Requirements and Evaluation Criteria by an evaluation committee comprised of District employees having familiarity and expertise in evaluating the work to be done.
- Application of the Minimum Requirements and Evaluation Criteria may result in awarding the Contract to a proposer whose price is not the lowest.

SECTION VII: TERMS AND CONDITIONS FOR PROFESSIONAL SERVICES

The successful Proposer is expected to enter into an agreement with the District. The District's standard Professional Services Agreement Terms and Conditions are included in this RFP. Please provide any proposed changes in that form agreement along with your proposal.

ARTICLE 1 - SERVICES TO BE PERFORMED BY CONSULTANT

- 1.1 The Consultant agrees to provide professional services to the District in accordance with the Terms and Conditions of this Agreement.
- 1.2 The scope of the Consultant's services shall consist of the services set forth in **Attachment A – Scope of Services.**

ARTICLE 2 – COMPENSATION

- 2.1 The Consultant agrees to perform all of the services specified in this Agreement for _____ *(insert total cost here for initial 5 year term)* inclusive of all labor costs, material, travel expenses, insurance, overhead, profit and all other costs necessary to perform the work in accordance with this Agreement.

ARTICLE 3 - PERIOD OF SERVICE

- 3.1 The Consultant shall provide *Professional Auditing Services* in accordance with the milestone and delivery schedule contained in the Consultants Proposal, Exhibit A, or as otherwise mutually agreed upon by the parties, unless terminated sooner in accordance with Article 16 of this Agreement.

ARTICLE 4 - DISTRICT'S RESPONSIBILITIES

District will do the following in a timely manner so as not to delay the services of Consultant.

- 4.1 Provide all criteria and full information as to District's requirements for the services assignment and designate in writing a person with authority to act on District's behalf on all matters concerning the Consultant's services.
- 4.2 Furnish to Consultant all existing studies, reports and other available data pertinent to the Consultant's services, obtain or authorize Consultant to obtain or provide additional reports and data as required, and furnish to Consultant services of others required for the performance of Consultant's services hereunder, and Consultant shall be entitled to use and rely upon all such information and services provided by District or others in performing Consultant's services under this Agreement.
- 4.3 Arrange for access to and make all provisions for Consultant to enter upon public and private property as required for Consultant to perform services hereunder.

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- 4.4 Perform such other functions as are indicated in this Agreement related to duties of District.
- 4.5 Bear all costs incident to compliance with the requirements of this Section.

ARTICLE 5 - STANDARD OF CARE

- 5.1 Consultant shall exercise the same degree of care, skill, and diligence in the performance of the Services as is ordinarily provided by a professional Consultant under similar circumstance and Consultant shall, at no cost to District, re-perform services which fail to satisfy the foregoing standard of care.

ARTICLE 6 - OPINIONS OF COST AND SCHEDULE

- 6.1 Since Consultant has no control over the cost of labor, materials, equipment or services furnished by others, or over contractors', subcontractors', or vendors' methods of determining prices, or over competitive bidding or market conditions or economic conditions, Consultant's cost estimate and economic analysis shall be made on the basis of qualification and experience as a professional Consultant.
- 6.2 Since Consultant has no control over the resources provided by others to meet contract schedules, Consultant's forecast schedules shall be made on the basis of qualification and experience as a professional Consultant.
- 6.3 Consultant cannot and does not guarantee that proposals, bids or actual project costs will not vary from their cost estimates or that actual schedules will not vary from their forecast schedules.

ARTICLE 7 – SUBCONTRACTING

- 7.1 No subcontract shall be awarded by Consultant until prior written approval is obtained from the District.

ARTICLE 8 – CONSULTANT-ASSIGNED PERSONNEL

- 8.1 Consultant shall designate in writing an individual to have immediate responsibility for the performance of the services and for all matters relating to performance under this Agreement. Key personnel to be assigned by Consultant will be stipulated in their proposal. Substitution of any assigned person shall require the prior written approval of the District, which shall not be unreasonably withheld. If the District determines that a proposed substitution is not responsible or qualified to perform the services then, at the request of the District, Consultant shall substitute a qualified and responsible person.

ARTICLE 9 - OWNERSHIP OF DOCUMENTS

- 9.1 All work products, drawings, data, reports, files, estimate and other such information and materials (except proprietary computer programs, including source codes purchased or developed with Consultant monies) as may be

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accumulated by Consultant to complete services under this Agreement shall be owned by the District.

- 9.2 Consultant shall retain custody of all project data and documents other than deliverables specified in this Agreement but shall make access thereto available to the District at all reasonable times the District may request. District may make and retain copies for information and reference.
- 9.3 All deliverables and other information prepared by Consultant pursuant to this Agreement are instruments of service in respect to this project. They are not intended or represented to be suitable for reuse by District or others on extensions of this Project or on any other project. Any reuse without written verification or adaptation by Consultant for the specific purpose intended will be at District's sole risk and without liability or legal exposure to Consultant; and District shall indemnify and hold harmless Consultant against all claims, damages, losses, and expenses including attorney's fees arising out of or resulting from such reuse. Any such verification or adaptation will entitle Consultant to further compensation at rates to be agreed upon by District and Consultant.

ARTICLE 10 - RECORDS OF LABOR AND COSTS

- 10.1 Consultant shall maintain records of all labor and costs used in claims for compensation under this Agreement. Records shall mean a contemporaneous record of time for personnel; a methodology and calculation of the Multiplier for fringe benefits and indirect costs; and invoices, time sheets, or other factors used as a basis for determining other non-labor Project charges. These records must be made available to the District upon reasonable notice of no more than 48 hours during the period of the performance of this Agreement.
- 10.2 After delivery of Services under this Agreement, the Consultant's records of all costs used in claims for compensation under this Agreement shall be available to District's accountants and auditors for inspection and verification. These records will be maintained by Consultant and made reasonably accessible to the District for a period of three (3) years after completion of all work under this Agreement.
- 10.3 Consultant agrees to cooperate and provide any and all information concerning the Project costs which are a factor in determining compensation under this Agreement as requested by the District or any public agency which has any part in providing financing for, or authority over, the Services which are provided under the Agreement.
- 10.4 Failure to provide documentation or substantiation of all Project costs used as a factor in compensation paid under Article 2 hereof will be grounds for District to refuse payment of any statement submitted by the Consultant and for a back charge for any District funds, including interest from payment; or grant, matching, or other funds from agencies assisting District in financing the Services specified in this Agreement.

ARTICLE 11 – INSURANCE

Consultant shall provide and maintain at all times during the performance of the Agreement the following insurances:

- 11.1 Minimum Scope of Insurance:
Coverage shall be at least as broad as:
1. Insurance Services Office Commercial General Liability coverage (occurrence Form CG 00 01).
 2. Insurance Service Office Form Number CA 00 01 covering Automobile Liability, Code 1 (any auto).
 3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.
 4. Professional Liability (Errors and Omissions) Insurance appropriate to the Consultant's profession, with limit no less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.
- 11.2 Workers' Compensation Insurance as required by the State of California.
- 11.3 Comprehensive General Liability Insurance (Including operations, products and completed operations, as applicable). Said insurance shall provide a minimum of \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
- 11.4 Comprehensive Automobile Liability Insurance: Automobiles, trucks, and other vehicles and equipment (owned, not owned, or hired, licensed or unlicensed for road use) shall be covered under this policy. Limits of liability for Comprehensive Automobile Liability Insurance shall not be less than \$1,000,000 per accident for bodily injury and property damage.
- 11.5 Employer's Liability Insurance shall not be less than \$1,000,000 per accident for bodily injury or disease.
- 11.6 Errors & Omissions Liability Insurance: Consultant shall maintain a policy of professional liability insurance (Errors & Omissions Insurance) protecting it against claims arising out of negligent acts, errors, or omissions of Consultant pursuant to this Agreement, in an amount of not less than \$1,000,000 per occurrence, \$2,000,000 aggregate.
- 11.7 Deductibles: Any deductibles or self-insured retentions must be declared to and approved by the District. At the option of the District, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects to the District, its officers, officials, employees and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the District guaranteeing payment of losses and related investigations, claim administration and defense expenses.

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11.8 Other Insurance Provisions:

- A. The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:
1. The Union Sanitary District, its officers, officials, employees and volunteers as insureds as respects: liability arising out of work or operations performed by or on behalf of the Consultant; or automobiles owned, leased, hired or borrowed by the Consultant.
 2. For any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects to the District, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the District, its officers, officials, employees and volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
 3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) day's prior written notice has been provided to the District.
- B. If General Liability, Contractors Pollution Liability and/or Asbestos Pollution Liability and/or Errors & Omissions coverages are written on a claims-made form:
1. The retroactive date must be shown and must be before the date of the contract or the beginning of contract work.
 2. Insurance must be maintained, and evidence of insurance must be provided for at least five (5) years after completion of the contract work.
 3. If coverage is cancelled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the contract effective date, the CONSULTANT must purchase an extended period coverage for a minimum of five (5) years after completion of contract work.
 4. A copy of the claims reporting requirements must be submitted to the District for review.

11.9 Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to the District. Exception may be made for the State Compensation Insurance Fund when not specifically rated.

11.10 Verification of Coverage: Consultant shall furnish the District with original certificates and amendatory endorsements effecting coverage required by this clause. The endorsements should on forms provided by the District or on other than the District's forms provided those endorsements conform to the District's requirements. All certificates and endorsements are to be received and approved by the District before work commences. However, failure to do so shall not operate as a waiver of these insurance requirements. The District reserves the right to require complete, certified copies of all required insurance policies, including endorsement effecting the coverage required by these specifications at any time.

- 11.11 Waiver of Subrogation: Consultant hereby agrees to waive subrogation which any insurer of CONSULTANT may acquire from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the Consultant, its employees, agents and sub-Consultant's.

ARTICLE 12 - LIABILITY AND INDEMNIFICATION

- 12.1 Having considered the risks and potential liabilities that may exist during the performance of the Services, and in consideration of the promises included herein, District and Consultant agree to allocate such liabilities in accordance with this Article 12. Words and phrases used in this Article shall be interpreted in accordance with customary insurance industry usage and practice.
- 12.2 Consultant shall indemnify and save harmless and defend the District and all of their agents, officers, and employees from and against all claims, demand, or cause of action of every name or nature arising out of negligent error, omission, or act of Consultant, its agents, servants, or employees in the performance of its services under this Agreement.
- 12.3 In the event an action for damages is filed in which negligence is alleged on the part of District and Consultant, Consultant agrees to defend District. In the event District accepts Consultant's defense, District agrees to indemnify and reimburse Consultant on a pro rata basis for all expenses of defense and any judgment or amount paid by Consultant in resolution of such claim. Such pro rata share shall be based upon a final judicial determination of negligence or, in the absence of such determination, by mutual agreement.
- 12.4 Consultant shall indemnify District against legal liability for damages arising out of claims by Consultant's employees. District shall indemnify Consultant against legal liability for damages arising out of claims by District's employees.
- 12.5 Indemnity provisions will be incorporated into all Project contractual arrangements entered into by District and will protect District and Consultant to the same extent.
- 12.6 Upon completion of all services, obligations and duties provided for in the Agreement, or in the event of termination of this Agreement for any reason, the terms and conditions of this Article shall survive.

ARTICLE 13 - INDEPENDENT CONTRACTOR

- 13.1 Consultant undertakes performance of the Services as an independent contractor and shall be wholly responsible for the methods of performance.

District will have no right to supervise the methods used, but District will have the right to observe such performance. Consultant shall work closely with District in performing Services under this Agreement.

ARTICLE 14 - COMPLIANCE WITH LAWS

- 14.1 In performance of the Services, Consultant will comply with applicable regulatory requirements including federal, state, and local laws, rules, regulations, orders, codes, criteria and standards. Consultant shall procure the permits, certificates, and licenses necessary to allow Consultant to perform the Services. Consultant shall not be responsible for procuring permits, certificates, and licenses required for any construction unless such responsibilities are otherwise specifically assigned to another party.

ARTICLE 15 - NONDISCLOSURE OF PROPRIETARY INFORMATION

- 15.1 Consultant shall consider all information provided by District and all drawings, reports, studies, design calculations, specifications, and other documents resulting from the Consultant's performance of the Services to be proprietary unless such information is available from public sources. Consultant shall not publish or disclose proprietary information for any purpose other than the performance of the Services without the prior written authorization of District or in response to legal process.

ARTICLE 16 - TERMINATION OF CONTRACT

- 16.1 The obligation to continue Services under this Agreement may be terminated by either party upon seven days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.
- 16.2 District shall have the right to terminate this Agreement or suspend performance thereof for District's convenience upon written notice to Consultant, and Consultant shall terminate or suspend performance of Services on a schedule acceptable to District. In the event of termination or suspension for District's convenience, District will pay Consultant for all services performed and costs incurred including termination or suspension expenses. Upon restart of a suspended project, equitable adjustment shall be made to Consultant's compensation.

ARTICLE 17 - UNCONTROLLABLE FORCES

- 17.1 Neither District nor Consultant shall be considered to be in default of this Agreement if delays in or failure of performance shall be due to uncontrollable forces, the effect of which, by the exercise of reasonable diligence, the nonperforming party could not avoid. The term "uncontrollable forces" shall

mean any event which results in the prevention or delay of performance by a party of its obligations under this Agreement and which is beyond the control of the nonperforming party. It includes, but is not limited to, fire, flood, earthquake, storms, lightening, epidemic, war, riot, civil disturbance, sabotage, inability to procure permits, licenses, or authorizations from any state, local, or federal agency or person for any of the supplies, materials, accesses, or services required to be provided by either District or Consultant under this Agreement, strikes, work slowdowns or other labor disturbances, and judicial restraint.

- 17.2 Neither party shall, however, be excused from performance if nonperformance is due to uncontrollable forces which are removable or remediable, and which the nonperforming party could have, with the exercise of reasonable diligence, removed or remedied with reasonable dispatch. The provisions of this Article shall not be interpreted or construed to require Consultant or District to prevent, settle, or otherwise avoid a strike, work slowdown, or other labor action. The nonperforming party shall, within a reasonable time of being prevented or delayed from performance by an uncontrollable force, give written notice to the other party describing the circumstances and uncontrollable forces preventing continued performance of the obligations of this Agreement. The Consultant will be allowed reasonable negotiated extension of time or adjustments for District initiated temporary stoppage of services.

ARTICLE 18 – CLAIMS AND DISPUTES

- 18.1 The CONSULTANT shall be solely responsible for providing timely written notice to the District of any claims for consideration in accordance with the provisions of this contract. It is the District's intent to investigate and attempt to resolve any CONSULTANT claims before the CONSULTANT has performed any disputed work. Therefore, the CONSULTANT's failure to provide timely notice shall constitute a waiver of the CONSULTANT's claim for additional compensation and/or time.

The CONSULTANT shall not be entitled to consideration for any cause, including any act, or failure to act, by the District, or failure or refusal to issue a modification, or the happening of any event, thing, or occurrence, unless it has given the District due written notice of a potential claim. The potential claim shall set forth the reasons for which the CONSULTANT believes credit may be due, the nature of the costs involved, and the amount of the potential claim.

If based on an act or failure to act by the District, such notice shall be given to the District prior to the time that the CONSULTANT has started performance of the work giving rise to the potential claim for consideration. In all other cases, notice shall be given within ten days after the happening of the event or occurrence giving rise to the potential claim.

If there is a dispute over any claim, the CONSULTANT shall continue to work during the dispute resolution process in a diligent and timely manner as directed by the District and shall be governed by all applicable provisions of the contract. The CONSULTANT shall maintain cost records of all work which is the basis of any dispute.

If an agreement can be reached which resolves the CONSULTANT's claim, the parties will execute a contract modification to document the resolution of the claim. If the parties cannot reach an agreement with respect to the CONSULTANT claim, they may choose a dispute resolution process or terminate the contract.

ARTICLE 19 – MISCELLANEOUS

- 19.1 A waiver by either District or Consultant of any breach of this Agreement shall not be binding upon the waiving party unless such waiver is in writing. In the event of a written waiver, such a waiver shall not affect the waiving party's rights with respect to any other or further breach.
- 19.2 The invalidity, illegality, or unenforceability of any provision of this Agreement, or the occurrence of any event rendering any portion or provision of this Agreement void, shall in no way effect the validity or enforceability of any other portion or provision of the Agreement. Any void provision shall be deemed severed from the Agreement and the balance of the Agreement shall be construed and enforced as if the Agreement did not contain the particular portion or provision held to be void.
- 19.3 This Agreement shall be governed by the laws of the State of California. Any and all legal action necessary to enforce the Agreement will be held in the County of Alameda and the Agreement will be interpreted according to the laws of California. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

ARTICLE 20 - INTEGRATION AND MODIFICATION

- 20.1 This Agreement (consisting of pages 1 to 10), together with all Task Orders, if any, executed by the undersigned, is adopted by District and Consultant as a complete and exclusive statement of the terms of the Agreement between District and Consultant. This Agreement supersedes all prior agreements, contracts, proposals, representations, negotiations, letters, or other communications between the District and Consultant pertaining to the Services, whether written or oral.
- 20.2 The Agreement may not be modified unless such modifications are evidenced in writing signed by both District and Consultant.

ARTICLE 21 – CONFLICT OF INTEREST

- 21.1 The Consultant warrants and represents that it presently has no interest and agrees that it will not acquire any interest that would present a conflict of interest

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Professional Auditing Services**

under California Government Code §1090 et seq. or §87100 et seq. during the performance of services under this Agreement.

Consultant will not knowingly enter into a contract with the District without first notifying the District if any financial or personal interest exists, or may exist during performance of a subsequent contract, between an employee of the Consultant firm who is a spouse, parent, person who stood *in loco parentis*, grandparent, child, grandchild, brother, sister, aunt, niece, nephew, cousin, domestic partner or person living in the same household (whether through marriage, domestic partnership, or as a couple living together), including step-, half-, and "in-law," to any member of the District's Board of Directors, General Manager, Work Group Manager, Business Services Coach, or the Purchasing Agent or his/her designee.

If such a financial interest and/or personal relationship exists or may exist in a subsequent contract, the Consultant will notify the District before entering into the contract and/or performing any services. The District will inform the Consultant if such a relationship is a violation of this provision and whether services can be provided. However, violation of this provision without such notification to the District may result in this Agreement being deemed void and unenforceable.

- 21.2 Depending on the nature of the work performed, Consultant may be required to publicly disclose financial interests under the District's Conflict of Interest Code and the provisions of Section 21.1 above. Upon receipt, the Consultant agrees to promptly submit a Statement of Economic Interest in the form provided by the District.
- 21.3 No person previously in the position of Director, Officer, employee or agent of the District may act as an agent or attorney for, otherwise represent the Consultant by making any formal or informal appearance, or any oral or written communication, before the District, or any Officer or employee of the District, for a period of twelve months after leaving office or employment with the District if the appearance or communication is made for the purpose of influencing any action involving the issuance, amendment, award or revocation of a permit, license, grant, or contract.
- 21.4 No member, officer, or employee of the District during his or her tenure of for one year after that tenure shall have any interest, direct or indirect, in this Agreement of the proceeds under this Agreement.

ARTICLE 22 - ATTORNEY'S FEES

- 22.1 If any legal proceeding should be instituted by either parties to enforce the terms of this contract or to determine the rights of the parties under this contract, the prevailing party in said proceeding shall recover, in addition to all court costs, reasonable attorney fees.

ARTICLE 23 - SUCCESSORS AND ASSIGNS

- 23.1 District and Consultant each binds itself and its directors, officers, partners, successors, executors, administrators, assigns and legal representatives to the other party to this Agreement and to the partners, successors, executors, administrators, assigns, and legal representatives of such other party, in respect to all covenants, agreements, and obligations of this Agreement.
- 23.2 Neither District nor Consultant shall assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the other, except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent Consultant from employing such independent Consultants, associates, and subcontractors as he may deem appropriate to assist him/her in the performance of the Services hereunder and in accordance with Article 7.
- 23.3 Nothing herein shall be construed to give any rights or benefits to anyone other than District and Consultant.

ARTICLE 24- BACKGROUND CHECKS

- 24.1 Contractor, at no additional expense to the District, shall conduct a background check for each of its employees, as well as for the employees of its subcontractors (collectively "Contractor Employees") who will have access to District's computer systems, either through on-site or remote access, or whose contract work requires an extended presence on the District's premises. The minimum background check process for any District contractor shall include, but not be limited to:
1. California residents: Criminal Records (County and State Criminal Felony and Misdemeanor)
 2. Out of State residents: Federal criminal search of the National Criminal Database
- 24.2 The background check shall be conducted, and the results submitted to the District prior to initial access by Contractor Employees. If at any time, it is discovered that a Contractor Employee has a criminal record that includes a felony or misdemeanor, the Contractor is required to inform the District immediately and the District will assess the circumstances surrounding the conviction, time frame, nature, gravity, and relevancy of the conviction to the job duties, to determine whether the Contractor Employee will be placed or remain on a District assignment. The District may withhold consent at its sole discretion. The District may also conduct its own criminal background check of the Contractor Employees. Failure of the Contractor to comply with the terms of this paragraph may result in the termination of its contract with the District.

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ARTICLE 25 – SERVICE OF NOTICE

- 25.1 All notices required in this Agreement shall be sent by certified mail, return receipt requested, and if sent to:

Purchasing Agent
Union Sanitary District
5072 Benson Rd.
Union City, CA 94587

ARTICLE 26 – GOVERNING LAW

- 26.1 The Agreement shall be governed and construed in accordance with the laws of the State of California.

SECTION VIII: SPECIFICATIONS AND REQUIREMENTS

INTRODUCTION

The anticipated Scope of Work will include but is not limited to the following as shown within attached Attachment A – Scope of Services

CONTRACT DURATION

Agreement is for (5) years, with one (1) additional two (2) year extension at the mutual discretion of both parties.

The initial Agreement term beginning fiscal year ending June 30, 2023 through fiscal year through fiscal year ending June 30, 2027. The extension (if exercised) will begin fiscal year ending June 30, 2028, through fiscal year ending June 30, 2029.

APPENDIX A1
OFFER AND SIGNATURE
PAGE 1 OF 2

(Note: to be submitted with Proposer's proposal)

ACCEPTANCE: In compliance with the Request for Proposal, the Proposer agrees, if this proposal is accepted within 90 calendar days from the date specified in the Request for Proposal for receipt of proposal, or other agreed upon timeframe, to furnish and execute any or all items upon which prices are offered at the price set opposite each item, within the time specified in this Request for Proposal solicitation.

Item(s):

a. **Professional Auditing Services** as delineated herein.

Proposer, please state your payment term, including any prompt payment discount:
_____ % Net _____ days

ADDENDA:

Proposer, if an Addendum is posted on www.publicpurchase.com, please acknowledge receipt by stating the addendum number and date below

Addendum # _____ Date _____

Addendum # _____ Date _____

Printed Name: _____

Title: _____

Firm Name: _____

Address: _____

Telephone Number: _____

E-mail: _____

Date: _____

Type of business organization: _____

(Corporation, partnership, sole-proprietorship, LLC, LLP, etc.)

License No. _____

Corporate Seal:

**APPENDIX A1
OFFER AND SIGNATURE
PAGE 2 OF 2**

By signing below, the submission of a proposal shall be deemed a representation and certification by the Proposer that they have investigated all aspects of the RFP, that they are aware of the applicable facts pertaining to the RFP process, its procedures and requirements, and that they have read and understand the RFP. No request for modification of the proposal shall be considered after its submission and close of proposal due date on the grounds that the Proposer was not fully informed as to any fact or condition.

Company Name: _____

Address: _____

Telephone Number: _____

Contractor's License Number (if applicable) _____

DIR Registration Number (if applicable) _____

Worker Classification/s _____

Authorized Signature: _____

Print Name: _____

Title: _____

Date: _____

APPENDIX A2
NON-COLLUSION DECLARATION
PAGE 1 OF 1

I, _____, am the _____
(Print Name) (Position/Title)

of _____
(Name of Company)

the party making the foregoing proposal (the "Proposer") that the proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the proposal is genuine and not collusive or sham; that the Proposer has not directly or indirectly induced or solicited any other proposer to put in a false or sham proposal; and has not directly or indirectly colluded, conspired, connived, or agreed with any proposer or anyone else to put in a sham proposal, or that anyone shall refrain from bidding; that the Proposer has not in any manner directly or indirectly, sought by Agreement, communication, or conference with anyone to fix the proposal price of the Proposer or any other proposer, or to fix any overhead, profit, or cost element of the proposal price, or of that of any other proposer, or to secure any advantage against the public body awarding the contract of anyone interested in the proposal contract; that all statements contained in the proposal are true; and, further, that the Proposer has not, directly or indirectly, submitted his or her proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid or proposal depository, or to any member or agent thereof to effectuate a collusive or sham bid or proposal.

The Proposer shall also disclose any and all relationships with elected Union Sanitary District Board Member or District Staff, including any campaign contributions made on behalf of any past or present Board Member and attach it to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Print or Type Name: _____

Authorized Signature: _____

Company Name: _____

Date: _____

ATTACHMENT A
SCOPE OF SERVICES
RFP #S-23-P-307

GENERAL

The District is soliciting the services of qualified firms of Certified Public Accountants to audit its financial statements for a five year period through the fiscal years ending June 30, 2027, with the option to audit the District's financial statements for the two subsequent fiscal years. These audits are to be performed in accordance with the provisions contained in this Request for Proposals.

SCOPE OF WORK TO BE PERFORMED

The District desires an Annual Comprehensive Financial Report (ACFR) for the Union Sanitary District to be prepared by the independent auditor and be fully compliant with GASB 34 for the fiscal year ended June 30, 2023 and each of the subsequent years, June 30, 2024 through June 30, 2027 of the auditing firm's contract with the District.

The selected independent auditor will be required to perform the following tasks:

1. The auditor shall perform an audit of all funds of the District. The audit shall be conducted in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, issued by the Comptroller of the United States. The District's Annual Comprehensive Financial Report (ACFR) will be prepared and printed by the auditing firm. The ACFR will be in full compliance with GASB 34. The auditing firm will render their auditor's report on the basic financial statements. The auditing firm will also apply limited audit procedures to Management's Discussion and Analysis (MD&A) and required supplementary information pertaining to the proprietary funds of the District.
2. The auditor shall, when required, perform a single audit on the expenditures of federal grants in accordance with OMB Circular A-133 and render the appropriate audit reports on Internal Control over Financial Reporting based upon the audit of the District's financial statements in accordance with *Government Auditing Standards* and the appropriate reports on compliance with Requirements Applicable to each Major Program, Internal Control over Compliance and on the Schedule of Expenditures of Federal Awards in Accordance with OMB Circular A-133. The single audit report will include appropriate schedule of expenditures of federal awards, footnotes, findings and questioned costs, including reportable conditions and material weaknesses, and follow up on prior findings where required.
3. The auditor shall issue a separate "management letter" that includes recommendations for improvements in internal control, accounting procedures and other significant observations that are considered to be non-reportable conditions. Management letter shall be addressed to the General Manager.

4. The auditor shall prepare and file the Annual State Controller's Report each year by the due date for the District.
5. If requested, the Auditor shall attend both the annual Audit Committee meeting and the following Board meeting for presentation of the audit results.

AUDITING STANDARDS TO BE FOLLOWED

To meet the requirements of this Request for Proposals, the audit shall be performed in accordance with generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants, the standards for financial audits set forth in the current U.S. General Accounting Office's Government Auditing Standards, the provisions of the Single Audit Act and the provisions of U.S. Office of Management and Budget (OMB) Circular A-133, Audits of State, Local Governments, and Non-Profit Organizations, as amended.

An opinion on compliance with rules and regulations, as published by the Office of the State Controller, will also be required.

REPORTS TO BE ISSUED

Following the completion of the audit of the fiscal year's financial statements, the Auditor shall issue:

1. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles.
2. A Single Audit Report (if required).

In the required report(s) on internal controls, the Auditor shall communicate any reportable conditions found during the audit. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which could adversely affect the organization's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. Reportable conditions that are also material weaknesses shall be identified as such in the report.

Non-reportable conditions discovered by the Auditors shall be reported in a separate letter to management, which shall be referred to in the report(s) on internal controls.

The reports on compliance shall include all instances of significant non-compliance.

IRREGULARITIES AND ILLEGAL ACTS

Auditors shall be required to make an immediate written report of all irregularities and illegal acts or indications of illegal acts of which they become aware to the following parties: General Manager, Union Sanitary District's Attorney, and Audit Committee.

REPORTING TO THE AUDIT COMMITTEE

Auditors shall assure themselves that the District's Audit Committee is informed of each of the following in accordance with Independence Standards Board (ISB) Standard No. 1:

1. The Auditor's responsibility under generally accepted auditing standards
2. Significant accounting policies
3. Management judgments and accounting estimates
4. Significant audit adjustments
5. Other information in documents containing audited financial statements
6. Disagreements with management
7. Management consultation with other accountants
8. Major issues discussed with management prior to retention
9. Difficulties encountered in performing the audit

SPECIAL CONSIDERATIONS

1. The District will send its Annual Comprehensive Financial Report to the Government Finance Officers Association of the United States and Canada for review in its Certificate of Achievement for Excellence in Financial Reporting program. It is anticipated that the Auditor will not be required to provide special assistance to the District to meet the requirements of that program.
2. The District may prepare one or more official statements in connection with the sale of debt securities which will contain the general purpose financial statements and the Auditor's report thereon. The Auditor shall be required, if requested by the fiscal advisor and/or the underwriter, to issue a "consent and citation of expertise" as the Auditor and any necessary "comfort letters" at no additional cost to the District.
3. The District has determined that the State Controller's Office will function as the cognizant agency in accordance with the provisions of the Single Audit Act and U.S. Office of Management and Budget (OMB) Circular A-133.
4. The Single Audit Report is not to be included in the Annual Comprehensive Financial Report, but is to be issued separately.
5. The June 30, 2021 audit did not generate any findings or weaknesses for the District.

WORKING PAPER RETENTION AND ACCESS TO WORKING PAPERS

All working papers and reports must be retained, at the Auditor's expense, for a minimum of three (3) years, unless the firm is notified in writing by the District of the need to extend the retention period. The Auditor will be required to make working papers available, upon request, to the following parties or their designees:

- Union Sanitary District
- State Controller's Office
- U.S. General Accounting Office (GAO); and
- Parties designated by the federal or state governments or by the District as part of an audit quality review process; and:
 - Auditors of entities of which the District is a sub-recipient of grant funds
 - Auditors of entities of which the District is a component unit

In addition, the firm shall respond to the reasonable inquiries of successor Auditors and allow successor Auditors to review working papers relating to matters of continuing accounting significance.

DESCRIPTION OF THE GOVERNMENT

A. BACKGROUND INFORMATION

The Union Sanitary District was formed in 1918 and serves the Cities of Fremont, Newark and Union City with an approximate combined population of 355,000. The cities are located along Interstates 680 and 880, between Oakland and San Jose in southern Alameda County. The District's fiscal year begins on July 1 and ends on June 30.

The District is governed by a five-member Board of Directors, which is independently and directly elected by voters to staggered four-year terms. The District collects and treats wastewater.

The District's total personal costs is approximately \$33.8 million covering 140 full-time employees. The District is organized into workgroups and operates in a team-based environment and uses the Balanced Scorecard as a model for its strategic plan and performance measurement tool. The accounting and financial reporting functions of the District are centralized.

More detailed information on the government and its finances can be found in Budget documents and Annual Financial Reports here <https://www.unionsanitary.com/about-us/financial-information>.

B. FUND STRUCTURE

The District has two proprietary funds for operating and capacity/connection fees. It also operates seven internal service funds.

C. BUDGETARY BASIS OF ACCOUNTING

The District prepares its budgets on a basis consistent with generally accepted accounting principles.

D. FEDERAL, STATE, AND COUNTY FINANCIAL ASSISTANCE

During the fiscal years to be audited, the District may receive grants from the State and or Federal and State funding through State Revolving Fund loans.

E. PENSION PLANS

The District is a member of the State of California Public Employees' Retirement System.

F. COMPONENT UNITS

The District does have any component units.

G. JOINT VENTURES

The District participates in the following joint ventures with other governments:

- Alameda County Water District Financing Authority (ACWD), for the purpose of assisting in the financing and refinancing of capital projects of ACWD and to finance working capital for ACWD.
- East Bay Dischargers Authority (EBDA). EBDA is a separate legal entity which constructs and operates an export pumping facility through which all treated wastewater in the area is discharged. The other participants are the City of Hayward, the City of San Leandro, and the Oro Loma and Castro Valley Sanitary Districts.

H. MAGNITUDE OF FINANCE OPERATIONS

The Business Services Workgroup currently consists of 23 employees. The principal functions performed and the number of employees assigned to each is as follows:

<u>Function</u>	<u>Number of Employees</u>
Business Services Manager/CFO	1
Human Resources Manager/Coach	1
Senior Accounting Financial Analyst	1
Administrative Specialist	2
Accounting Financial Analyst	2
Accounting Technical Specialist	3
Buyer II	1
Purchasing Agent	1
Environmental Health/Safety Program Manager	1
Human Resources Analyst II	1
Organization Performance Program Manager	1
Training & Emergency Response Program Manager	1

I. AVAILABILITY OF PRIOR AUDIT REPORTS AND MANAGEMENT LETTERS

The District's Annual Comprehensive Financial Reports (ACFR) for FY's ended 2021 through 2011 and Auditor's Management Letters for the FY's ended 2021 through 2016 can be found on the Districts website at <https://www.unionsanitary.com/about-us/financial-information>. Interested proposers who wish to review any prior year audit reports and management letters, not on the Districts website, should contact the Districts CFO, Mark Carlson at 5072 Benson Road, Union City, CA, 94587; telephone number (510) 477-7510; e-mail address markc@unionsanitary.ca.gov

J. SCHEDULE FOR THE 2023 FISCAL YEAR AUDIT

(A similar schedule will be developed for audits of future fiscal years if the District exercises its option for additional audits.)

Each of the following shall be completed by the Auditor no later than the dates indicated.

- Interim Work
The Auditor shall complete all interim work between **April/June, 2023**.
- Detailed Audit Plan
The Auditor shall provide the District by **June 30, 2023** both a detailed audit plan and a

list of all schedules to be prepared by the District.

- Field Work
The Auditor shall complete all field work by **mid-September, 2023**.
- Draft Reports
The Auditor shall have drafts of the audit report(s) and recommendations to management available for review by the Finance Manager by **early October 2023**.
- Completed Reports
The Auditor shall have final draft audit reports completed for the Audit Committee meeting in the first week of **November 2023** to be followed by a presentation to the Board of Directors at the **first Board meeting in November 2023 (second Monday)**.

K. ENTRANCE CONFERENCES, PROGRESS REPORTING AND EXIT CONFERENCES

(A similar time schedule will be developed for audits of future fiscal years if the District exercises the option for additional audits).

At a minimum, the following conferences should be held by the dates indicated on the schedule:

- Entrance conference with all key finance personnel no later than the **beginning of interim field work**

The purpose of this meeting will be to discuss prior audit problems and the interim work to be performed. This meeting will also be used to establish overall liaison for the audit and to make arrangements for workspace and other needs of the Auditor.
- Progress conference, if necessary, with the Audit Committee and the Business Services Manager/CFO **approximately mid-June, 2023**

The purpose of this meeting will be to discuss the year-end work to be performed, to summarize the results of the preliminary review, and to identify the key internal controls or other matters to be tested.
- Entrance conference with key finance personnel to commence year-end audit work **no later than the first day of audit field work**
- Exit conference with the Audit Committee, key finance personnel, and General Manager **approximately the last week of October or the first week of November, 2023 (exact dates will depend on the scheduling of the first Board meeting in November)**.

The purpose of this meeting will be to summarize the results of the field work and to review significant findings and answer any questions the Audit Committee may have regarding the audit and the Annual Comprehensive Financial Report.

L. DATE FINAL REPORT IS DUE

The Business Services Workgroup will complete their review of the draft report as expeditiously as possible. During that period, the Auditor should be available for any meetings that may be necessary to discuss the audit reports. Once all issues for discussion are resolved, the final signed report shall be delivered to the Business Services Manager/CFO. It is anticipated that this process will be completed and the final report delivered by **October 31, 2023**. The auditors will present the final report to the Board of Directors at the first board meeting in **November 2023** which is the second Monday of the month.

M. ASSISTANCE TO BE PROVIDED TO THE AUDITOR AND REPORT PREPARATION

- **Business Services Workgroup and Clerical Assistance**
The Business Services Workgroup staff and responsible management personnel will be available during the audit to assist the firm by providing information, documentation and explanations. The preparation of confirmations will be the responsibility of the District. In addition, clerical support will be made available to the Auditor for preparation of routine letters and memoranda.
- **Work Area, Telephones, and Photocopying**
The District will provide the Auditor with reasonable workspace, desks and chairs. The Auditor will also be provided with access to a telephone line, and photocopying facilities. A remote audit environment will be considered by the District.
- **Report Preparation**
Report preparation and editing shall be the responsibility of the Auditor.

N. INDEPENDENCE

The firm should provide an affirmative statement that it is independent of the District as defined by generally accepted auditing standards. The firm also should provide an affirmative statement that it is independent of all of the component units of the District as defined by those same standards.

The firm should list and describe the firm's (or proposed subcontractors) professional relationships involving the District for the past five (5) years, together with a statement explaining why such relationships do not constitute a conflict of interest relative to performing the proposed audit.

In addition, the firm shall give the District written notice of any professional relationships entered into during the period of this agreement.

O. LICENSE TO PRACTICE IN CALIFORNIA

An affirmative statement should be included indicating that the firm and all assigned key professional staff are properly licensed to practice in California.

P. SPECIFIC AUDIT APPROACH – AS REQUESTED IN SECTION V - SUBMITTAL OF PROPOSAL FORMAT AND CONTENT IN RFP

Proposers will be required to provide the following information on their audit approach:

1. Proposed segmentation of the engagement
2. Level of staff and number of hours to be assigned to each proposed segment of the engagement
3. Sample sizes and the extent to which statistical sampling is to be used in the engagement
4. Extent of use of ERP software in the engagement
5. Type and extent of analytical procedures to be used in the engagement
6. Approach to be taken to gain and document an understanding of the District's internal control structure
7. Approach to be taken in determining laws and regulations that will be subject to audit test work
8. Approach to be taken in drawing audit samples for purposes of tests of compliance
9. The proposal should identify and describe any anticipated potential audit problems, the firm's approach to resolving these problems and any special assistance that will be requested from the District.
10. The proposal should include sample formats for required reports.

ITEMS NOTED BELOW ARE IMPLIED IN SUBMITTAL OF PROPOSAL:

- The proposer certifies it can and will provide and make available, at a minimum, all services set forth in this Attachment A – Scope of Services.
- Proposer warrants that it will not delegate or subcontract its responsibilities under an agreement without the express prior written permission of the Union Sanitary District.
- Proposer warrants that all information provided by it in connection with this proposal is true and accurate.

ATTACHMENT B
PROPOSAL COST SHEET AND RATES

1. Total All-Inclusive Maximum Price

The dollar cost bid should contain all pricing information relative to performing the audit engagement as described in this Request for Proposals. The annual total proposed price to be bid is to contain all direct and indirect costs including all out-of-pocket expenses.

The dollar cost bid will be this completed Attachment B. This should include a schedule of your fees and expenses that supports the total all-inclusive maximum price, and should include:

- Rates by Partner, Specialist, Supervisory and Staff Level Times / Hours Anticipated for Each.
- Out-of-pocket Expenses Included in the Total All-Inclusive Maximum Price and Reimbursement Rates.
- Proposal increases for each subsequent year.

2. Rates for Additional Professional Services

If it should become necessary for the District to request the Auditor to render any additional services, then such additional work shall be performed only if set forth in an addendum to the contract between the District and the firm. Any such additional work agreed to between the District and the firm shall be performed at the same rates set forth in the schedule of fees and expenses included in the dollar cost bid.

3. Invoices

Progress payments will be made on the basis of hours of work completed during the course of the engagement and out-of-pocket expenses incurred in accordance with the firm's dollar cost bid proposal. Interim billings shall cover a period of not less than a calendar month.

**BREAKDOWN FOR SCHEDULE OF PROFESSIONAL FEES AND EXPENSES
FOR PERIOD ENDING JUNE 30, 2023**

<u>Audit</u>				
	<u>Hours</u>		<u>Hourly Rate</u>	<u>Total</u>
Partners	_____	x	\$ _____	= \$ _____
Managers	_____	x	\$ _____	= \$ _____
Supervisory Staff	_____	x	\$ _____	= \$ _____
Staff	_____	x	\$ _____	= \$ _____
Other (specify)	_____	x	\$ _____	= \$ _____
Subtotal	=====			\$ _____
Out-of-pocket expenses:				
Meals and Lodging *				\$ _____
Transportation *				\$ _____
Other (specify)				\$ _____
Total Price for 2023 Audit				\$ _____

*The FY 2022 audit is being performed remotely. The District is willing to discuss continuing with a remote work audit environment which may reduce or negate these costs.

<u>Single Audit (if required)</u>				
	<u>Hours</u>		<u>Hourly Rate</u>	<u>Total</u>
Partners	_____	x	\$ _____	= \$ _____
Managers	_____	x	\$ _____	= \$ _____
Supervisory Staff	_____	x	\$ _____	= \$ _____
Staff	_____	x	\$ _____	= \$ _____
Other (specify)	_____	x	\$ _____	= \$ _____
Subtotal	=====			\$ _____
Out-of-pocket expenses:				
Meals and Lodging *				\$ _____
Transportation *				\$ _____
Other (specify)				\$ _____
Total Price for 2023 Single Audit				\$ _____

Fees for Subsequent Years:

Please utilize the following format :

Annual Audit	5 yr Contract				2 Year Extension	
	2024	2025	2026	2027	2028	2029
Annual Escalation %						
Total Cost (including misc)						

Single Audit	5 yr Contract				2 Year Extension	
	2024	2025	2026	2027	2028	2029
Annual Escalation %						
Total Cost (including misc)						

- PLEASE NOTE: As stated in Attachment A – Scope of Services, the District may request additional work via an addendum and that work is to be priced at hourly rates noted above to include escalation percentage per year.

Union Sanitary District

TECHNICAL PROPOSAL

RFP# S-23-P-307

For Professional Auditing Services for the Union Sanitary District

For fiscal years ending June 30, 2023 through 2027, with the option of extending the contract for each of the two (2) subsequent fiscal years.

October 10, 2022

Contact Person:

Ahmed Badawi, CPA
Badawi & Associates
Certified Public Accountants
2855 Telegraph Avenue, Suite 312
Berkeley, CA 94705
Phone: (510) 768-8244
Fax: (510) 768-8249
E-mail: abadawi@b-acpa.com



Union Sanitary District

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October 10, 2022

Skip Calvo
Purchasing Agent
Union Sanitary District
5072 Benson Rd.
Union City, CA 94587

Dear Skip Calvo:

Badawi & Associates (B&A), Certified Public Accountants (the "Firm") is pleased to have the opportunity to respond to your request for a proposal to provide external audit services and to submit its qualifications to perform an independent audit of the financial statements of the Union Sanitary District (the "District") for the fiscal years ending June 30, 2023, through 2027, with the option of extending the contract for each of the two (2) subsequent fiscal years. The objective of our audits is to issue opinions regarding the fairness of presentation of the financial position of the District in accordance with generally accepted accounting principles. These audits are to be performed in accordance with the standards set forth for financial audits in the Government Accountability Office's (GAO) Government Auditing Standards, with the *Minimum Audit Requirements and Reporting Guidelines for California Special Districts* as required by the State Controller's Office and with Generally Accepted Auditing Standards (GAAS), as well as any other applicable federal, state, local or programmatic audit requirements.

We will also perform the following as part of our engagement:

- Single Audit (if required)
- State Controller's Report

We will also apply limited audit procedures to Management's Discussion and Analysis (MD&A) and required supplementary information. In addition, we will prepare the management letter containing comments and recommendations regarding our review and evaluation of the systems of internal control and accounting procedures.

This proposal will highlight the background of the partners and staff assigned to the engagement, summarize our experience in the governmental area, and describe our approach to auditing the District.

This proposal demonstrates our ability to render the quality examination and to perform the necessary accounting and auditing services requested by the District on a timely basis.

As a partner of the Firm, I will be the primary contact for negotiation of the contract. Additionally, I have been authorized to legally bind the Firm. You may contact me at the following address and phone number:

Mr. Ahmed Badawi, CPA
Badawi & Associates
Certified Public Accountants
2855 Telegraph Avenue, Suite 312
Berkeley, CA 94705
Telephone: (510)768-8244
E-mail: abadawi@b-acpa.com

We are committed to performing the required work, completing the audit, and issuing the necessary auditors' reports.

We believe we are the best qualified to perform the audit because our audit staff includes individuals well versed in municipal auditing and reporting requirements. We have performed auditing and consulting engagements for numerous special districts and cities throughout California. We will be responsive to the needs of the District, we understand the District's operational environment, and pledge to you our complete commitment to providing a quality product that meets the District's requirements.

The approach to the audit has been designed to meet the audit requirements of the various District's with the least disruption to the District's office operations. The foundation of the audit approach is based on communication coupled with a strong knowledge of District operations and detailed planning at the initial stages of the audit. Open communication lines with all parties of the Engagement Team and District Management and staff throughout the engagement eliminate "surprises". Initial planning and proper assignment of duties to experienced personnel provide for an effective and efficient audit process. Consequently, inefficiencies and disruptions are kept to a minimum. In addition, we perform almost half of the audit tasks during the interim phase to minimize any unforeseen delays during the year-end phase and to ensure a smooth and timely audit process.

The Firm maintains liability insurance coverage for professional liability, Workers' Compensation, Comprehensive General Liability and Auto as part of our comprehensive insurance policy.

The Firm is an Equal Opportunity employer and complies with all Federal and State hiring requirements. The Firm also supports Affirmative Action philosophies and works hard to provide disadvantaged groups with opportunities for self enhancement.

This proposal is a firm and irrevocable offer for 180 days.

We are confident that you will find our organization offers the required expertise, technical knowledge, and business understanding to perform an audit of the District. Our past experience provides us with a thorough understanding of the needs and requirements of the District, as well as the technical knowledge to perform such services in accordance with the accounting and auditing guidelines as published by the various authoritative entities.

We welcome your inquiries and look forward to further discussions with you.

Sincerely,



Ahmed Badawi
Partner
Badawi & Associates
Certified Public Accountants

**Firm
Qualifications
and
Experience****Independence**

The Firm is independent of the Union Sanitary District as defined by the GAO's Standards for Audit of Governmental Organizations, Programs, Activities and Functions, and the AICPA and California State Society of Certified Public Accountants as promulgated in various auditing and professional standards.

Insurance

The Firm maintains professional liability insurance and other coverage as part of our comprehensive insurance policy. Upon selection as District's independent auditor, the Firm and our insurance provider will provide a certificate of insurance to District which shows the minimum requirements identified by District have been met.

License to Practice in California

The Firm and all key professional staff assigned to District's audit are properly licensed to practice as Certified Public Accountants in the State of California and comply with GAO Government Auditing Standards.

The Firm is registered with the California State Board of Accountancy. Its State number is COR6823.

The Firm has met all required State and local laws, rules, and regulations.

Conflict of Interest

The Firm has no conflicts of interest in connection with providing the services described in this proposal. The Firm does not have any financial, business, or other professional relationships with the District or any member of District staff.

Firm Qualifications

Badawi & Associates was founded by Mr. Ahmed Badawi. Mr. Badawi has over 20 years of experience working with state and local government. Prior to founding B&A, Mr. Badawi was a partner with several local and national firms, where he headed their government practice in Northern California. Mr. Badawi founded Badawi & Associates to serve the fast-paced needs of California's local governments. The goal is to build a proactive, client-focused culture from the ground up and to eliminate the entrenched bureaucratic culture and intrinsic limitations of the big audit firms.

Located in Berkeley, CA, the Firm serves a variety of municipalities throughout California. Names and phone numbers of several of our current and past clients and other references are provided for your inquiries. We encourage you to contact these individuals to obtain information on the quality of the audit and the ability of the audit staff.

Our Berkeley office will be the Engagement Office assigned to the District.

In addition to specific district financial statements, the Firm members have also audited numerous redevelopment agencies, public financing authorities, hospitals, housing authorities, transportation authorities, special districts, water districts, OCJP grants, self-insurance pools, joint power authorities and has also performed numerous compliance audits in accordance with the Single Audit Act, childcare regulations, TOT regulations, AQMD regulations, franchise requirements, RDA compliance, and other special projects. Additionally, the Firm has significant experience in bond offerings, post closure landfill costs, and recent changes to redevelopment agency reporting requirements

The Engagement Partner assigned to the District, Mr. Ahmed Badawi. Mr. Badawi has over 20 years of government audit and accounting experience. He is a member of various governmental committees, has actively participated in the development of accounting and audit guidelines for the governmental sector, and is an instructor for the California Society of Municipal Finance Officers.

The professional staffs assigned to the Engagement are qualified and experienced. Each individual of the Engagement Team has several years of experience and has conducted or participated in numerous municipal audits of various sizes. Their understanding of governmental operations and the various authoritative guidelines will provide the where-with-all to perform the audit in an efficient and effective manner with minimal disruption to the District's finance department.

Technical Approach

The approach to the audit has been designed to meet the audit requirements of various agencies with the least disruption to the District's operations. The foundation of the audit approach is based on communication coupled with a strong knowledge of District operations and detailed planning at the initial stages of the audit. Open communication lines with all parties of the Engagement Team and District Management and staff throughout the engagement eliminate "surprises". Initial planning and proper assignment of duties to experienced personnel provide for an effective and efficient audit process. Consequently, inefficiencies, disruptions, and lack of understanding are kept to a minimum.

The audit approach will consist of four phases:

1. **Initial Planning Meeting:**

The Engagement Partner and Manager will meet with District Management to discuss the audit approach, identify specific needs of District Management, and familiarize themselves with District policies and practices.

2. **Interim:**

The Engagement Team members including the Engagement Team Partner will perform the internal control reviews, test transactions, and identify potential audit issues that need to be addressed, perform limited confirmation procedures, and develop a clear understanding between the Engagement Team and District Management of the year-end audit responsibilities and assignments. **In addition, we strive to complete many of the year-end audit tasks during the interim phase to ensure a smoother audit process. We will work with the District on providing a list of those tasks that we will target to complete during interim and work with the District on how to complete them to minimize the amount of effort and time needed at year-end which in turn will assist the District in meeting its goal of issuing the report by the desired deadline.**

3. **Year end:**

The Engagement Team members including the Engagement Team Partner will conduct validation procedures on general ledger account balances, complete confirmation procedures, perform analytical procedures on revenue and expenditures, perform search for unrecorded liabilities, complete compliance work on Federal Assistance, and wrap up audit field work.

4. **Reporting:**

Auditor's reports for all District reporting entities and compliance requirements will be finalized along with the Management Letter comments. The Partner and Manager will be available to make presentations to the Board and/or designated bodies.

Firm Experience

The Firm is located in Berkeley, and provides a full range of accounting services to governmental agencies throughout California, including audit, tax and accounting. The Firm's professional staff members provide the financial background and specific experience to meet the District's operational needs. Additionally, this situation provides the District with an auditing firm that has depth in capabilities to address any financial issue the District may need assistance with, and the quality audit approach that you expect.

Our Berkeley office will be the Engagement Office assigned to the District.

Firm policy requires that the Engagement Partner, during the first year of the engagement, be actively involved in the daily fieldwork. This means to the District that Mr. Badawi will actually be on-site during the audit coordinating the audit process, supervising the audit staff, gaining a hands-on understanding of District processes, and benefiting the District with his broad municipal experience. We have found that this effort benefits the District and the Firm through developing a thorough knowledge of the District's practices and issues and establishing a close working relationship with the District's Management. Additionally, continuity of audit personnel is assured because of the hands on involvement of the Partner.

We are committed to providing appropriate and related experience, personal involvement, and a broad business perspective to produce a quality end product within the time frames required.

The Firm provides financial and compliance auditing services to governmental agencies throughout California. We are a governmental agency auditing firm and our professional staff members have been performing these services for many years. As a result, we have performed financial and compliance audits on most, if not all, types of governmental agencies and operations including:

- | | | |
|-----------------------|--------------------|---------------------|
| • Cities | • Waste Management | • Investment |
| • Redevelopment | Authorities and | Activities |
| Agencies | Operations | • Landfills |
| • Financing | • Pension Plans | • Enterprise Funds |
| Authorities | • Child Care | • Airports |
| • Housing Authorities | Operations | • Transportation |
| • Special Districts | • Joint Power | Operations |
| • Water Districts | Authorities | • Federal and State |
| | | Grants |

Additional Activities

We offer a full range of accounting and finance services to the governmental sector. These services include:

- | | |
|------------------------------------|--------------------------------------|
| • Financial audits | • Operational reviews |
| • Compliance audits | • Technical guidance on existing and |
| • Tax advice | upcoming accounting issues |
| • Development of financial and | • Training seminars |
| accounting policies and procedures | • Pension/profit-sharing plans |
| • Investment review and compliance | • Performance audits |
| evaluation | • Business consulting |

Consequently, Firm personnel are well qualified to perform the services expected by the District.

Client Training Seminar

The Firm hosts an annual update on recent technical accounting and finance issues affecting the governmental area. This all day session reviews new and anticipated pronouncements from GASB, discusses future issues under consideration by GASB, reviews accounting treatment of various transactions where issues may arise, and provides a general overview of state and federal compliance issues. All of our clients are invited to attend, free of charge. The one day session qualifies for CPE under the rules of the State Board of Accountancy and is held in the Bay Area.

GASB 68 Firm Developed Tools and Assistance

The Firm has developed tools to assist our clients with preparation of GASB 68 journal entries for the CalPERS' Cost Sharing Plans (for which individualized actuarial valuations are no longer prepared) and the CalPERS' Agent Multiple Employer Plans. In addition to providing our clients with these tools and instructions on how to use them, we are available to answer any questions on how to prepare and complete the GASB 68 journal entries.

Quality Control Review

According to Government Auditing Standards, firms who perform audits under the Yellow Book are required to have a peer review once every three years. We received a report with a rating of pass with no deficiencies which we attached for your review.



Report on the Firm's System of Quality Control

Badawi & Associates

Berkeley, California;
and the Peer Review Committee of the California Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Badawi & Associates (the firm) in effect for the year ended February 28, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act.

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

CPAs ■ Advisors

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CPAmerica
Member  Crowe Global

Peer Review Report
Page 2 of 2

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Badawi & Associates in effect for the year ended February 28, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Badawi & Associates has received a peer review rating of *pass*.

GYL LLP

Ontario, California
June 14, 2022

GYL



The Firm has policies and procedures to ensure it hires only qualified people, that it properly supervises them and provides professional training, that it advances them to responsibilities they are capable of handling, and that it provides them with necessary technical resources. All members of the Firm are very familiar with the stringent quality control standards established by the AICPA.

The Firm is a member of the AICPA Government Audit Quality Center.

The Firm is a member of the AICPA Private Companies Practice Section.

Federal or State Desk Reviews

The Firm has had no negative federal or state reviews in the past three (3) years.

Disciplinary Action

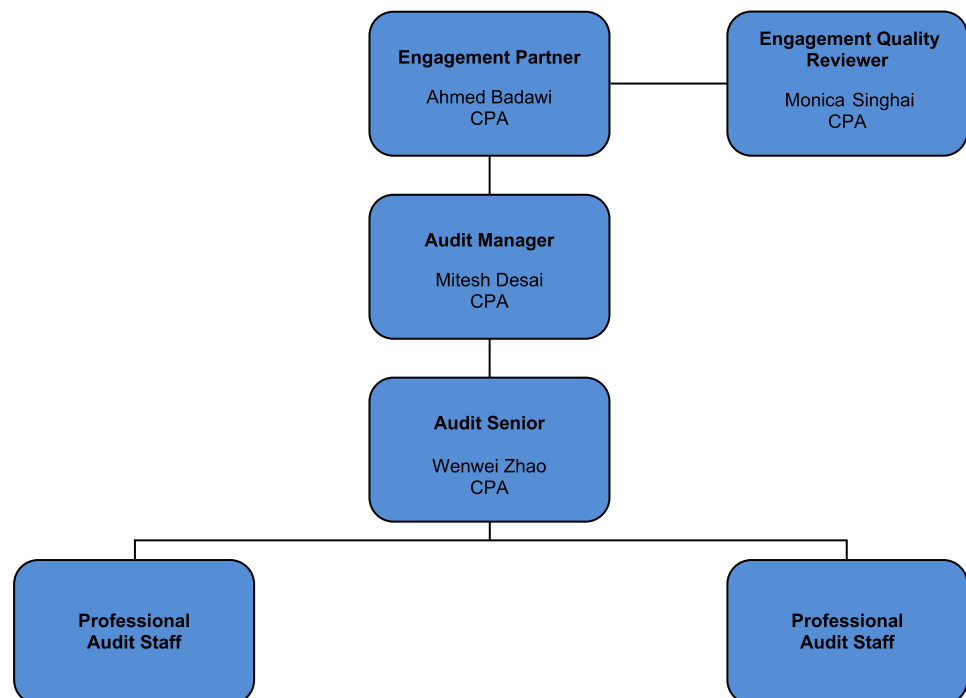
There has not been any state or federal disciplinary actions taken or pending against the Firm nor any findings to report.

Litigations

The Firm has not experienced any lawsuits or legal actions that have been resolved or are currently pending in the prior five years.

Partner, Supervisory, and Staff Qualifications and Experiences

The Engagement Team will normally consist of six individuals who provide a broad business perspective and significant experience in governmental auditing. This team will provide access to a wide range of technical capabilities which will provide the District with not only the technical support necessary to perform the audit, but also the broad business background to interpret findings and observations to offer effective solutions to issues, and the personal involvement of the Engagement and Compliance Partners of the Firm.



The Engagement Team will be led by Ahmed Badawi, CPA. Mr. Badawi's background includes over twenty years of municipal auditing experience. He is the instructor of the CSMFO "Introduction to Governmental Accounting" training classes. Mr. Badawi is a member of the Government Accounting and Auditing Committee of the California Society of Certified Public Accountants. He has participated in the audits of numerous city, county and special district governments, as well as non-profit entities. His diversified background offers the technical qualities required of the governmental and non-profit areas and the necessary wherewithal to properly evaluate the entire accounting process, develop opportunities to improve the accounting process, and to offer practical business recommendations.

The second member of the Engagement Team will be Mitesh Desai, CPA. Mr. Desai's background includes fourteen years of experience in municipal auditing. Mr. Desai has participated in the audits of numerous governmental agencies, assisted in their efforts to publish their Annual Comprehensive Financial Reports in compliance with GASB 34, and a volunteer member of the GFOA Special Review Committee. Mr. Desai has also achieved the Advanced Single Audit Certificate offered by the AICPA. He will serve as the Audit Manager.

The third member of the Engagement Team will be Wenwei Zhao, CPA. Ms. Zhao's background includes six years of accounting and auditing experience. She has participated in the audits of numerous governmental entities and assisted in their efforts to publish their financial statements in compliance with various regulations, and is a volunteer member of the GFOA Special Review Committee. Ms. Zhao will be the Audit Senior of this engagement.

The fourth member of the Engagement Team will be Monica Singhai, CPA. Mrs. Singhai's background includes over seventeen years of experience in municipal auditing. She has participated in the audits of numerous governmental agencies and assisted in their efforts to publish their financial statements in compliance with various regulations. Mrs. Singhai will be the Engagement Quality Reviewer of this engagement.

Each member of the Engagement Team participates in continuing education programs offered by the AICPA and California State Society of Certified Public Accountants, and each has met the continuing education requirements for municipalities. In addition, the firm offers at least 60 hours of in-house CPE annually focused mainly on municipal audits.

Professional Development:

The Firm maintains a comprehensive training program targeted at appropriate professional staff levels. It utilizes in-house developed educational programs, AICPA and California CPA Foundation educational programs, and on-the-job training.

The Firm's annual training schedule which officially begins in April for all professional staff and administrative staff includes comprehensive in-house training sessions on such topics as:

- Review of principles of accounting and financial reporting for state and local governments
- Review of governmental fund types and account groups
- Review of newly issued generally accepted auditing standards and GAO auditing standards
- Review of Internal Control evaluation approaches including COSO principles
- Updates on recent governmental accounting and reporting guidelines
- Review of Single Audit requirements and approaches
- Review of financial audit approaches
- Overview of audit and internal control work paper techniques
- Review of GASB reporting requirements
- Review of current issues facing the governmental community

During the year, professional staff members are sent to various educational sessions sponsored by the AICPA and California State Society of CPAs, as considered appropriate for the level and need of the individual. These classes include, among others:

- Governmental Financial Reporting Standards and Practices
- Yellow Book: Government Auditing Standards
- Financial Accounting Standards: Comprehensive Review
- Single Audit
- Governmental Auditing & Accounting Update
- Governmental Accounting Principles
- Comprehensive Review of Generally Accepted Auditing Standards

The result of the Firm's training program is the production of a highly educated and competent municipal audit group capable of performing an efficient and effective audit for the District.

The Team members will continue their professional development efforts.

Staff Retention and Continuity:

The Firm's policy on providing service to our clients includes a commitment to maintaining continuity of audit personnel. We cannot guarantee that our staff will remain with the Firm. However, to encourage our staff to remain with us, we pay competitive wage rates; offer promotional opportunities; provide state-of-the-art equipment and excellent working conditions; and offer various benefits, such as retirement plans, medical plans, profit sharing programs, educational benefits, and other such benefits. Additionally, we will guarantee that any staff member assigned to this engagement will return to the District in subsequent years if he or she is still with the Firm. We can also guarantee that the partner will be involved in future years. Continuity of audit staff is of prime concern to us and because of the hands-on involvement of the partner; we can assure you that future years' audits will be conducted in an efficient and effective manner with qualified and experienced professionals.

The Firm is an Equal Opportunity employer and complies with all Federal and State hiring requirements. The Firm also supports Affirmative Action philosophies and works hard to provide disadvantaged groups with opportunities for self enhancement.

Resumes of each member of the Engagement Team follow.

Ahmed Badawi, Certified Public Accountant – Engagement PartnerLength of Career

- Twenty years of experience in municipal auditing and accounting
- Certified Public Accountant for the State of California

Professional Experience

- Partial listing of clients served:

	Financial Audit	Single Audit	Services Provided			
			RDA Audit	PFA Audit	Water Enterprise	Other
Special Districts and Other:						
Alameda County Water District	X				X	X
Elk Grove Water District	X				X	
Marin Municipal Water District	X				X	X
Solano County Water Agency	X					
Castro Valley Sanitary District	X					
West County Wastewater District	X					X
Aptos/La Selva Fire Protection District	X					
Central County Fire District	X					
Coastside Fire Protection District	X					X
Cosumnes Community Services District	X					X
East Bay Regional Park District	X	X				X
Metropolitan Transportation Commission						X
Sanitary District No. 5	X					
South Bayside System Authority	X					X
Southern Marin Fire Protection District	X					
Stanislaus County Childcare	X					X
Cities:						
Antioch	X	X		X	X	X
Azusa	X	X		X	X	
Burlingame	X				X	X
Cotati	X				X	X
Folsom	X	X			X	X
Millbrae	X				X	X
Oakdale	X	X	X		X	X
Petaluma	X				X	X
Redwood City	X	X			X	X
San Bruno	X	X	X		X	X
San Luis Obispo	X				X	X
Sebastopol	X				X	X
Turlock	X	X	X	X	X	X
Yuba City	X	X			X	X
Counties:						
Santa Cruz County	X	X	X	X		X
Contra Costa County	X	X	X	X		X

- Has performed numerous financial audits, Single Audits, Transportation Development Act audits, housing audits, electrical utility audits, RDA audits, PFA audits, and Trust Fund audits, and has prepared numerous Annual Comprehensive Financial Reports

Education

- BS Degree in Accounting from the University of Alexandria, Egypt

Professional Activities

- Instructor, CSMFO's "Introduction to Governmental Accounting" training class
- Member, CALCPA Government Accounting and Auditing Committee
- Member, American Institute of Certified Public Accountants
- Member, California Society of Certified Public Accountants
- Member, Government Finance Officers Association
- Member, California Society of Municipal Finance Officers

Continuing Education

- Has met the current CPE educational requirements to perform audits on governmental agencies

Mitesh Desai, Certified Public Accountant – Professional Audit ManagerLength of Career

- Fourteen years of experience in municipal auditing
- Certified Public Accountant for the State of California

Professional Experience

- Has participated in several financial audits, Single Audits, RDA audits, PFA audits, Transportation Development Act audits, and housing audits

	Services Provided					
	Financial Audit	Single Audit	RDA Audit	PFA Audit	Water Enterprise	Other
Special Districts and Other:						
Alameda County Water District	X				X	X
Elk Grove Water District	X				X	
Marin Municipal Water District	X				X	X
Castro Valley Sanitary District	X					
West County Wastewater District	X					X
Coastside Fire Protection District	X					X
Cosumnes Community Services District	X					X
East Bay Regional Park District	X	X				X
Metropolitan Transportation Commission						X
Monterey Bay Unified Air Pollution Control District	X					
Sanitary District No. 5	X					
South Bayside System Authority	X					X
Stanislaus County Childcare	X					X
Cities:						
Antioch	X	X		X	X	X
Azusa	X	X		X	X	
Burlingame	X				X	X
Cotai	X				X	X
Folsom	X	X			X	X
Millbrae	X				X	X
Oakdale	X	X	X		X	X
Petaluma	X				X	X
Redwood City	X	X			X	X
San Bruno	X	X	X		X	X
San Luis Obispo	X				X	X
Sebastopol	X				X	X
Turlock	X	X	X	X	X	X
Yuba City	X	X			X	X
Counties:						
Santa Cruz County	X	X	X	X		X
Contra Costa County	X	X	X	X		X

Education

- BS Degree in Business Economics with an emphasis in Accounting from University of California, Santa Barbara

Professional Activities

- Member, American Institute of Certified Public Accountants
- Member, California Society of Certified Public Accountants
- Volunteer Member, GFOA Special Review Committee

Continuing Education

- Various municipal accounting courses offered by the California Society of CPAs and local universities including:
 - Governmental Financial Reporting Standards and Practices
 - Yellow Book: Government Auditing Standards
 - Municipal Accounting
 - Single Audit
- Has met the current CPE educational requirements to perform audits on governmental agencies

Wenwei Zhao, Certified Public Accountant – Professional Audit SeniorLength of Career

- Six years of experience in auditing
- Certified Public Accountant for the State of California

Professional Experience

- Has participated in several financial audits, Single Audits, RDA audits, PFA audits, Transportation Development Act audits, and housing audits

	Services Provided				
	Financial Audit	Single Audit	RDA Audit	PFA Audit	Enterprise Fund Other
Special Districts:					
Alameda County Single Audit		X			
Contra Costa County Child Care	X				X
Cosumnes Services District	X				
Elk Grove Water District	X				
Hayward Area Recreation and Park District	X				
Marin Municipal Water District	X				
Resource Conservation District of Santa Cruz County	X				
San Mateo County Mosquito and Vector Control District	X				
Santa Cruz Regional 9-1-1	X				
Cities:					
Barstow	X				
Berkeley	X				X
Crescent City	X	X			X
East Palo Alto	X	X			X
El Cerrito	X				X
Folsom	X				X
Larkspur	X				
Menlo Park	X				X
Millbrae	X				
Newark	X	X	X		X
Oakdale	X				X
Pinole	X				X
Redwood City	X				
San Luis Obispo	X				
San Mateo	X				X
Susanville	X				X
Town of Los Gatos	X				
Town of Yountville	X				X
Union City	X	X			X
Waterford	X				
Yuba City	X	X			X

Education

- Master of Accounting from University of Pittsburgh, PA

Professional Activities

- Volunteer Member, GFOA Special Review Committee

Continuing Education

- Various municipal accounting courses offered by the California Society of CPAs and local universities including:
 - Governmental Financial Reporting Standards and Practices
 - Yellow Book: Government Auditing Standards
 - Municipal Accounting
 - Single Audit
- Has met the current CPE educational requirements to perform audits on governmental agencies

Monica Singhai, Certified Public Accountant – Engagement Quality ReviewerLength of Career

- Seventeen years' of experience in auditing with special focus on municipalities
- Certified Public Accountant for the State of California

Professional Experience

- Has participated in several financial audits, Single Audits, RDA audits and PFA audits

	Financial Audit	Single Audit	Services Provided			Enterprise Fund	Other
			RDA Audit	PFA Audit			
Special District:							
Alameda County Fire District	X						
Alameda County Law Library	X						
Burbank Sanitary District	X					X	
Lions Gate Community Service District	X						
Los Medanos Community Health Care District	X						
Oakland-Alameda County Coliseum Authority	X						
Bayshore Elementary School District	X						
Belmont-Redwood Shores School District	X	X		X			
Brisbane School District	X						
Jefferson Elementary School District	X	X					
La Honda-Pescadero Unified School District	X	X		X			
Pacifica School District	X	X					
Ravenswood City School District	X	X				X	
Redwood City School District	X	X					
San Mateo-Foster City School District	X	X				X	
Cities:							
Berkeley	X	X				X	
East Palo Alto	X					X	
Menlo Park	X	X				X	
Redwood City	X	X				X	
Charter schools:							
Oakland Military Institute College Preparatory Academy	X	X					
Sacramento Valley Charter School	X						
West Sacramento College Prep Charter School	X						
First 5:							
First 5 Alameda County	X	X					
First 5 Inyo County	X						
First 5 Marin County	X						
First 5 Monterey County	X						
First 5 Santa Cruz County	X						
Others:							
Alameda County Housing Community Development Agency	X	X				X	
Alameda County Redevelopment Agency	X		X				
Alameda County Successor Agency	X						
City of Oakland - Measure C	X						
City of Oakland - Measure Y	X						
City of Oakland - Child Care and Development Program	X						
City of Oakland - Wildfire Prevention Assessment District	X						

Education

- Bachelor of Science in Accounting from Jabalpur University, India

Professional Activities

- Member, California Society of Certified Public Accountants
- Member, Institute of Chartered Accountants of India

Continuing Education

- Various local governments and not for profit accounting courses offered by the California Society of CPAs and AICPA including:
 - Governmental Financial Reporting Standards and Practices
 - Yellow Book: Government Auditing Standards
 - Single Audit
- Has met the current CPE educational requirements to perform audits on governmental agencies.

Similar Engagements with Other Governmental Entities

The table below lists all special district engagements (in order of audit hours):

Special District	Client Since	Hours	Engagement Partner	Principal Contact	Annual Comprehensive Financial Report	GFOA Award	Single Audit	Enterprise Funds
Florin Resource Conservation District/ Elk Grove Water District	2015	350	Mitesh Desai	Patrick Lee Finance Manager / Treasurer (916)685-3556 plee@egwd.org	Yes	Yes		X
Solano County Water Agency	2020	243	Ahmed Badawi	Roland Sanford General Manager (707) 455-1103 rsanford@scwa2.com	No	N/A		
Alameda County Waste Management Authority (StopWaste)	2018	154	Ahmed Badawi	Jennifer Luong Finance Services Manager (510)891-6500 jluong@stopwaste.org	No	N/A		
San Gabriel Valley Council of Governments	2021	618	Ahmed Badawi	Rey Alimoren, Director of Finance (626) 962-9292 ralimoren@sgvcog.org	No	N/A	X	X
County of Contra Costa Community Services Bureau Child Development Program	2013	450	Mitesh Desai	Nancy Benavides Fiscal Officer (925)681-4268 nbenavidas@ehsd.cccounty.us	No	N/A		
Hayward Area Recreation and Park District	2017	350	Ahmed Badawi	Anne Maze Interim Finance Manager (510)881-6707 maza@haywardrec.org	No	N/A		
Amador County Transportation Commission	2019	260	Ahmed Badawi	John Gedney Executive Director (209)267-2282 john@actc-amador.org	No	N/A		
San Mateo Mosquito and Vector Control District	2018	228	Ahmed Badawi	Richard Arrow Finance Director (650)344-8592 rarrow@smcmvcd.org	Yes	Yes		
Monterey Bay Unified Air Pollution Control District	2016	200	Mitesh Desai	Rosa Rosales Administrative Services Manager (831)718-8019 rrosales@mbard.org	No	N/A		
Southern Marin Fire Protection District	2020	160	Ahmed Badawi	Alyssa Schiffmann Finance Manager (415)388-8182 aschiffmann@smfd.org	No	N/A		
Port of San Luis Harbor District	2017	150	Ahmed Badawi	Kristen Stout Business Manager (805)595-5413 kristens@portsanluis.com	Yes	Yes		X
Aptos La Selva Fire District	2016	150	Mitesh Desai	Nancy Dannhauser Finance Director (831)685-6690 nancyd@centralfpd.com	No	N/A		
Central County Fire Department	2012	150	Mitesh Desai	Jan Cooke Finance Director (650)375-7408 jcooke@hillsborough.net	Yes	Yes		
Central Fire Protection District of Santa Cruz County	2018	150	Mitesh Desai	Nancy Dannhauser Finance Director (831)479-6842 nancyd@centralfpd.com	No	N/A		
Resource Conservation District of Santa Cruz County	2017	150	Mitesh Desai	Sharon Corkrean Director of Finance scorkrean@rcdsantacruz.org	No	N/A	X	
Santa Cruz Regional 9 - 1 - 1	2016	150	Mitesh Desai	Dennis Kidd General Manager (831)471-1038 dennis.kidd@scr911.org	No	N/A		
Zayante Fire Protection District	2017	150	Mitesh Desai	John Stipes Fire Chief (831) 335-5100 chief2401@cwncast.net	No	N/A		

The table below and on the following page lists City engagements that encompassed issuing a Annual Comprehensive Financial Report (resulting in a GFOA award), audit of enterprise activities, or encompassed performance of a Single Audit.

* Indicates cities with population over 50,000

** Indicates cities with governmental revenues over \$100 million and population over 50,000

	City	Client Since	Hours	Engagement Partner	Principal Contact	Annual Comprehensive Financial Report	GFOA Award	RDA/Successor Agency Single Audit	TDA	Water Fund	Sewer Fund	Child Care Audit	Housing Authority	Enterprise Funds	Pension Trust Fund
**	Richmond	2020	3,160	Ahmed Badawi	Delmy Cuellar Finance Manager (510)620-6790 Delmy_Cuellar@ci.richmond.ca.us	X		X	X	X	X		X	X	X
**	Berkeley	2008	1,850	Mitesh Desai	Henry Oyekanmi Finance Director (510)981-7300 hoyekanmi@ci.berkeley.ca.us	X	X	X	X	X	X			X	X
**	Ontario	2021	1,012	Ahmed Badawi	Jialuan Ning Acting Accounting Manager (909) 395-2096 JNing@ontarioca.gov	X	X		X	X	X		X	X	
*	Union City	2006	850	Mitesh Desai	Jackie Acosta Finance Director (510)675-5345 jackiea@unioncity.org	X	X	X	X	X				X	
**	Folsom	2019	807	Ahmed Badawi	Stacey Tamagni Finance Director (916)461-6712 stamagni@folsom.ca.us	X	X		X	X	X			X	
*	Petaluma	2019	691	Ahmed Badawi	Corey Garberolio Finance Director (707)778-4357 cgarberio@cityofpetaluma.org	X	X		X	X	X	X			
*	San Luis Obispo	2019	638	Ahmed Badawi	Brigitte Elke Finance Director (805)781-7125 belke@slcity.org	X	X		X	X	X				
*	Antioch	2005	586	Mitesh Desai	Dawn Merchant Finance Director (925)779-6135 dmerchant@ci.antioch.ca.us	X	X	X	X	X	X			X	
	Lafayette	2020	586	Ahmed Badawi	Tracy Robinson Administrative Services Director (925)299-3227 trobinson@lovelafayette.org	X	X	X						X	
	East Palo Alto	2014	560	Mitesh Desai	Tomohito Oku Finance Director (650)853-3122 toku@cityofepa.org	X	X	X	X	X				X	
**	Dublin	2018	546	Ahmed Badawi	Lisa Hisatomi Director of Finance & Admin. Services (925)833-6640 Lisa.Hisatomi@dublin.ca.gov	X	X		X	X					

	City	Client Since	Hours	Engagement Partner	Principal Contact	Annual Comprehensive Financial Report	GFOA Award	RDA/Successor Agency	Single Audit	TDA	Water Fund	Sewer Fund	Child Care Audit	Housing Authority	Enterprise Funds	Pension Trust Fund
	Azusa	2017	540	Ahmed Badawi	Talika Johnson Administrative Services Director (626)812-5202 tjohnson@AzusaCa.Gov	X	X	X	X		X	X			X	
	Millbrae	2015	524	Ahmed Badawi	Mike Sung Finance Director (650)259-2433 msung@ci.millbrae.ca.us	X	X	X	X		X	X			X	
*	Yuba City	2017	450	Ahmed Badawi	Spencer Morrison Finance Director (530)822-4615 smorrison@yubacity.net	X	X	X	X		X	X			X	
	Wasco	2021	428	Ahmed Badawi	Isarel Perez-Hernandez Finance Director (661)758-7230 isperez@cityofwasco.org			X	X	X	X	X				
	Pinole	2018	419	Ahmed Badawi	Markisha Guillory Finance Director (510)724-9823 MGuillory@ci.pinole.ca.us	X	X	X				X			X	
	Larkspur	2019	382	Ahmed Badawi	Cathy Orme Administrative Services Director (415) 927-5019 Finance@cityoflarkspur.org				X					X	X	
	Atwater	2021	380	Ahmed Badawi	Kellie Jacobs-Hunter Finance Director (209)357-6347 kjacobshunter@atwater.org			X	X		X	X		X		
	Waterford	2018	311	Ahmed Badawi	Tina Envia Finance Manager (209)874-2328 Ext: 104 tenvia@cityofwaterford.org			X			X	X			X	
	Solvang	2019	308	Ahmed Badawi	Xenia Bradford City Manager (805)688-5575 xeniab@cityofsolvang.com	X	X				X	X				
	Oakdale	2016	306	Ahmed Badawi	Albert Avila Finance Director (209)845-3584 aavila@ci.oakdale.ca.us			X	X	X	X	X			X	
	Guadalupe	2017	303	Ahmed Badawi	Lorena Zarate Finance Director (805)356-3895 ccooper@ci.guadalupe.ca.us			X	X		X	X			X	
	Sebastopol	2017	275	Mitesh Desai	Ana Kwong Finance Director (707)824-4879 akwong@cityofsebastopol.org	X	X	X			X	X			X	

	City	Client Since	Hours	Engagement Partner	Principal Contact	Annual Comprehensive Financial Report	GFOA Award	RDA/Successor Agency	Single Audit	TDA	Water Fund	Sewer Fund	Child Care Audit	Housing Authority	Enterprise Funds	Pension Trust Fund
	Cotati	2020	265	Ahmed Badawi	Angela Courter Director of Administrative Services 707-665-4236 acourter@cotaticity.org	X	X				X	X			X	
	Crescent City	2014	227	Mitesh Desai	Linda Leaver Finance Director (707)464-7483 x224 lleaver@crescentcity.org			X	X		X	X		X	X	
	Scotts Valley	2019	202	Ahmed Badawi	Casey Estorga Administrative Services Director (831) 440-5615 cestorga@scottsvally.org	X	X	X							X	
	Calimesa	2013	193	Mitesh Desai	Bonnie Johnson City Manager (909)795-9801 ext 231 bjohnson@cityofcalimesa.net			X								

Understanding of Services to be Provided

The District desires an audit of the financial records for the District and an expression of an opinion in accordance with generally accepted accounting principles on the fairness of presentation of financial statements for the fiscal years ending June 30, 2023 through 2027, with the option of extending the contract for each of the two (2) subsequent fiscal years.

The Firm will:

- Express an opinion on the fair presentation of its basic financial statements in conformity with generally accepted accounting principles in the United States of America
- Express an "in-relation-to" opinion on the fair presentation of any supplementary information in conformity with generally accepted accounting principles. The Firm will provide an "in-relation-to" report on the supporting schedules contained in the Annual Comprehensive Financial Report based on the auditing procedures applied during the audit of the basic financial statements and schedules
- Express an opinion on the fair presentation of the schedule of expenditures of federal awards in relation to the basic financial statements
- Perform limited procedures on supplementary information required by the Government Accounting Standards Board
- Issue the following reports, following the completion of the audit of the fiscal year's financial statements:
 - Independent Auditor's Report on Financial Statements
 - Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an Audit of Financial Statement Performed in Accordance with *Government Auditing Standards*
 - Independent Auditor's Report on Compliance for Each Major Program and on Internal Control over Compliance required by the Uniform Guidance (*if required*)
 - Schedule of Findings and Questioned Costs (*if required*)
 - Auditor's Communication with Those Charged with Governance
 - State Controller's Report
- Provide special assistance to the District as needed
- Retain all working papers and reports at the audit firm's expense for a minimum of 7 years. In addition, make working papers available to the District and/or any government agency as appropriate

Should any conditions be discovered requiring corrective action, the Firm will provide a detailed description of the findings and recommended actions as to their resolution.

The Firm will submit a report to the District's Board and management detailing auditor's responsibility under generally accepted auditing standards, significant accounting policies, management judgments and accounting statements, significant audit adjustments, other information in documents containing audited financial statements, disagreements with management, management consultations with other accountants, major issues discussed with management prior to retention, difficulties encountered during the audit, and any significant deficiencies or material weaknesses found during the audit. Non-material instances of noncompliance will be reported in a separate management letter, if appropriate, along with any other observations or recommendations determined to be informative to District Management.

The Firm will be available to provide advice and counsel regarding significant matters during the year.

The Firm's Partner and Staff welcome the opportunity to make presentations to the Board and will be ready to respond to questions from the Board and any other interested parties.

Specific Audit Approach

Objectives of Our Services

The basic objective of our audit of the District is to conduct an examination of the financial statements in accordance with generally accepted auditing standards and to express our opinion on the fairness of presentation of such financial statements in conformity with generally accepted accounting principles.

Additionally, we believe that another real value of our audit lies in meeting other objectives at no additional cost. The following are other objectives of our services that have important benefits to the District:

- To offer substantive observations and recommendations relating to accounting and operating control policies and procedures
- To identify opportunities for operating efficiencies and isolate candidate activities for cost reduction opportunities
- To perform a professional audit in an efficient and effective way to minimize disruption to the office operations
- To offer ongoing advisory services to assist in the running of the operation and implementation of improved operating procedures

The engagement will be conducted within the framework of the Firm's quality control program which includes the use of audit programs, careful planning, use of computerized audit software and internal control evaluation and documentation software, and objective review procedures. On-site staff will use Firm supplied portable computers and printers.

Audit Approach

The specific audit approach has been designed to efficiently and effectively address the audit requirements of the District, to perform the audit of the District's financial records in a timely manner with minimal disruptions to office operations, and to meet the District's timeline.

The audit will be conducted in accordance with:

- 1) Generally accepted auditing standards established by the AICPA
- 2) The standards contained in Government Auditing Standards issued by the GAO
- 3) Provisions of the Single Audit Act and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance)
- 4) Requirements issued by the California State Controller's office
- 5) Other requirements as required

We will conduct the necessary audit steps to perform:

- Planning of the engagement
- Evaluation of the existing internal control environment to determine degree of risk of material misstatement
- Determination of degree of compliance with laws, regulations, grant provisions, and District approved policies
- Assessment of potential fraudulent issues
- Validation of account balances
- Verification of reasonableness of management estimates

Technical Approach

We use an industry specific audit approach tailored to governmental entities. Our governmental audit approach addresses the special risks and circumstances of local governments. As a result, the audit is conducted efficiently and effectively with minimal disruption to your staff.

The core of our governmental technical audit approach can be summarized as follows:

1. Planning, Understanding and Communication:

Based on our previous audit experience, using the budget, organizational charts, manuals and other financial information systems and our knowledge of how governments work, we will obtain an insight to the specific concerns and sensitivities of the District. Our understanding is updated continuously through our year-round contact and communication efforts. We will agree on common audit objectives and expectations with management before audit work begins and, throughout the audit, will meet regularly with management to discuss audit issues and to gather feedback.

2. In-Depth Review of Systems and Controls:

We have developed diagnostic reviews which enable us to evaluate your systems and controls, and to provide management with constructive feedback. Combined with our knowledge of the District and understanding and experience with the District's accounting software, our control review will form the basis of our audit risk assessment. We will utilize the COSO approach in our evaluation of the District's internal processes to identify potential control deficiencies. In future years, we will update our understanding through similar procedures.

3. Risk-Based Customized Testing Program:

Our audit approach is tailored to governmental applications. We will use audit programs specifically designed to address the operational environment of governmental entities. Our approach will identify potential control risks and the opportunities for risk of material misstatements and fraud. We will evaluate the various risk assessments and identify the potential risks relating to the:

- Balance Sheets / Statement of Net Position
- Statement of Revenues and Expenditures / Statement of Activities
- Presentation
- Disclosure

Our audit procedures will then be developed to address these risk areas.

4. Expanded Interim Fieldwork:

Timeliness and audit efficiency is enhanced by performing extensive interim work. Partners, managers and senior staff work with District staff to identify and resolve potential audit issues early. Accordingly, the amount of audit work to perform at year end is minimized. Because our audit staff is familiar with the operations before year-end fieldwork begins, disruption of accounting staff is minimized

5. Smooth Transition:

Our testing program focuses on audit risks identified by our understanding of the District's operations. We will work with the accounting staff to identify the most effective ways to address our objectives. Communication between the members of the audit engagement team and District staff will be fluid and continuous.

6. Sample Size and Sampling Techniques:

Our audit approach will include sampling activities. Population size and the level of assurance to be derived from a particular test will dictate the sample size. We use sampling in our audit approach to compliment skilled judgment and knowledge of the particular situation. Our sample size will range normally from 25 to 60 items.

7. Automated Systems:

We will evaluate controls over the IT functions to assess control risk. We intend to test controls for purposes of reliance. Our review procedures will evaluate controls over:

- Security Management
- Logical and Physical Access
- Configuration Management
- Segregation of Duties
- Contingency Planning

In addition, we will review controls over:

- Input, processing, output, master data
- Application interface
- Data management system interface

8. Analytical Procedures:

We use analytical procedures in several aspects of our audit. Extensive knowledge and industry background are required for effective analytics, and our staff possesses the appropriate experience and knowledge for the District to benefit from these procedures.

9. Approach to be Taken in Determining Laws and Regulations Subject to Audit Test Work:

We continuously refer to specific regulations, compliance supplements, state guidelines and contracts currently in force. We perform the procedures required related to laws and regulations, using inquiries, observations and sampling techniques. Some of the laws and regulations that we believe may be applicable to the District are the requirements of the California Public Utilities Commission, Single Audit Act and other applicable laws and regulations, including the California Government Code, provisions of applicable Grant guidelines, requirements of local measures, etc.

10. Report Format:

We will meet with District Management to review report formats. Any report format changes will be made in conjunction with approval from the District's management.

11. Work Plans:

The detailed work plans will be designed to efficiently and effectively address the audit requirements of the District in accordance with generally accepted auditing standards, to perform the audit of the District's financial records in a timely manner with minimal disruptions to office operations, and to meet the District's timeline.

12. Adjusting Journal Entries:

We will discuss and explain proposed audit adjusting entries with the District's designated Finance Department personnel prior to recording. Audit adjusting entries will be provided in a format showing the lowest level of posting detail needed for data entry on the District's general ledger system.

13. Listing of Schedules and Tables (anticipated to be prepared by the District):

Based on preliminary inquiries made with management and District staff and review of documents, we will tailor a list of schedules, tables, and other reconciliations required for the audit. We will take into account as much as possible reconciliations already prepared by the District for day to day operations and reporting, as well as any reports that are system generated to limit the need for additional District staff hours.

The following is a listing of significant reconciliations and schedules that we would normally expect the District to provide to us in assisting us in conducting our fieldwork.

- Trial Balance
- Annual Comprehensive Financial Report/BFS Account Roll Up Schedule
- Budget to Actual Reports
- Bank Reconciliations
- Listing of manually prepared journal entries posted
- Summary of Investments held by the District
- Capital Asset Schedules
- Long Term Debt Schedules
- Debt amortization schedules & Calculations of deferred amounts
- Calculations of any debt covenants amounts or percentages
- Schedule of Leases
- Analysis of Deferred Inflows of Resources and Deferred Outflows of Resources
- Reconciliation of Receivables to subsidiary ledgers
- Calculations for estimate of allowance for uncollectible accounts
- Loans Receivable Schedules
- Reconciliation of Significant Revenue Accounts
- Fee schedules
- Compensated Absences Schedules and Copies of Related Policies
- Claims Payable schedules
- Pension and OPEB Roll Forward & Supporting Schedules
- Supporting schedules for the District's significant cost allocations
- Interfund Transaction Schedules

Use of Technology in the Audit

The Firm maintains a variety of specialized software packages during the audit that enable us to perform an efficient, thorough, and timely audit and keeping time demands on District staff to a minimum.

Trial Balance Management and Financial Statement Preparation

ProSystem Fx Engagement allows us to import and manage multiple years of trial balance data including budgetary information, create multiple account groupings, generate reports, post journal entries proposed during the audit (including GASB 34 conversion entries), and link information directly to the financial statements. This gives us the ability to:

- Generate immediate trend and other comparative analysis of trial balance and budget data prior to the start of the audit. This allows us to identify potential issues and make inquiries early in the audit
- Link the financial statements and footnotes prior to the start of the audit allowing us to have majority of the financial statements (including budgetary comparison schedules and other supplementary information) prepared at the time the trial balance is uploaded
- Audit adjustments or District adjustments provided during the audit are automatically reflected in the financial statements

Audit Request Management and Document Exchange

CCH Engagement Organizer ("Organizer") is a virtual "Prepared by Client (PBC) List" that streamlines the process of requesting, receiving, and keeping track of documents. The Organizer is an integrated cloud-based request list that helps to facilitate the engagement through more seamless collaboration between the Firm and our clients. By utilizing the Organizer, the District can do all of the following in one secure virtual environment:

- Attach files of any type to document requests
- Easily track the status of document requests that are either pending, completed by the District, accepted by us, or rejected by us
- Access templates and documents from us that require completion
- Have multiple District staff get involved and assist in the audit process
- Participate in a dialog with us for questions and notes

Especially with having to perform a large part of the audit remotely in 2020, and anticipated for the upcoming year, we have found that the use of the Organizer has helped our clients be always informed as to the status of their audit, and not be surprised with new requests or follow up on outstanding requests previously provided.

Computer Aided Audit Tools (CAATs)

The Firm's data analytics software enables our Engagement Team to perform more than 150 Computer Aided Audit Tools (or "CAATs"). CCH Teammate Analytics gives us the ability to perform advanced data analysis and increase efficiency. By utilizing this software, we can:

- Immediately visualize and analyze 100% of account populations with graphs, charts and statistics to identify anomalies
- Make fewer sample selections that are targeted to problematic areas
- Quickly analyze transactional data for:
 - Duplicate records
 - Missing transactions
 - Transaction sequence
 - Unusual items
- Compare excel worksheets for changes or differences
- Generate immediate testing samples
- Perform regression analysis
- Filter and extract data from District reports

Audit Planning, Risk Assessment, and Audit Programs

Our firm utilizes CCH Knowledge Coach, which is an expert system that adapts and customizes our audit approach specifically based on the District's structure, operating environment, specific transactions, and identified risks or matters to be addressed in the audit. The software is frequently updated for new industry trends and audit requirements. Included in the software is a continuous diagnosis of audit forms that identifies missing information, procedures, or any conflicts that need to be addressed prior to issuance of the audit report. We have found that this audit tool greatly benefits our audit clients in the following ways:

- Removal of standardized audit steps and procedures that do not add value to the audit
- Targeted audit procedures focusing on risks and accounts specific to the District's operations
- Audit is always performed in accordance with audit standards especially the risk assessment standards
- Maximizing audit efficiency having less District staff time dedicated to gathering information or responding to inquiries by focusing on material issues
- Automatic self-diagnostics ensure no audit steps are missed, guaranteeing a quality audit

Research Tools

We maintain multiple research software packages that are always kept up to date to ensure compliance with accounting and auditing standards, and are also a resources for us to provide guidance to our clients. In addition to accounting and audit literature, we have access to interactive disclosure checklists that include sample footnote disclosures and financial statements.

**Firm's
Capability
to Work
Remotely**

Due to the COVID-19 pandemic, we have had to adapt to a new environment that had brought on challenges for both our clients and our firm, which we were able to overcome successfully and continue to discuss with our clients on improvements we can make for addressing any concerns. Remote auditing has not been new to our firm, as we had already implemented remote auditing procedures for a few of our distant clients. Below are the policies and methods we used to address limitations created by the pandemic, which we plan to continue to incorporate partially or completely in future contract periods, if these are preferred to the traditional audit process:

- Staff Interviews and Meetings are conducted via video conferencing software (either Zoom or other software used by the District).
- Earlier transmission of documents needed for the audit – We have always provided our request list for the audit timely, however we have found that additional time may be needed by District staff in gathering documents necessary for the audit; so we plan on providing the District with a complete list of documents for all phases of the audit no later than one month prior to the start of the interim fieldwork.
- More frequent and timelier communication – We have found that due to not having on-site presence, communication for the audit needs to be more intentional:
 - We request that certain documents that will be used to make samples (expenditure reports, census data, revenue detail, journal entry listings, other) be provided one week prior to our fieldwork start date. This allows more time for testing selections that we will need to be provided to us during our fieldwork time.
 - The CCH Organizer that we use for exchanging files described in detail on page 26, is updated frequently and displays the status of all requests during the audit. Documents will either be classified as pending, completed, accepted, or rejected.
 - As needed status meetings by video conference
 - Phone calls and/or emails can be made anytime to the audit team
 - After the end of interim and year end fieldwork, we will conduct an exit meeting to discuss the status of the audit, audit findings, new accounting pronouncements and any other topic significant to the audit to keep you informed as to what was accomplished and what are the pending matters.
- We understand that every agency operates differently and being flexible is important. With regard to reviewing documents for testing, we can review documents electronically if they can be scanned and uploaded, alternatively we can schedule a day visit to review them on-site provided there are mandates restricting a site visit and safety precautions are followed. If a site visit is needed, we would request documents be gathered for our review in advance to minimize our time needed to mitigate transmission risk.

If possible, we have found that being provided read-only access to the financial system and any other financial system used to store information relevant to the audit reducing District staff time needs, as the audit team is able to run reports and obtain information independently.

Audit Schedule

2023 Period	Audit Tasks
April-June	<p>- Planning and Administration</p> <ul style="list-style-type: none"> ▶ Review and obtain copies of key work papers of prior audit firm ▶ Entrance conference with District Management to discuss audit approach, timing, assistance, and issues ▶ Review and evaluate the District's accounting and financial reporting. Prepare an overall memo of recommendations, potential issues, and suggestions for improvements ▶ Prepare overall memo to District confirming audit procedures, timing, and assistance ▶ Prepare detailed audit work plan and audit programs, audit budget and staffing schedule, and list of schedules to be prepared by District staff, and provide it to District Management ▶ Send the Organizer to the District that will include all request items considered to be necessary for the audit
April-June	<p>- Internal Control Evaluation</p> <ul style="list-style-type: none"> ▶ Meeting with General Manager and key finance personnel ▶ Attending Board of District meetings. ▶ Meeting with off-site locations (if any) ▶ Meeting with key Finance Division personnel ▶ Obtain and document understanding of key internal control systems through walk-throughs, interviews of staff, and review of supporting documentation <ul style="list-style-type: none"> ○ General ledger system ○ Budgeting system ○ Revenue, accounts receivable, and cash collections ○ Purchasing, expenditures, accounts payable, and cash disbursements ○ Payroll ○ Federal Financial Assistance ○ Other systems ▶ Identify control risks ▶ Evaluate IT control environment ▶ Perform testing of the internal control system and evaluate the effectiveness of the District's systems. Select large dollar and random samples of transactions in key operating systems. Sample size to meet required level for determined degree of risk. Review supporting documentation of selected transactions, evaluate adequacy of support and approvals, and conclude on degree of adherence to accuracy and compliance with District policies ▶ Conduct fraud assessment procedures ▶ Assess degree of risk for material misstatement ▶ Provide to the District's management a memo concerning management letter points and identify issues, if any ▶ Interim exit conference with District Management

2023 Period	Audit Tasks
April-June	<p data-bbox="662 264 833 296">- Other Tasks</p> <ul style="list-style-type: none"> <li data-bbox="662 327 1438 359">▶ Review minutes of Board meetings and other key committees. <li data-bbox="662 359 1495 422">▶ Perform preliminary substantive procedures, which would include tests of: <ul style="list-style-type: none"> <li data-bbox="711 422 1143 453">○ Vendor and contractor payments <li data-bbox="711 453 948 485">○ Payroll expense <li data-bbox="711 485 1073 516">○ Pension and OPEB testing <li data-bbox="711 516 1057 548">○ Capital asset acquisitions <li data-bbox="711 548 932 579">○ Journal entries <li data-bbox="711 579 1289 611">○ Retrospective review of accounting estimates <li data-bbox="662 611 1495 674">▶ Financial statement database management and other setup, in addition to drafting of all necessary report templates <li data-bbox="662 674 1495 737">▶ Coordinate with District staff and prepare of all appropriate confirmation requests including: <ul style="list-style-type: none"> <li data-bbox="711 737 932 768">○ Bank accounts <li data-bbox="711 768 1057 800">○ Investment pool accounts <li data-bbox="711 800 997 831">○ Accounts receivable <li data-bbox="711 831 932 863">○ Federal grants <li data-bbox="711 863 1203 894">○ Revenue from governmental agencies <li data-bbox="711 894 1013 926">○ Bond and other debts <li data-bbox="711 926 911 957">○ Pension plan <li data-bbox="711 957 932 989">○ Attorney letters <li data-bbox="711 989 980 1020">○ Others, as required
September	<p data-bbox="662 1035 873 1066">- Final Fieldwork</p> <ul style="list-style-type: none"> <li data-bbox="662 1098 1495 1161">▶ Entrance conference with District Management and key finance personnel <li data-bbox="662 1161 1203 1192">▶ Follow-up on all outstanding confirmations <li data-bbox="662 1192 1495 1276">▶ Verify and validate account balances by reviewing supporting documentation including invoices, vouchers, board resolutions, minutes, and other documents, as required <li data-bbox="662 1276 1495 1339">▶ Perform analytical review of revenue and expenditures. Determine reason for material differences between budget and actual <li data-bbox="662 1339 1495 1434">▶ Perform a search for unrecorded liabilities by reviewing disbursements subsequent to June 30, testing terms of contractual obligations, and interviewing District staff <li data-bbox="662 1434 1495 1518">▶ Perform review of subsequent events by discussions with District Management and update all minutes of District Board and key committees <li data-bbox="662 1518 1198 1549">▶ Exit conference with District Management

2023 Period	Audit Tasks
October- November	- Audit Reports <ul style="list-style-type: none"> ▶ Review preliminary drafts of financial statements ▶ Prepare other reports as required ▶ Provide drafts of reports to District Management for review ▶ Presentation to Audit Committee and Board of Directors ▶ Provide revised final drafts of all required reports to the District for approval
November	- Final Audit Reports and Financial Statements delivered
January 2024	- State Controller's Report delivered and submitted.

Estimated Hours by Audit Phase

Position	Planning	Interim Fieldwork	Year End Fieldwork	Reporting	Total
Partner	7	18	12	4	41
Audit Manager	6	29	32	4	71
Audit Senior	13	46	49	6	114
Professional Audit Staff	-	80	73	9	162
Administrative Assistant	5	8	-	7	20
Total	31	181	166	30	408

Discussion of Relevant Accounting Issues

Identification of Anticipated Potential Audit Problems

We do not anticipate that there will be any audit problems at the District. However, the following are some areas that we will carefully investigate and monitor during our audit procedures:

- Financial Reporting:
 - Review and evaluate that the District's Annual Comprehensive Financial Report are in compliance with current reporting and disclosures requirements issued by the GASB and GFOA
 - Review the Annual Comprehensive Financial Report for financial reporting conformance awards issued by CSMFO and GFOA
 - Review and evaluate degree of compliance with the various GASBs in effect.
 - Review degree of compliance with infrastructure obligations and regulatory provisions
- Internal Control Structure:
 - Review and evaluate the District's internal control functions and ascertain compliance with proper internal control philosophies
 - Review computer system processes and controls and evaluate adequacy of the control environment

Several new GASB pronouncements will become effective over the time period of this proposal. As such, specific attention will be provided to determine the proper implementation of these new pronouncements. A list of known new pronouncements with implementation dates that fall within this proposal period are as follows:

2023

- Statement 91 – Conduit Debt
- Statement 94 – Public-private Partnerships
- Statement 96 – Subscription-Based Information Technology Arrangements

2024

- Statement 100 – Accounting Changes and Error Corrections—an amendment of GASB Statement No. 62

2025

- Statement 101 – Compensated Absences

Comprehensive Cost Bid

Schedule of Professional Fee

BREAKDOWN FOR SCHEDULE OF PROFESSIONAL FEES AND EXPENSES FOR PERIOD ENDING JUNE 30, 2023

Financial Statements Audit

Position	Hours	Hourly Rates	Quoted Fee
Partner	36	\$ 150	\$ 5,400
Audit Manager	63	120	7,560
Audit Senior	101	85	8,585
Professional Audit Staff	144	75	10,800
Administrative Assistant	18	60	1,080
Subtotal	362		\$ 33,425
Out-of-pocket expenses:			
Meals and Lodging			\$ -
Transportation			-
Total Price for 2023 Financial Statements Audit			\$ 33,425

Single Audit

Position	Hours	Hourly Rates	Quoted Fee
Partner	4	\$ 150	\$ 600
Audit Manager	7	120	840
Audit Senior	11	85	935
Professional Audit Staff	16	75	1,200
Administrative Assistant	2	60	120
Subtotal	40		\$ 3,695
Out-of-pocket expenses:			
Meals and Lodging			\$ -
Transportation			-
Total Price for 2023 Single Audit			\$ 3,695

State Controller's Report

Position	Hours	Hourly Rates	Quoted Fee
Partner	1	\$ 150	\$ 150
Audit Manager	1	120	120
Audit Senior	2	85	170
Professional Audit Staff	2	75	150
Administrative Assistant	-	60	-
Subtotal	6		\$ 590
Out-of-pocket expenses:			
Meals and Lodging			\$ -
Transportation			-
Total Price for 2023 Single State Controller's Report			\$ 590

Fees for Subsequent Years:

	5 Year Contact				2 Year Extension	
Financial Statements Audit	2024	2025	2026	2027	2028	2029
Annual Escalation %	3%	3%	3%	3%	3%	3%
Total Cost (including misc)	\$ 34,428	\$ 35,461	\$ 36,525	\$ 37,621	\$ 38,750	\$ 39,913

	5 Year Contact				2 Year Extension	
Single Audit	2024	2025	2026	2027	2028	2029
Annual Escalation %	3%	3%	3%	3%	3%	3%
Total Cost (including misc)	\$ 3,806	\$ 3,920	\$ 4,038	\$ 4,159	\$ 4,284	\$ 4,413

	5 Year Contact				2 Year Extension	
State Controller's Report	2024	2025	2026	2027	2028	2029
Annual Escalation %	3%	3%	3%	3%	3%	3%
Total Cost (including misc)	\$ 608	\$ 626	\$ 645	\$ 664	\$ 684	\$ 705

Manner of Payment:

Each Engagement Team member maintains detailed time sheets describing work performed, date of work, and amount of time spent on each task for the Engagement. The Firm will bill the District after completion of each phase of the audit and bill the District up to a maximum of 90%. The remaining 10% of the proposal amount will not be due until all final reports are delivered and accepted by the District. The District can anticipate three billings as follows:

Work Performed	% of Proposal Amount
For interim work	45%
For year-end work	45%
At presentation and acceptance of final reports	10%
Total	100%

Rates for Additional Professional Services:

Any services outside the scope of our engagement will be promptly identified before the services are rendered. Upon mutual agreement, the out-of-scope services will be separately billed at our standard hourly rates. While it can be difficult to simply state hourly rates, as often times the needs of the client and the specific tasks directly impact the billing rates for our services, we want to provide the following information regarding our published billing rates:

Position	Hourly Rate
Partner	\$ 200
EQR	200
Manager	150
Senior	125
Staff	100
Admin.	75

Our Standard Hourly Rates are adjusted annually by 3% for Cost of Living and Inflation Adjustments

Conclusion

A client relationship with the District will be of great value to our Firm and we welcome the opportunity to develop a long-term relationship with the District. We are committed to:

- Rendering the highest standard of service
- Developing a long-term working relationship dedicated to meeting the needs of the District
- Assisting the District in operational issues
- Producing a quality end-product

We have the technical qualifications and experience to provide the level of service desired and expected by the District and stand ready to provide our knowledge and experience for the benefit of your organization.

We would like to express our appreciation to the District and to its Staff for allowing us the opportunity to submit a proposal to perform professional auditing services. We are available, at your convenience, to discuss any aspects of our proposal.

Thank you for allowing us to present our Firm to you.

Appendix 1. References

- 1) Florin Resource Conservation District/ Elk Grove Water District
 - Scope of Work: Annual Comprehensive Financial Report
 - Date of Service: Fiscal years ended June 30, 2015 - Present
 - Engagement Partner: Ahmed Badawi (2015 – 2019), Mitesh Desai (2020 - Present)
 - Address: 9257 Elk Grove Boulevard, Elk Grove, CA 95624
 - Principal Contact:
Patrick Lee
Finance Manager / Treasurer
(916) 685-3556
plee@egwd.org
- 2) Solano County Water Agency
 - Scope of Work: Annual Comprehensive Financial Report
 - Date of Service: Fiscal years ended June 30, 2020 - Present
 - Engagement Partner: Ahmed Badawi
 - Address: 810 Vaca Valley Parkway, Suite 203, Vacaville, CA 95688
 - Principal Contact:
Roland Sanford
General Manager
(707) 455-1103
rsanford@scwa2.com
- 3) Hayward Area Recreation and Park District
 - Scope of Work: Annual Financial Report, Measure F1
 - Date of Service: Fiscal years ended June 30, 2017 - Present
 - Engagement Partner: Ahmed Badawi
 - Address: 1099 E Street, Hayward, CA 94541
 - Principal Contact:
Janelle Cameron
Administrative Services Director
(510) 881-6707
camj@haywardrec.org
- 4) Port of San Luis Harbor District
 - Scope of Work: Annual Comprehensive Financial Report, SAS114.
 - Date of Service: Fiscal years ended June 30, 2017 - Present
 - Engagement Partner: Mitesh Desai
 - Address: 3950 Avila Beach Drive, Avila Beach, CA 93424
 - Principal Contact:
Kristen Stout
Business Manager
(805) 595-5413
kristens@portsanluis.com
- 5) Southern Marin Fire Protection District
 - Scope of Work: Annual Financial Report, SAS114, SAS115
 - Date of Service: Fiscal years ended June 30, 2020 - Present
 - Engagement Partner: Ahmed Badawi
 - Address: 28 Libertyship Way, Suite 2800, Sausalito, CA 94965
 - Principal Contact:
Alyssa Schiffmann
Finance Manager
(415) 388-8182
aschiffmann@smfd.org

2. Exceptions to the Contract

With regard to the Terms and Conditions for Professional Services, we would like the following items to be edited:

RFP Section VII Terms and Conditions for Professional Services, Article 9 - Ownership of Documents, we would like to edit the paragraph as follows:

ARTICLE 9 - OWNERSHIP OF DOCUMENTS

- 9.1 Unless such property is proprietary in nature, all work products, drawings, data, reports, files, estimate and other such information and materials (except proprietary computer programs, including source codes purchased or developed with Consultant monies) as may be accumulated by Consultant to complete services under this Agreement shall be owned by the District.



3. RFP Appendix A1, Offer and Signature

ACCEPTANCE: In compliance with the Request for Proposal, the Proposer agrees, if this proposal is accepted within 90 calendar days from the date specified in the Request for Proposal for receipt of proposal, or other agreed upon timeframe, to furnish and execute any or all items upon which prices are offered at the price set opposite each item, within the time specified in this Request for Proposal solicitation.

Item(s):

a. Professional Auditing Services as delineated herein.

Proposer, please state your payment term, including any prompt payment discount:
N/A % Net N/A days

ADDENDA:

Proposer, if an Addendum is posted on www.publicpurchase.com, please acknowledge receipt by stating the addendum number and date below

Addendum # 1 Date October 3, 2022

Printed Name: Ahmed Badawi

Title: President

Firm Name: Badawi & Associates, CPAs

Address: 2855 Telegraph Avenue, Suite 312, Berkeley, CA 94705

Telephone Number: 510-768-8244

E-mail: abadawi@b-acpa.com

Date: October 10, 2022

Type of business organization: Corporation

(Corporation, partnership, sole-proprietorship, LLC, LLP, etc.)

License No. BL-053956 (City of Berkeley business license)

Corporate Seal: N/A

By signing below, the submission of a proposal shall be deemed a representation and certification by the Proposer that they have investigated all aspects of the RFP, that they are aware of the applicable facts pertaining to the RFP process, its procedures and requirements, and that they have read and understand the RFP. No request for modification of the proposal shall be considered after its submission and close of proposal due date on the grounds that the Proposer was not fully informed as to any fact or condition.

Company Name: Badawi & Associates, CPAs

Address: 2855 Telegraph Avenue, Suite 312, Berkeley, CA 94705

Telephone Number: 510-768-8244

Contractor's License Number (if applicable) N/A

DIR Registration Number (if applicable) N/A

Worker Classification/s N/A

Authorized Signature: Ahmed Badawi

Printed Name: Ahmed Badawi

Title: President

Date: October 10, 2022



4. RFP Appendix A2, Non-Collusion Declaration

I, Ahmed Badawi, am the President
(Print Name) (Position/Title)
of Badawi & Associates, CPAs,
(Name of Company)

the party making the foregoing proposal (the "Proposer") that the proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the proposal is genuine and not collusive or sham; that the Proposer has not directly or indirectly induced or solicited any other proposer to put in a false or sham proposal; and has not directly or indirectly colluded, conspired, connived, or agreed with any proposer or anyone else to put in a sham proposal, or that anyone shall refrain from bidding; that the Proposer has not in any manner directly or indirectly, sought by Agreement, communication, or conference with anyone to fix the proposal price of the Proposer or any other proposer, or to fix any overhead, profit, or cost element of the proposal price, or of that of any other proposer, or to secure any advantage against the public body awarding the contract of anyone interested in the proposal contract; that all statements contained in the proposal are true; and, further, that the Proposer has not, directly or indirectly, submitted his or her proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid or proposal depository, or to any member or agent thereof to effectuate a collusive or sham bid or proposal.

The Proposer shall also disclose any and all relationships with elected Union Sanitary District Board Member or District Staff, including any campaign contributions made on behalf of any past or present Board Member and attach it to this form.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Print or Type Name: Ahmed Badawi

Authorized Signature: Ahmed Badawi

Company Name: Badawi & Associates, CPAs

Date: October 10, 2022



UNION SANITARY DISTRICT

ADDENDUM #1

RFP NO. S-23-P-307

ISSUED October 3, 2022

Professional Auditing Services

The following changes shall be incorporated by this reference as part of the above referenced RFP. Proposer shall acknowledge receipt of the addendum by signing the bottom of the addendum on Page 5.

Question 1: Describe the expected assistance of the auditors for the preparation of year end entries for pension, OPEB, capital assets, and leases.

Answer 1: District staff prepare the entries.

Question 2: Confirm that the ACFR statistical and introduction sections are prepared by the management of the District.

Answer 2: District staff prepare the statistical sections and introduction.

Question 3: Confirm the portions of the MD&A section besides summarized financial information are prepared by the management of the District.

Answer 3: District staff prepare the MD&A and summarized info.

Question 4: Does the District anticipate a single audit throughout the contract?

Answer 4: The District will need to have a single audit once it begins drawing down funds from the \$249 million dollar EPA WIFIA loan award. That may be as early as FY 24 or as late as FY 28. Other than the WIFIA loan, we do not have any other planned federal funds being sourced at this time.

Question 5: For both interim and year-end, how many staff did the audit team consist of in the past and how many weeks did the auditor spend in the field?

Answer 5: For both interim and year end periods – 2 to 3 audit staff, remote, one week.

Question 6: How many audit-adjusting journal entries did you have in the prior fiscal year?

Answer 6: For FY21 there were no entries suggested by the auditors. We did seek their input on a couple of areas before making our adjustments. In FY 21 we had a prior year adjustment for prior capitalized CIP costs. See note 12 in the FY 21 ACFR.

Question 7: What were the prior year's total audit fees, and can you provide the breakdown by components?

Answer 7: Audit fees over the last 6 years (FY 17 through FY 22) have ranged from \$35,300 to \$37,700. This did not include the single audit as we did not need to file one.

Question 8: Are there any significant changes in operations expected for FY 2022-23?

Answer 8: No.

Question 9: Have there been any changes in your accounting system since last year?

Answer 9: No.

Question 10: Is the current FY audit being performed remotely? If so, is the District open to continuing remote audits in the future?

Answer 10: The FY 22 audit is being conducted remotely. The District is willing to consider continuing that practice, however, that does not preclude an in person meeting if the need arises. The RFP bid document (*Breakdown For Schedule Of Professional Fees And Expenses For Period Ending June 30, 2023*) provides for travel related expenses if the proposer anticipates there is a need to travel in order to conduct the audit in the first year. The District does anticipate that once in person Board meetings are resumed, the auditor will need to attend the November Board meeting and possibly the audit committee meeting in person. If the District requires additional in person meetings, travel expenses can be negotiated at that time.

Question 11: What are some things the District would like to see improved in the financial audit process compared to previous years?

Answer 11: No items noted.

Question 12: How long have the current auditors been performing the audit for the District?

Answer 12: 6 years.

Question 13: Were you pleased with prior year audit services?

Answer 13: Yes.

Question 14: Were there any disagreements with the current auditors?

Answer 14: No.

Question 15: Why are you switching audit firms?

Answer 15: The contract term has ended, and an RFP is required.

Question 16: What were the prior audit fee(s)?

- i. Please provide breakdown by report.
- ii. Did these fees include travel?
- iii. What is the current year budget for auditing services?

Answer 16: See question 7.

Question 17: Were there any difficulties encountered during the prior audits?

Answer 17: No.

Question 18: Did you anticipate receive any federal funding that would warrant the need for a single audit in 2023?

Answer 18: No.

Question 19: How many adjusting entries/journal entries were proposed by the auditors?

Answer 19: See question 6.

Question 20: Are you aware of any findings for the year ended June 30, 2022?

Answer 20: As of now, there are no findings and we do not anticipate any.

Question 21: For both interim and year-end how many staff did the audit team consist of in the past, how many weeks did the auditors spend in the field, and when did the auditors come on-site?

- i. Did the auditors perform any components of the audit remotely?
- ii. Are you willing to do a hybrid audit approach in which we will only come to your office if we cannot get information electronically?
- iii. What is the expected/requested timing of your audit for 2023 (when will the general ledger be closed and ready for audit)

Answer 21: See question 5. (i) All remote. (ii) Yes. See question 10. (iii) See pages 6 & 7 on Attachment A of the RFP. The GL will be available on or before the first day of field work.

Question 22: Have there been changes in the accounting system or software since last year, or is anything anticipated prior to closing 2023?

Answer 22: No and no.

Question 23: Has there been any recent fraud reported within the District?

Answer 23: No.

Question 24: Were there any significant events in FY2022 or subsequent?

Answer 24: No.

By: Skip Calvo

Purchasing Agent

Firm Name: Badawi & Associates, CPAs Date: 10/10/2022

Name/Title: Ahmed Badawi - President Signature: 

UNION SANITARY DISTRICT

Audit Committee Meeting

December 1, 2022



Audit Committee Meeting December 01, 2022

Meeting Agenda

- Review Proposed Edits to Policy 2020, Financial Audit Policy
- Review Staff Recommendation for Professional Auditing Services and Prepare Recommendation for Board Consideration

Policy 2020, Financial Audit Policy

- This policy is reviewed every 5 years by the Executive Team and the Audit Committee and considered by the Board for approval. It was last reviewed in October of 2017.
- The one significant change to the policy is the addition of limiting the consecutive years that an audit firm may audit the Districts financial records to 6 years with the General Manager having the authority to extend 2 additional years (8 years total) for unforeseen circumstances.
- AB 1345 limits an audit firms partner having primary responsibility for the audit to 6 consecutive years before another partner assumes those responsibilities.
- The change to this policy is more conservative than AB 1345.
- The remaining changes to the policy are administrative and clerical in nature.

Attachments for Reference (email and in drop box)

- Policy 2020 redline version
- Policy 2020 cleanline version

Professional Auditing Services Request for Proposals (RFP)

Policy 2020, Financial Audit Policy requires an RFP for audit services and that the Audit Committee review the results of the selection process.

- RFP
 - Issued 09/21/2022
 - 5 proposals received, 1 disqualified for signature issues
- Evaluation
 - 35 points Expertise and Experience
 - 25 points Auditing Approach
 - 40 points Cost Proposal

Professional Auditing Services Request for Proposals (RFP) Summary

Results of staff evaluation of proposals

RFP #S-23-P-307 Professional Auditing Services Evaluation Team Scoring				
Proposer	Average Score	Initial 3 Years	3 - 1 Year Extension Options	6 Year Total
Badawi & Associates	98.33%	\$ 116,559	\$ 127,370	\$ 243,929
Lance, Soll & Lunghard, LLP (LSL)	94.57%	\$ 134,872	\$ 147,376	\$ 282,248
Vasquez Company LLC	91.78%	\$ 139,375	\$ 150,990	\$ 290,365
Eide Bailly	82.89%	\$ 184,826	\$ 217,210	\$ 402,036

Professional Auditing Services Request for Proposals (RFP) Recommendation

Recommendation – Award contract to Badawi & Associates for three years with an option for three, one-year extensions for a not to exceed total cost of \$ 243,929.

Attachments for reference (in drop box)

- Proposals
- RFP for Auditing Services
- Attachment A to the RFP – Scope of Services
- Attachment B to the RFP – Proposal Cost Sheet and Rates



USD TREAT
PROTECT
PRESERVE
est. 1918
TRI-CITY WASTEWATER

Directors

Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers

Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM #18**

TITLE: **COVID-19 Update and Consider Adoption of a Resolution Authorizing the Use of Teleconference Meetings in Compliance with AB 361 (*This is a Motion Item*)**

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Karen W. Murphy, General Counsel
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

Recommendation

1. Receive an update from the General Manager on the District's COVID-19 response and staffing levels.
2. Adopt the attached resolution authorizing the use of teleconference meetings in compliance with AB 361.

Discussion

AB 361 requires public agencies to make findings by majority vote within 30 days of the first teleconferenced meeting under AB 361 and every 30 days thereafter that a state of emergency still exists and continues to directly impact the ability of the members to meet safely in person, or that officials continue to impose or recommend measures to promote social distancing. As directed by the Board on September 27, 2021, the District is continuing to hold teleconferenced meetings as allowed under AB 361.

The Board has adopted resolutions at least every 30 days starting on October 25, 2021, authorizing the use of teleconference meetings. Since the Board meeting of March 28, 2022, the Board has been scheduling teleconference meeting for committees and phasing-in in-person meetings for the Board.

The attached resolution reaffirms the findings required by AB 361 to allow the District to continue to hold teleconferenced meetings. This agenda item also includes the COVID-19 Update from the General Manager.

As discussed at the last Board meeting, the Governor recently announced that the COVID-19 State of Emergency will end on February 28, 2023.

Background

AB 361 was signed into law by the Governor on September 16, 2021, and amends the Brown Act to allow local legislative bodies to continue using teleconferencing and virtual meeting technology as long as there is a “proclaimed state of emergency” by the Governor. This allowance also depends on state or local officials imposing or recommending measures that promote social distancing or a legislative body finding that meeting in person would present an imminent safety risk to attendees. Though adopted in the context of the pandemic, AB 361 will allow for virtual meetings during other proclaimed emergencies, such as earthquakes or wildfires, where physical attendance may present a risk.

AB 361 prohibits councils and boards from limiting public comments to those submitted in advance of the meeting and specifies that the legislative body “must provide an opportunity for the public to ... offer comment in real time.” (Government Code 54953(e)(2)(E). Additionally, the body must allow a reasonable time for public comment during the comment periods. The District allows for email comments to be submitted throughout Board meeting and the Board Clerk checks for emails continuously, including during the public comment portion for each agenda item.

The agenda must include information on the manner in which the public may access the meeting and provide comments remotely. AB 361 provides that if technical problems arise that result in the public’s access being disrupted, the legislative body may not take any vote or other official action until the technical disruption is corrected and public access is restored.

In addition, as noted in the Discussion section above, AB 361 requires public agencies to make findings by majority vote within 30 days of the first teleconferenced meeting under AB 361 and every 30 days thereafter that a state of emergency still exists and continues to directly impact the ability of the members to meet safely in person, or that officials continue to impose or recommend measures to promote social distancing. AB 361 will sunset on January 1, 2024.

Previous Board Action

The Board has adopted resolutions at least every 30 days starting on October 25, 2021, authorizing the use of teleconference meetings.

RESOLUTION NO. __

**A RESOLUTION OF THE BOARD OF DIRECTORS AUTHORIZING THE
USE OF TELECONFERENCE MEETINGS IN COMPLIANCE WITH AB 361**

WHEREAS, the Union Sanitary District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Union Sanitary District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963); and

WHEREAS, Government Code 54953(e) permits teleconferencing in the event that a state of emergency is declared by the Governor pursuant to Government Code section 8625, and that either state or local officials have imposed or recommended measures to promote social distancing, or that the legislative body finds that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency in response to COVID-19, which remains in effect; and

WHEREAS, the Board has adopted resolutions authorizing the use of teleconference meetings in compliance with AB 361 since October 25, 2021; and

WHEREAS, the Board now desires to reaffirm and make the findings required to continue holding teleconference meetings in compliance with AB 361 due to COVID-19.

**NOW, THEREFORE, BE IT RESOLVED, BY THE UNION SANITARY
DISTRICT BOARD OF DIRECTORS, AS FOLLOWS:**

1. The above recitals are true and correct and are material to this Resolution and are incorporated into this Resolution as findings of the District Board.

2. Pursuant to the requirements of Government Code Section 54953(e)(3), the District Board makes the following findings:

- (a) The state of emergency continues to exist;
- (b) The District Board has considered the circumstances of the continuing state of emergency;
- (c) Holding meetings in person will present imminent risks to the health and safety of attendees; and
- (d) The District Board will continue to meet by teleconference in accordance with Government Code section 54953(e).

3. The aforementioned findings apply to all committees and subcommittees of the District which are classified as legislative bodies pursuant to Government Code Section 54952.

4. The District Board will reconsider at least every 30 days, the circumstances of the emergency and review whether it continues to directly impact the ability of the members to meet safely in person.

5. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have adopted this Resolution and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

6. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Board of Directors on this 12th day of December, 2022.

AYES:

NOES:

ABSENT:

Jennifer Toy, Secretary

Anjali Lathi, President



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 19**

TITLE: **FY22 Strategic Performance Annual Report (This is an Information Item)**

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Mark Carlson, CFO/ Business Services Work Group Manager
Alisa Gordon, Organizational Support Team Coach
Karoline Terrazas, Organizational Performance Manager

Recommendation

Information only.

Discussion

This report summarizes the District's annual strategic performance as indicated by our Operational Excellence Balanced Scorecard Measures and the Safety Balanced Scorecard Measures for fiscal year 2022 (July 1, 2021- June 30, 2022).

The report is formatted to highlight major activities for the fiscal year in a simple and clear informative style for the Board of Directors and the public. There is a summary of the Balanced Scorecard Measures on pages 9 through 11 of this report, with the full tables of all the measures in the appendix.

Overall performance with the Operational Excellence measures have been maintained while continually navigating the challenges of the pandemic and required restrictions. The District utilized a phased approach to slowly have employees return to the office and made operational decisions on in person meetings and trainings in an effort to reduce exposure of our employees.

We have maintained a high level of customer support with prompt response to service needs. All assets were actively managed throughout the year. Details to the many activities and measures are found on pages 15 through 22 of this report. The District is honored to have received the NACWA Peak Performance recognition highlighted on page 27.

Our safety measures and performance are outlined in pages 23 through 25 and includes the safety training accomplished and details of our workers compensation modifier (or x-mod).

Measure Outcome Color Key

Green: meeting or exceeding target or projected to meet target by the end of the fiscal year

Yellow: Will not meet target if trend continues, and/or not meeting target by <10%- needs attention

Red: Will not meet FY target by >10%- corrective action needed

Background

The Strategic Performance Annual Report is presented annually.

Previous Board Action

None

Attachment:

FY22 Strategic Performance Annual Report (July 1, 2021 – June 30, 2022)



FY22 Strategic Performance Report

July 1, 2021 to June 30, 2022



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Paul Eldredge
General Manager, P.E.
Union Sanitary District

A Note From The General Manager

This past fiscal year we continued to navigate through the challenges of COVID-19 and complying with the changing health orders and mandates to protect the health and safety of our staff while maintain required minimum staffing levels. The District's efforts have been highly successful with minimal disruption to our essential services during a world-wide pandemic.

Some notable accomplishments this year have been the continued progress on the Enhanced Treatment Site Upgrade (ETSU) project, completion of the District's seventh and largest digester (2.4 million gallons) and securing low-cost funding for our projects in effort to help keep rates as low as possible for customers. The District continues to average less than one spill in the collection system per hundred miles of pipeline per year, ranking the District among the best in the State, while doing so in a very cost-effective manner.

After an ongoing rebranding initiative, the District proudly showcased its new logo and refreshed brand. The effort was to clarify who we are, what we do, and the area served. We hope you like our new and improved look as we continue to provide the same great 24/7 service to the Tri-Cities.



In fiscal 2022 our District was recognized by the National Association of Clean Water Agencies (NACWA) and earned the Peak Performance Platinum Awards for outstanding performance.

Our quality and quantity of work continues to be at a high-level despite staff retirements, vacancies, and onboarding new employees. Through it all, the District's staff has pulled together to work toward a common goal of providing professional, reliable, and courteous service to all our customers.



Irvington Pump Station



Treatment Plant

About Union Sanitary District

Union Sanitary District operates a 33-acre wastewater treatment facility in Union City and provides collection, treatment, and disposal services for the cities of Fremont, Newark, and Union City, California.

104
Years

Founded May 27, 1918

60.2
Sq Miles

Service area : Fremont,
Newark, and Union City

344,855

Population served

839
Miles

Underground pipelines

23.16
Million

Gallons of wastewater
are treated each day

143

USD employees in 5
workgroups

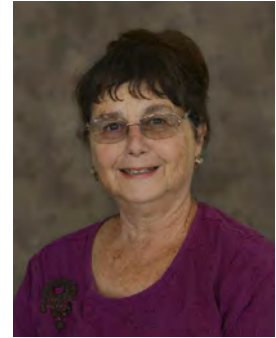
Board of Directors



Anjali Lathi, Fremont



Manny Fernandez, Union City



Pat Kite, Newark



Jennifer Toy, Fremont



Tom Handley, Fremont

Union Sanitary District is an independent enterprise special district governed by an elected five-member Board of Directors. Day-to-day operations are managed by the Executive Team, consisting of the General Manager and five Workgroup Managers.

Executive Team



Paul Eldredge
General Manager, P.E.



Jose Rodrigues
Collection Services



Robert Simonich
Fabrication, Maintenance, and
Construction



Raymond Chau
Technical Services
237 of 328



Mark Carlson
Business Services



Armando Lopez
Treatment and Disposal

..... Union Sanitary District

Mission & Vision

To safely and responsibly collect and treat wastewater, and to recover resources from process waste streams, while protecting human health and improving the environment in a way that benefits the Tri-Cities and all USD stakeholders.

How we continue to accomplish our Vision:

Commitment to Safety:

- Continually reviewing our safety program for opportunities to improve
- Focusing on protecting employees and the community in all our activities
- Allocating resources to ensure safe operations (equipment, training, staff)
- Collaboratively promoting a safe work environment

Responsibility:

- Being accountable for our actions and decisions
- Being fiscally prudent
- Maintaining and upgrading infrastructure
- Anticipating and meeting future District and stakeholder needs
- Compliance with laws and regulations (local, state, federal)
- Effective asset management
- Effective use of technology
- Looking for innovative ways to reduce or reuse our waste streams

Collect, treat, and recover/reuse wastewater:

- Providing capacity in the collection system and plant
- Regulating connections
- Increasing efforts for resource recovery (biogas, biosolids, etc.)
- Exploring ways to maximize water reclamation and reuse potential

Human health and environmental stewardship:

- Preventing sewer spills and back-ups
- Limiting health risks through treatment of wastewater
- Responding to emergencies
- Enhancing water quality in the San Francisco Bay estuary
- Meeting or exceeding all water and air quality standards
- Promoting pollution prevention and pretreatment through outreach and educational programs
- Maximizing use of green energy sources when feasible
- Working towards energy neutrality



Strategic Objectives

CUSTOMER

Stewardship

Demonstrate responsible stewardship of District assets and the environment

Services

Provide reliable high-quality service

Emergencies

Be prepared for emergencies

FINANCE

Fiscal Responsibility

Ensure funding for critical programs and projects, while maintaining comparable rates

Accurately project and control costs

INTERNAL PROCESS

Environmental Protection

Implement projects and programs that benefit the environment. Ensure our ability to meet current and future regulations

Efficiency

Optimize processes; use technology and resources effectively

Planning

Plan for long-term financial, project, and staffing need

Asset Management

Manage and maintain assets and infrastructure

EMPLOYEE GROWTH AND DEVELOPMENT

Employees

Maintain a highly competent, flexible workforce

Safety

Work safely to reduce accidents and injuries

Culture

Foster a collaborative Employee-Management relationship that encourages teamwork, new ideas, and continuous improvement

Balanced Scorecard: Operational Excellence Summary

Customer Objectives

Measures	Target	FY22 Actuals
# of Outreach Activities/Events Completed	57	138
Community Events / Online Outreach	51	84
Business	0	3
Schools	1	44
Civic	5	7
% of service calls responded to within 1 hour	≥95%	100%
Average time to customer contact	Track and Report	19 minutes
Initial response time to contact USD website inquiries (% within 3 business days)	≥90%	100%
Average Response time of contact USD website inquiries (in days)	Track and Report	0.54
# of adverse impacts on customers that were caused by USD (non-SSO)	≤10	4
# of Emergency Preparedness Activities/Events Completed	4	7
Drills	2	1
Training/Exercises (or Communication)	1	3
Documents, Plans, Policies Updated	1	3

Financial Objectives

Measures	Target	FY22 Actuals
Residential Sewer Service Charge (SSC) compared to other local agencies	Track and Report	11.7th
\$: SSC Union Sanitary District	Track and Report	\$491
\$: SSC Regional Average	Track and Report	\$482
\$: SSC National Average	Track and Report	\$551
Total Service Population	Track and Report	344,855
Total Parcels Served	Track and Report	93,378
Debt Coverage Ratio	1.5	8.93
PERS Funding Level	90-100%	76.66%
OPEB Funding Level	90-100%	81.49%
% of Budgeted Operating Expenditures	95-103%	94%
% of Budgeted Overtime Used	Track and Report	93.62%
% of Budgeted Special Projects Expenditures	80-110%	33.26

Balanced Scorecard: Operational Excellence Summary

Financial Objectives (con't)

Measures	Target	FY22 Actuals
Ferrous Chloride Usage	≤ 40	39.3 GPH
Hydrogen Peroxide Usage	≤ 14	14.3 GPH
Hypochlorite Usage	≤ 143	142.4 GPH
Polymer Usage - Gravity Belt Thickener (GBT)	≤ 5.5	4.1 lbs/dry ton
Polymer Usage - Dewatering	≤ 37	35.3 lbs/dry ton
Energy Produced: Cogeneration	Track and Report	32,887 kwh/d
Energy Produced: Solar	Track and Report	348 kwh/d
Total Electrical Usage	Track and Report	52,039 kwh/d
Plant Daily Flow (Average)	Track and Report	22.6 mgd
Influent Total Suspended Solids	Track and Report	361 mg/L
Effluent Total Suspended Solids	Track and Report	10.3 mg/L
% Removal of Total Suspended Solids	≥85%	97%

Internal Process Objectives

Measures	Target	FY22 Actuals
Total # of Maintenance Activities to Prevent Failures	Track and Report	24,824
Corrective Maintenance	Track and Report	2,220
Preventative Maintenance	Track and Report	18,591
Proactive Corrective Maintenance (Predictive)	Track and Report	4,013
Total hours used for Maintenance Activities to Prevent Failures	Track and Report	39,283.26
Corrective Maintenance	Track and Report	12,550.26
Preventative Maintenance	Track and Report	15,639.39
Proactive Corrective Maintenance (Predictive)	Track and Report	11,093.61
Total # of Urgent Responses	Track and Report	277
Total hours used for Urgent Responses	Track and Report	2230.45
% of Collection System Cleaned per Plan	100%	104.1%
% asset renewal/year: Plant	Track and Report	7.79%
% asset renewal/year: Collection System	Track and Report	0.10%

Balanced Scorecard: Operational Excellence Summary

Internal Process Objectives (con't)

Measures	Target	FY22 Actuals
# of Category 1 SSO's	0	0
# of Category 2/3 SSO's	≤10	1
Settleability Performance: Sludge Volume Index (SVI)	100 - 150 mL/gal	276 mL/gal
Number of Days SVI Outside of Range	T&R	232
District-wide Critical Projects on schedule	≥85	68.4%
How many hours project points expend on District projects	Track and Report	1,336.12
# of projects that improve efficiency	Track and Report	6

Employee Growth & Development Objectives

Measures	Target	FY22 Actuals
Employee Turnover Rate - Total	Track and Report	9.29%
Employee Turnover Rate Non-retirement	Track and Report	5%
% of employees completing training beyond District scheduled	≥80%	54%
Average training hours per FTE	≥20	19.65
Business Services	≥20	16.01
Technical Services	≥20	17.02
Collections Systems	≥20	22.29
Fabrication, Maintenance, and Construction	≥20	25.26
Treatment and Disposal	≥20	16.36
% of employees participating in committees and/or taskforces (Excludes management)	≥45%	34%
# District-wide Employee Engagement Activities Completed (survey, training, events)	Track and Report	0

Balanced Scorecard: Safety Summary

Measurements	Target	FY22 Actual
Total accidents with lost days	0	5
Other OSHA reportable accidents	<4	9
# Incidents of vehicle or equipment accidents/damage	<2	3
Cost associated with vehicle/equipment accidents	<\$5000	\$1,338.75
Ave full-time employee (FTE) lost time	<0.5	.61
Total Costs: Lost time wages only	<\$46,883	\$83,731.16
Ave FTE limited duty time	<0.5	0
Total costs: Limited duty/Other 1/2 wages	<\$23,441	0
X-Mod	<1.0	.83
# Facility inspections completed (SIT)	N/A	N/A
% of areas of concern identified during internal facility inspections that are resolved within 45 days of report	N/A	N/A
# work site inspections completed	278	313
# site visits (for potential BMPS) completed and discussed by Executive Team	N/A	N/A
# General Manager communications on status of safety program and performance	>4	47
# safety strategy reviews conducted by Executive Team and Environmental Health and Safety Specialist	4	2
# of major safety training events offered	9	17
Ave % of targeted employees trained vs. plan	>90%	92.76%
% Positive responses on the employees safety survey (ave)	>75%	Postponed to FY23



Operational Excellence

Operational Excellence Measures



- # of All Outreach Activities/Events Completed; including areas of: Community Events / Online Outreach, Business, Schools, Civic
- % of service calls responded to within 1 hour
- Average time to customer contact
- Initial response time to contact USD website inquiries (% within 3 business days)
- Average Response time of contact USD website inquiries (in days)
- # of adverse impacts on customers that were caused by USD (non-SSO)
- # of Emergency Preparedness Activities/Events Completed; including areas of: Drills, Training/Exercises (or Communication), Documents Updated



- Residential Sewer Service Charge (SSC) compared to other local agencies
- \$ amount of current Union Sanitary District SSC, including the Regional and National Averages
- Total Service Population Change
- Total Parcels Served
- Debt Coverage Ratio
- PERS Funding Level and OPEB Funding Level
- % of Budgeted Operating Expenditures, Overtime Used, and Special Projects Expenditures
- Chemical Usage: Ferrous Chloride, Hydrogen Peroxide, Hypochlorite, Polymer (Gravity Belt Thickener), and Polymer (Dewatering)
- Energy Produced for Cogeneration and Solar
- Total Electrical Usage
- Plant Daily Flow (Average)
- Influent and Effluent Total Suspended Solids
- % Removal of Total Suspended Solids

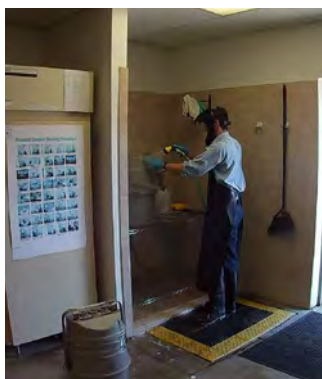
Operational Excellence Measures (con't)



- Total # of Maintenance Activities to Prevent Failures: Corrective, Preventative, and Proactive (Predictive)
- Total hours used for Maintenance Activities to Prevent Failures: Corrective, Preventative, and Proactive
- Total # of Urgent Responses
- Total hours used for Urgent Responses
- % of Collection System Cleaned per Plan
- % asset renewal/year: Plant
- % asset renewal/year: Collection System
- # of Category 1 SSO's and 2/3 SSO's
- Settleability Performance: Sludge Volume Index (SVI)
- Number of Days SVI Outside of Range
- District-wide Critical Projects on schedule
- # of hours project points expended on District projects
- # of projects that improve efficiency



- Employee Turnover Rate - Total and Non-retirement
- % of employees completing training beyond District scheduled
- Average training hours per FTE per Work Group
- % of employees participating in committees and/or taskforces (excludes management)
- # District-wide Employee Engagement Activities Completed (survey, training, events)





Customer Perspective

Customer objectives focus on both short and long-term customer service and stewardship of public assets and the environment. Measures target the provisions of high-quality reliable service, outreach activities, and maintaining an emergency preparedness program.

Response to Calls and Inquiries



100% Response
19 min average

Response to emergency calls under 1 hour*



100% Response
.54 days

Response to USD Website inquiries under 3 days**

* Average time to customer contact is 19 minutes

** Average response is .54 days

Plant Tours and Classroom Visits



Tours
visitors

On hold due to COVID-19.
Virtual tour added to website.



43 Classes
Avg. of 24 students per class

Virtual Elementary School Presentations Completed

Outreach at USD

Our Customer Service and Environmental Compliance Teams are deeply involved with communication and outreach to local residents and industry partners. In 2022, we completed several activities; including:

- Annual Newsletter
- Social Media Posts
- City of Fremont - Earth Day
- Local Civic Outreach
- Industrial Advisory Council Meetings

USD staff continue to provide educational opportunities for local elementary schools and have modified our program so that it can be done virtually.

Lobby Access and Plan Review



Open Lobby

Maintained normal business hours for customers



345 Plans

Continued speedy review of plans for sewer construction



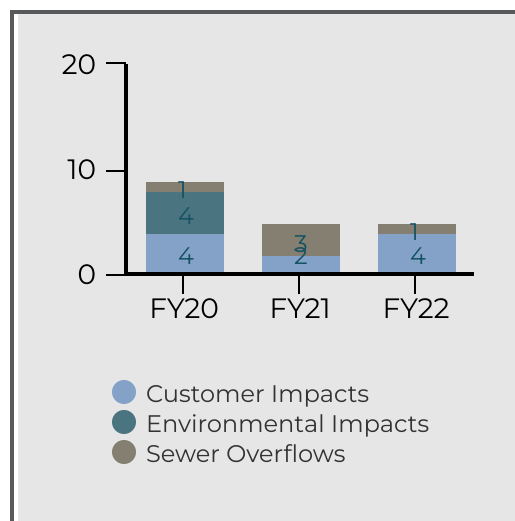
Customer Perspective

Impacts on Customers and the Environment

Our District ensures immediate response, investigation, and follow-up to all inquiries that impact our customers and the environment. We monitor and respond to a variety of claims reported and strive to remain under 10 impacts or less per year.

The impacts may include:

- Customer Impacts - vehicle damage, fee concerns, odor, and other substantiated complaints
- Environmental impacts
- Sewer overflows caused by our system



Annual Newsletter

One of our outreach initiatives is to provide an [annual newsletter](#) for our residents. In 2022 we highlighted:



- USD's ETSU Projects Begin
- Budget in Brief
- Fiscal Year 2023 Sewer Service Rates
- Trenchless Technology Reduces Impacts to Customers
- Keep All Wipes Out of Your Pipes
- USD's New Look and Nickname: Same Great Service

Emergency Preparedness

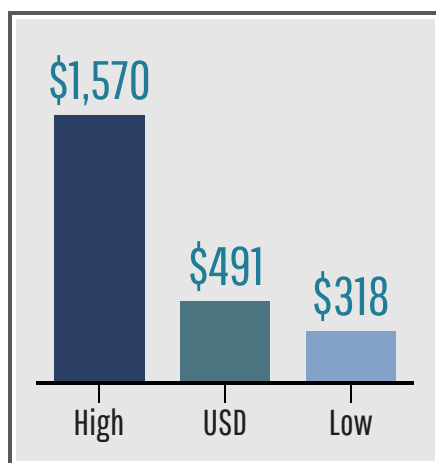
The District's Emergency Preparedness Committee is responsible for maintaining the inventory of supplies needed for all types of disasters and emergencies.

This fiscal year, the committee sent employees important tsunami and bomb threat resources. The policy outlining emergency supplies was also updated to include personal protective equipment (PPE) and other pandemic related emergency needs.



Finance Perspective

Financial objectives focus on the prudent and responsible management of public funds entrusted to the District with measures focused on maintaining sewer service charges (SSC) at rates comparable to other local agencies with similar treatment processes; accurately controlling and tracking project and program costs against planned budgets; and ensuring the District is always compliant with the ethical, legal, and regulatory requirements associated with finance.



Bay Area Annual Sewer Service Charges 2021-2022

Currently, USD's rates are in the lowest third of the Bay Area sanitary sewer providers surveyed annually.

Criteria used for Agencies to Survey:

1. Within a 30 mile radius of USD
2. Having at least 100 miles of Collection System and/or 5 MGD of Treatment

Union Sanitary District Issues Bonds to Finance Infrastructure Projects

In 2021, Union Sanitary District (USD) sold bonds to fund \$110 million in capital improvement projects that will renew and replace aging infrastructure, enhance wastewater treatment processes, and increase resiliency of District facilities to extreme weather events and climate change. The funds will be applied to USD's extensive Capital Improvement Program (CIP), which is estimated to be over \$1.1 billion dollars over the next 20 years. Financing CIP projects spreads these large costs over a period of time to help stabilize rates for customers.

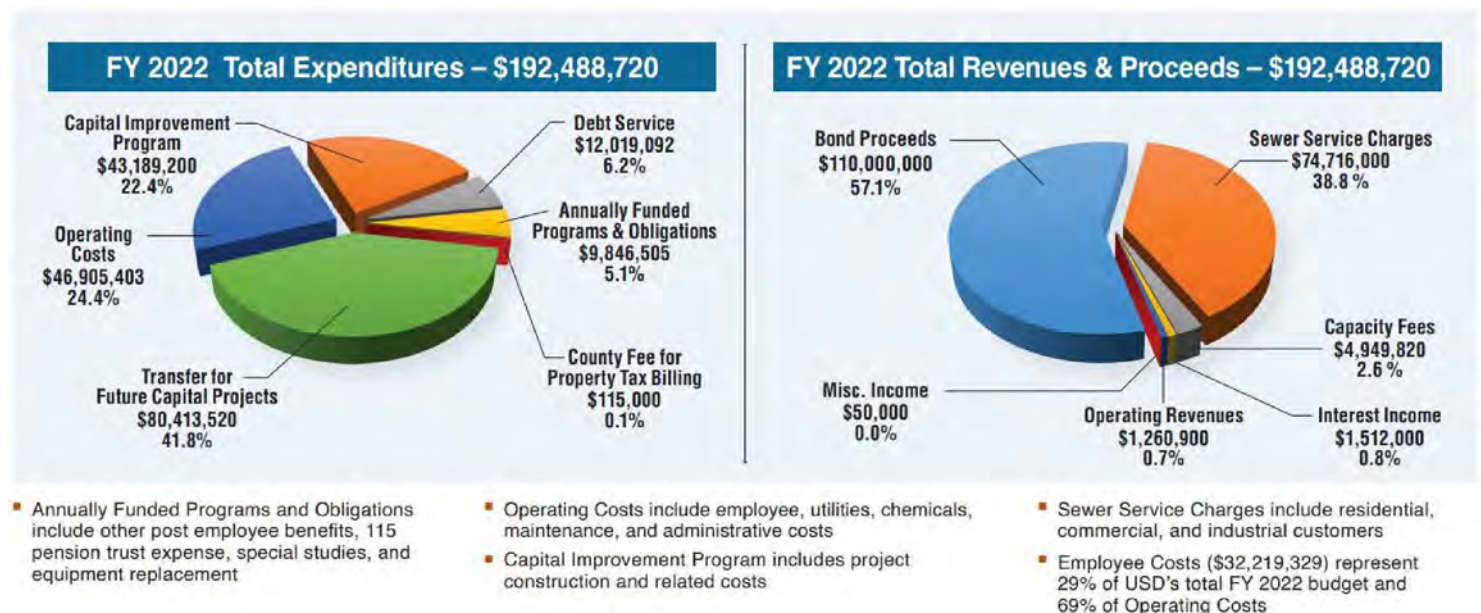
Prior to the bond sale, the District received new credit ratings. This resulted in an upgrade from S&P to a AAA rating, which led to savings from the anticipated interest rate of 2.44%. Over the 30-year life of the bonds, the lower interest rate will save the District over \$17.3 million dollars.



Finance Perspective

2021-2022 Union Sanitary District Total Revenues and Expenditures

The District's current operating budget is approximately \$112 million. Revenue is raised from two primary sources: (1) Sewer service charges paid by residential customers, businesses, and other users of the system; and (2) Charging new development their proportionate share of infrastructure costs.



Annual Comprehensive Financial Report (ACFR)

The District prepares an Annual Comprehensive Financial Report (ACFR) summarizing and explaining USD's initiatives, accomplishments, and financial activities during each fiscal year.

For more details, review the [FY22 report](#).





Internal Process Perspective

Internal process objectives focus on processes critical to achieving the District's Mission including long-term project, financial, and workforce planning activities; management and maintenance of District assets and infrastructure, treatment process optimization, and environmental stewardship.

Capital Improvement Projects



Projects in Design

- Cherry Street Pump Station Improvements Project
- Plant Miscellaneous Improvements Project
- Pump Stations Chemical System Improvements Project
- Sodium Hypochlorite Loop Improvements Project
- Switchboard No. 3 and MCC No. 25 Replacement Project
- WAS Thickener Replacement Project

For Enhanced Treatment and Site Upgrade (ETSU) project information see page 20.



Projects in Construction

- Aeration Blower No. 11 Project
- Alvarado Influent Pump Station Improvements Project
- Force Main Corrosion Repairs Project – Phase 3
- FY21 Cast Iron/Pipe Lining Project
- Irvington Basin Reinforced Concrete Pipe Rehabilitation Project
- Primary Digester No. 7 Project
- Standby Power Generation System Upgrade Project



Standby Power Project Construction

Engineers and staff coordinate construction of critical infrastructure while keeping processes running smoothly. Staff focus on managing and maintaining assets and infrastructure through development of master plans. Project schedules are tracked and reported quarterly.



Internal Process Perspective

Enhanced Treatment and Site Upgrade (ETSU)

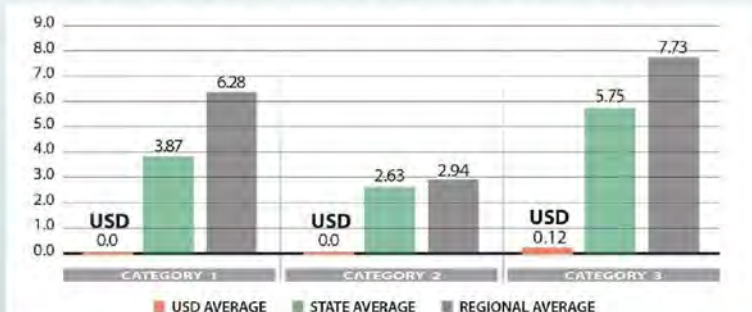
The Enhanced Treatment and Site Upgrade (ETSU) program serves as a roadmap for the treatment plant's infrastructure over the next 40 years. The ETSU team continues to progress with the various activities in Phase 1.

Visit our website at <https://www.unionsanitary.com/about-us/etsu> to watch project time-lapse videos for our Aeration Basin Modifications, the progress with our new campus, and program dashboard.



Asset Renewal and Maintenance

FY 2022 Spills Per 100 Miles of Pipe USD vs. State and Regional Averages



Spill Rate Statistics – July 1, 2021 to June 30, 2022 • Spills per 100 Miles of Pipe

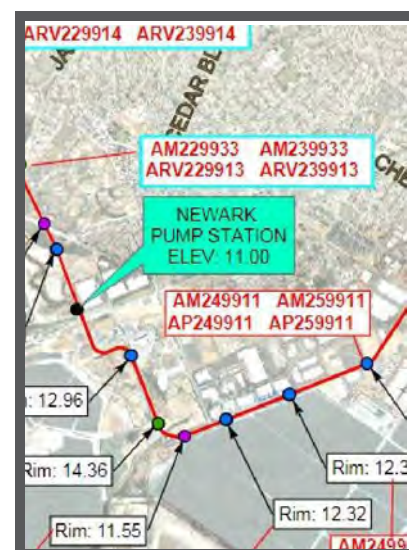
	Category 1	Category 2	Category 3
USD AVERAGE	0.0	0.0	0.12
STATE AVERAGE	3.87	2.63	5.75
REGIONAL AVERAGE	6.28	2.94	7.73

Processes are regularly evaluated to maintain our ability to meet current and future regulations. USD implements practices that benefit the environment by conserving resources, reducing waste, and minimizing environmental impacts. Including, proactive cleaning of the collection system prevents sewer overflows and associated impacts.

Process Improvements

Newark Pump Station Bypass Project

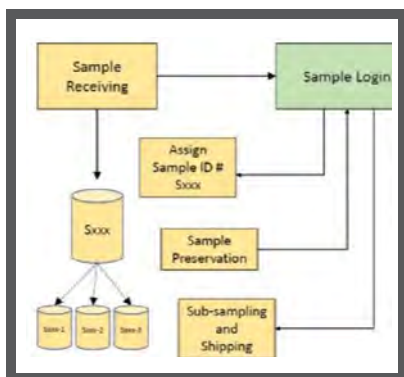
The Newark Pump Station is a critical part of USD's wastewater transport system. If there were an issue at the Newark Pump Station, there would be the potential for a spill or failure to transport wastewater to the treatment plant. The FMC Team developed a strategy and installed infrastructure to bypass the pump station while maintaining wastewater flow to the treatment plant uninterrupted. The bypass procedure has been thoroughly tested and all team members have been trained on the procedure. This procedure has the added benefit for the pump station to be bypassed for planned shut downs.



Permit Tracking System Replacement Project

The Permit Tracking System (PTS) is a custom program that was created for USD in 2005. The age and custom nature of PTS has resulted in issues with IT's ability to maintain it, loss of some functionality, and an inability to make needed fixes and improvements due to anticipated costs. In order to develop a suitable replacement, the Customer Service Team fully documented all processes and tasks for PTS and listed additional functions desired by the team. The list of criteria will be incorporated into the IT Team's request for proposals that will be used to select a replacement system.

Laboratory Sample Receiving Program Optimization



The Research and Support Team heads USD's laboratory operations which receive a variety of wastewater samples on a daily basis. The old system for receiving samples was comprised of fragmented sets of procedures, instructions, and other documentation. The new system consolidates all related documentation into a comprehensive, centralized Sample Receiving Program using SharePoint and incorporating aspects of the program into the Laboratory Information Management System (LIMS). The laboratory will now be able to record all information required by regulation in an efficient way that will not significantly increase workload.



Employee Growth & Development Perspective

Employee growth and development objectives focus on employee training and maintaining a highly competent and flexible workforce as well as protecting labor relations via the collaborative employee-management culture of the District. This is accomplished by involving employees in planning and decision-making activities.

Training & Development



54%

Employees completed training beyond District schedule



19.65

Total average training hours per employee

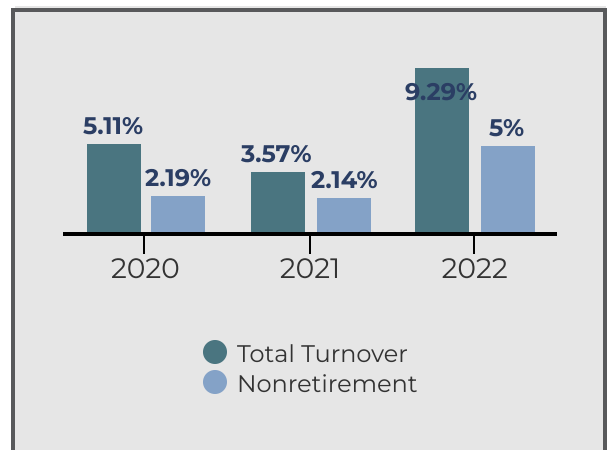
Maintaining a highly competent, flexible workforce is of critical importance. Routine safety training activities have been adjusted to meet the health and safety requirements of COVID-19; including small groups, reduction of mixed teams, and more online learning options. The District maintains an annual calendar of training activities for OSHA required training and beyond.

Training completed this year; included:

- IT Security
- Fall Protection
- Confined Space
- Hazard Communication

The City of Fremont Fire Department provided the District a unique opportunity to use fire extinguisher training equipment that gave our employees a hands-on experience.

Staff Turnover





Safety at USD

Safety Measures



- Number of total accidents with lost days
- Number of other OSHA reportable accidents
- Number of incidents of vehicle or equipment accidents/damage



- Costs associated with vehicle and equipment accidents
- Average full-time equivalent lost time
- Total costs: Lost time wages only
- Average full-time equivalent limited duty lost time
- Total costs: Limited duty/other ½ wages
- X-Mod (workers compensation modifier)



- Number of facility safety inspections completed
- Percent of areas identified in inspections resolved within 45 days
- Number of work site inspections completed
- Number of benchmarking and best management practice site visits
- Number of safety related communications from the General Manager



- Number of major safety training events offered
- Average percentage of targeted employees trained versus plan
- Average percentage of positive responses on the employee safety survey





Safety

Safety objectives focus on reducing the number of staff injuries as well as vehicle and equipment accidents/damage. These activities support the positive safety culture and attitude exhibited throughout the District. During the fiscal year, priorities shifted from USD's standard safety strategy to concentrating efforts to minimize risk of coronavirus exposure to employees and prevent disruption in the treatment of wastewater.

Reduce employee and equipment accidents



5

5 accidents with lost days, 9* OSHA reportable



3

Total vehicle/equipment incidents

*Includes COVID-19 work-related exposures

Identify and correct potential hazards



0

Facility inspection(s) completed*



313

Coach observations completed

*Inspections postponed due to COVID-19 limitations.

Safety Training at USD

USD's priority is to ensure employees are educated in safe work practices. The District adjusted training to include computer-based tutorials to limit potential COVID-19 exposure. 92.76% of our employees completed a total of ten safety trainings, including:

- Fall Protection
- Fire Extinguisher Safety
- Construction Traffic Control and Flagging
- Injury and Illness Prevention
- Harassment Prevention and Bystander



Workers Compensation Modifier

Our workers compensation modifier, often recognized as the X-Mod, is .83 against the target of 1.0 in FY22. The District's continued low numbers in this measurement reflect its focus on maintaining a safe workplace and results in reduced insurance premiums.

.....Union Sanitary District.....

FY22 Initiatives

Odor Control Pilot Study

Completion of a comprehensive odor study in the Plant and throughout the USD service area (collection system) to determine types and intensity of odors potentially impacting the public

Enhanced Treatment and Site Upgrade (ETSU)

Phase 1a and 1b focused on design of the Aeration Basin Modifications, New Campus Building, and Effluent Facility

Digester 7

Completion of our newest digester, a critical piece of infrastructure
[Time Lapse Video](#)

Funding for ETSU and Capital projects

Continual priority to seek sources to best fund ongoing construction at the District

Plant Asset Condition Assessment Update

Comprehensive study of District infrastructure and current operating conditions

PERS/ OPEB Unfunded Liability

District's commitment to pay down the liability for PERS/OPEB

Rebranding Initiative

Cross-functional effort to explore options for rebranding and updating the District's name and logo to more accurately reflect the area served and the District's core function

TNI Laboratory Compliance

Continuation of the work required to be in compliance with updated Laboratory Accreditations Standard

District Recognition

We're proud of the awards our treatment plant, collection system, staff members, and organizational programs have received. We work hard to fulfill our mission to protect human health and the San Francisco Bay, and we appreciate the recognition of our industry peers and our communities.



Peak Performance Award

Union Sanitary District was recognized by the National Associations of Clean Water Agencies (NACWA) for the Platinum Award for achieving 13 years of 100% compliance with its regulatory permit requirements. These permit conditions are in place to protect the water quality of San Francisco Bay. USD has been recognized by NACWA for 29 consecutive years since this award program began in 1993.

As a Special District, charged with collection, treatment, and disposal of wastewater for the Tri-Cities, achieving 100% compliance with the National Pollutant Discharge Elimination System permit (NPDES) is validation that this organization takes our responsibility to heart and mindfully executes initiatives to continue achieving compliance. Every team and every person fulfills a role that directly or indirectly contributes to achieving 100% regulatory compliance and upholding our mission.



Appendix

a

Operational Excellence BSC Measures

b

Operational Excellence BSC Measures

c

Safety BSC Measures

USD Operational Excellence Balanced Scorecard

CUSTOMER OBJECTIVES

	Target	Q1	Q2	Q3	Q4	FY22 to Date	Comments	FY21	FY20	FY19
Stewardship: Demonstrate responsible stewardship of District assets and the environment										
# of Outreach Activities/Events Completed	57	21	43	46	28	138		90	107	126
Community Events / Online Outreach	51	16	25	17	26	84		9	13	11
Business	0	1	1	1	0	3		4	3	5
Schools	1	1	16	25	2	44		73	87	108
Civic	5	3	1	3	0	7		4	4	2
Service: Provide reliable, high quality service										
% of service calls responded to within 1 hour	≥95%	100%	100%	100%	100%	100%		98.43%	98.78%	96.90%
Average time to customer contact	T&R	22 minutes	19 minutes	16 minutes	20 minutes	19 minutes		N/A	N/A	N/A
Initial response time to contact USD website inquiries (% within 3 business days)	≥90%	98%	100%	100%	100%	100%		99.50%	98.50%	100%
Average Response time of contact USD website inquiries (in days)	T&R	0.58	0.53	0.63	0.43	0.54		N/A	N/A	N/A
# of adverse impacts on customers that were caused by USD (non-SSO)	≤10	2	1	1	0	4		2	3	3
Emergencies: Be prepared for emergencies										
# of Emergency Preparedness Activities/Events Completed	4	1	3	1	2	7		5	3	3
Drills	2	0	0	0	1	1		1	1	1
Training/Exercises (or Communication)	1	0	2	1	0	3		1	2	2
Documents, Plans, Policies Updated	1	1	1	0	1	3		3	0	0

FINANCIAL OBJECTIVES

	Target	Q1	Q2	Q3	Q4	FY22 to Date	Comments	FY21	FY20	FY19
Fiscal responsibility: Ensure funding for critical programs and projects, while maintaining comparable rates										
Residential Sewer Service Charge (SSC) compared to other local agencies	T&R					11.7th		5.8th	5.8th	5.8th
\$: SSC Union Sanitary District	T&R					\$491		\$455	\$421	\$407
\$: SSC Regional Average	T&R					\$482	2021 Data	\$505	\$468	\$445
\$: SSC National Average	T&R					\$551	2021 Data	\$526	\$512	\$503
Total Service Population Change	T&R					344,855	(-.03%)	356,823	356,823	N/A
Total Parcels Served	T&R					93,378		92,714	91,054	N/A
Fiscal responsibility: (Financial) Accurately project and control costs										
Debt Coverage Ratio	1.5					8.93		6.71	9.90	9.71
PERS Funding Level	90-100%					76.66%		65.79	67.02%	68.04%
OPEB Funding Level	90-100%					81.49%		69.88%	60.85%	48.41%
% of Budgeted Operating Expenditures	95-103%	23.32%	21.03%	25.78%	23.87%	94.00%		94%	96%	94%
% of Budgeted Overtime Used	T&R	20.19%	32.32%	20.33%	20.78%	93.62%		N/A	N/A	N/A
% of Budgeted Special Projects Expenditures	80-110%	1.86%	0.76%	11.05%	19.59%	33.26%		N/A	N/A	N/A
Fiscal responsibility: (Chemical Usage) Accurately project and control costs										
Ferrous Chloride Usage	≤ 40	42.6 GPH	39.6 GPH	39.4 GPH	35.8 GPH	39.3 GPH		N/A	N/A	N/A
Hydrogen Peroxide Usage	≤ 14	17 GPH	15.1 GPH	12.1 GPH	13.0 GPH	14.3 GPH		N/A	N/A	N/A
Hypochlorite Usage	≤ 143	156.9 GPH	144.8 GPH	135.8 GPH	132.1 GPH	142.4 GPH		N/A	N/A	N/A
Polymer Usage - Gravity Belt Thickener (GBT)	≤ 5.5	3.5 lbs/dry ton	3.6 lbs/dry ton	4.2 lbs/dry ton	5.1 lbs/dry ton	4.1 lbs/dry ton		N/A	N/A	N/A
Polymer Usage - Dewatering	≤ 37	35.0 lbs/dry ton	34.1 lbs/dry ton	35.0 lbs/dry ton	37.1 lbs/dry ton	35.3 lbs/dry ton		N/A	N/A	N/A
Fiscal responsibility: (Process) Accurately project and control costs										
Energy Produced: Cogeneration	T&R	35,911 kwh/d	29,236 kwh/d	30,992 kwh/d	35,411 kwh/d	32,887 kwh/d		N/A	N/A	N/A
Energy Produced: Solar	T&R	333 kwh/d	193 kwh/d	308 kwh/d	560 kwh/d	348 kwh/d		N/A	N/A	N/A
Total Electrical Usage	T&R	51,466 kwh/d	51,595 kwh/d	53,433 kwh/d	51,660 kwh/d	52,039 kwh/d		N/A	N/A	N/A
Plant Daily Flow (Average)	T&R	22.6 mgd	23.2 mgd	22.6 mgd	22.0 mgd	22.6 mgd		N/A	N/A	N/A
Influent Total Suspended Solids	T&R	379 mg/L	338 mg/L	340 mg/L	387 mg/l	361 mg/L		N/A	N/A	N/A
Effluent Total Suspended Solids	T&R	11.7 mg/L	11.3 mg/L	9.3 mg/L	9 mg/l	10.3 mg/L		N/A	N/A	N/A
% Removal of Total Suspended Solids	≥85%	97%	97%	97%	98%	97%		N/A	N/A	N/A

Appendix B: Internal Process and Employee Growth BSC Measures

INTERNAL PROCESS OBJECTIVES										
	Target	Q1	Q2	Q3	Q4	FY22 to Date	Comments	FY21	FY20	FY19
Asset Management: Manage and maintain assets and infrastructure										
Total # of Maintenance Activities to Prevent Failures	T&R	6,063	5,383	6,785	6,593	24,824		N/A	N/A	N/A
Corrective Maintenance	T&R	690	672	431	427	2,220		N/A	N/A	N/A
Preventative Maintenance	T&R	4,131	3,548	5,581	5,331	18,591		N/A	N/A	N/A
Proactive Corrective Maintenance (Predictive)	T&R	1,242	1,163	773	835	4,013		N/A	N/A	N/A
Total hours used for Maintenance Activities to Prevent Failures	T&R	10,949.63	9,637.90	8,607.93	10,087.80	39,283.26		N/A	N/A	N/A
Corrective Maintenance	T&R	3,372.80	3,298.50	3,038.16	2,840.80	12,550.26		N/A	N/A	N/A
Preventative Maintenance	T&R	4,428.60	3,554.25	3,128.54	4,528.00	15,639.39		N/A	N/A	N/A
Proactive Corrective Maintenance (Predictive)	T&R	3,148.23	2,785.15	2,441.23	2,719.00	11,093.61		N/A	N/A	N/A
Total # of Urgent Responses	T&R	31	76	82	88	277		N/A	N/A	N/A
Total hours used for Urgent Responses	T&R	255.5	660	595.95	719	2230.45		N/A	N/A	N/A
% of Collection System Cleaned per Plan	100%	21.4%	25.7%	26.5%	30.5%	104.1%		N/A	N/A	N/A
% asset renewal/year: Plant	T&R					7.79%		11.80%	5.03%	2.32%
% asset renewal/year: Collection System	T&R					0.10%		0.06%	0.04%	0.08%
Environmental Protection: Maintain our ability to meet current and future regulations										
# of Category 1 SSO's	0	0	0	0	0	0		0	0	0
# of Category 2/3 SSO's	≤10	0	0	1	0	1		3	1	2
Settleability Performance: Sludge Volume Index (SVI)	100 - 150 mL/gal	332 mL/gal	350 mL/gal	221 mL/gal	202 mL/gal	276 mL/gal		N/A	N/A	N/A
Number of Days SVI Outside of Range	T&R	64	58	56	54	232		N/A	N/A	N/A
Planning: Plan for long-term financial, project, and staffing needs										
District-wide Critical Projects On schedule	≥85					68.4%	CIP: 12/18, IT: 1/1	N/A	N/A	N/A
How many hours project points expended on District projects	T&R					1,336.12		N/A	N/A	N/A
Efficiency: Optimize processes; Use technology and resources effectively										
# of projects that improve efficiency	T&R					6		N/A	N/A	N/A

EMPLOYEE GROWTH & DEVELOPMENT OBJECTIVES

	Target	Q1	Q2	Q3	Q4	FY22 to Date	Comments	FY21	FY20	FY19
Employees: Maintain a highly competent, flexible workforce										
Employee Turnover Rate - Total	T&R					9.29%		3.57%	5.11%	5.11%
Employee Turnover Rate Non-retirement	T&R					5%		2.14%	2.19%	2.00%
% of employees completing training beyond District scheduled	≥80%					54%		60%	N/A	N/A
Average training hours per FTE	≥20	3.71	4.03	4.64	7.27	19.65		16.99	N/A	N/A
Business Services	≥20	2.83	3.18	4.52	5.48	16.01		19.15	N/A	N/A
Technical Services	≥20	2.09	3.62	5.29	6.02	17.02		18.25	N/A	N/A
Collections Systems	≥20	5.03	4.06	4.72	8.48	22.29		15.181	N/A	N/A
Fabrication, Maintenance, and Construction	≥20	3.83	5.74	3.44	12.25	25.26		18.85	N/A	N/A
Treatment and Disposal	≥20	4.06	3.53	4.94	3.83	16.36		14.66	N/A	N/A
Safety: Work safely; reduce accidents and injuries										
See Safety Scorecard										
Culture: Foster a collaborative employee-management relationship that encourages new ideas and continuous improvement										
% of employee participating in committee and/or taskforces (excludes management)	≥45%					34%		36%	44%	43%
# Districtwide Employee Engagement Activities Completed (survey, training, events)	T&R	0	0	0	0	0		N/A	N/A	N/A
District will meet and/or exceed this metric										
District is monitoring/taking action on this metric										
District anticipates not meeting this metric by fiscal end										
T&R- Track and report metric										

Appendix C: Safety Measures

	USD Safety Balanced Scorecard									
	Target	Q1	Q2	Q3	Q4	FY22 to Date	Comments	FY21	FY20	FY19
							quarter.			
# Incidents of vehicle or equipment accidents/damage	≤2	2	0	0	1	3		1	6	2
Reduce the impact of incidents on employees and the District										
Cost associated with vehicle/equipment accidents	≤\$5000	\$1,088.75	\$250.00	\$0.00	\$0.00	\$1,338.75		\$11,194.02	\$0.00	\$646.00
Ave FTE lost time	<0.5	1.21	0.86	0.37	0.00	0.61	Result of employees out for an extended period of time.	1.03	0.66	0.09
Total Costs: Lost time Wages only	≤\$46,883	\$39,425.12	\$28,800.07	\$15,505.97	\$0.00	\$83,731.16		\$99,187.81	\$70,759.00	\$2,164.50
Ave FTE limited duty time	≤0.5	0	0	0	0	0		0	0	0
Total costs: Limited duty/Other 1/2 wages	≤\$23,441	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00
X- Mod	≤1.0					0.83		0.82	0.94	0.82
Identify and correct poor practices and potential hazards										
# Facility inspections completed (SIT)	0	N/A	N/A	N/A	N/A	N/A	On hold due to COVID	N/A	1	4
% of areas of concern identified during internal facility inspections that are resolved within 45 days of report	0	N/A	N/A	N/A	N/A	N/A		N/A	100%	93%
# work site inspections completed	278	81	53	88	91	313		346	335	335
Implement industry best practices										
# site visits (for potential BMPS) completed and discussed by ET	0	N/A	N/A	N/A	N/A	N/A	On hold due to COVID	N/A	0	1

Appendix C: Safety Measures Con't

Communicate our commitment to safety										
# GM communications on status of safety program and performance	≥4	11	10	12	14	47		34	19	7
# safety strategy reviews conducted by ET and EHSS	4	1	0	0	1	2		48	12	4
Educate employees in safe work practices										
# of major safety training events offered	9	4	4	4	5	17		13	9	11
Ave % of targeted employees trained vs. plan	≥90%	91.57%	94.24%	92.57%	92.65%	92.76%		92.66%	89.77%	90.73%
Create a positive safety culture										
% Positive responses on the employees safety survey (aver)	≥75%	N/A	N/A	N/A	N/A	N/A	Postponed at this time	POSTPONED	POSTPONED	N/A



**Summary of the EBDA Commission Meeting
Thursday, October 20, 2022, at 9:30 a.m.**

- Commissioners Cutter, Duncan, Lamnin, Lathi, and Sadoff were present. This meeting was conducted telephonically and the dial-in information for the meeting was provided in the agenda.
- Commissioner Lathi moved to approve the Commission Meeting Minutes of September 15, 2022; List of Disbursements for September 2022; Preliminary Treasurer's Report for September 2022; and Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361. The motion was seconded by Commissioner Cutter and carried 5-0.
- The Commission unanimously approved the reports from the Financial Management, Personnel, and Operations & Maintenance Committees. The following items were discussed:
- **General Managers Report**
The General Manager (GM) discussed the Governor's announcement ending of the Public Health Emergency in February 2023, and the potential implications for the Commission's ability to continue meeting remotely under Assembly Bill 361. The GM also provided an update on PFAS (per- and polyfluoroalkyl substances) legislation.
- **Manager's Advisory Committee**
The GM reported that the MAC the MAC discussed the Authority's Strategic Planning process.
- **Regulatory Affairs Committee**
The GM reported on the October 17 meeting of the Financial Management Committee. The Committee reviewed the Lists of Disbursements and Preliminary Treasurer's Reports for September and recommended approval. The Committee discussed allocation of unspent funds for the fiscal year ending in June 2022 and recommended that each member agency decide whether to receive their allocation as a credit or to have EBDA hold it as their reserve contribution. The Committee also recommended that this approach be captured in the Budget Policy to provide guidance and consistency for future years.
- **Operations and Maintenance Committee**
The Operations and Maintenance (O&M) Manager and GM reported on the October 17 meeting of the Operations and Maintenance Committee. The O&M Manager discussed the status of EBDA facilities and provided an update on the HEPS Pump replacement project, OLEPS Main Electrical Switchboard Upgrade, and the Roof Replacement Project at the EBDA Administration Building, the MDF Sodium Bisulfite (SBS) Storage Building, and OLEPS. The GM provided an update on the Cargill project.
- **Items from Commission and Staff**
Chair Lamnin informed the Commission this will likely be her last Commission Meeting and thanked everyone for their service. Commissioner Duncan encouraged everyone to join Oro Loma at the Halloween Celebration on October 29 at 10:00am at the San Lorenzo Village Homes Association. Staff

announced the Keep Hayward Clean & Green Clean-up event on Saturday October 20. The Commission and staff recognized the late Farid Ramezanzadeh for his commitment and service to the wastewater community.

- **Adjournment in Memory of Farid Ramezanzadeh**
Chair Lamnin adjourned the meeting at 10:14 a.m.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

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

Karen W. Murphy
Attorney

**DECEMBER 12, 2022
BOARD OF DIRECTORS MEETING
AGENDA ITEM # 21**

TITLE: Legislative Update on Issues of Interest to the Board
(This is an Information Item)

SUBMITTED: Paul R. Eldredge, General Manager/District Engineer
Michelle Powell, Communications and Intergovernmental Relations
Coordinator

Recommendation

Information only.

Background

The Board was last updated on legislative issues of interest at its June 27, 2022 meeting. Direction was received from the Board at the July 12, 2021, Board meeting to consolidate the regional and state/federal reports into one report to be presented twice annually.

The following includes summaries of the November 8, 2022 General Election. Attached is a list of state legislation tracked in 2022 by the California Association of Sanitation Agencies (CASA). This Agenda item and the attached list contain the most updated information available as of the publishing date of this staff report.

Results of November 8, 2022 election (per Alameda County website 11/21/22):

U.S. Senator, Full term

Alex Padilla (D)	80.26%
Mark Meuser (R)	19.74%

U.S. Senator, Partial/Unexpired Term

Alex Padilla (D)	80.10%
Mark Meuser (R)	19.90%

U.S. House of Representatives District 14

Eric Swalwell (D) 69.34%
Alison Hayden (R) 30.66%

U.S. House of Representatives District 17

Ro Khanna (D) 68.61%
Ritesh Tandon (R) 31.39%

Governor

Gavin Newsom (D) 79.32%
Brian Dahle (R) 20.68%

State Senate District 10

Aisha Wahab (D) 55.37%
Lily Mei (D) 44.63%

State Assembly District 20

Liz Ortega (D) 62.15%
Shawn Kumagai (D) 37.85%

State Assembly District 24

Alex Lee (D) 70.10%
Bob Brunton (R) 29.90%

Statewide Ballot Measures:**Proposition 1 – Passed 83.89% Yes Votes**

- This state constitutional amendment bars the state from denying or interfering with a person's right to choose an abortion and the right to choose or refuse contraceptives.

Proposition 26 – Failed 65.90% No Votes

- This proposition would have legalized sports betting in-person at tribal casinos and designated horse tracks. The measure would have also allowed tribes to offer roulette and other dice games.

Proposition 27 – Failed 84.27% No Votes

- This proposition would have allowed Californians to bet on sports and other competitions online, but only through certified gaming tribes and large, well-established online betting companies.

Proposition 28 – Passed 74.39% Yes Votes

- This measure requires the state to set aside a share of its revenue — potentially between \$800 million to \$1 billion per year — for arts and education classes. The new money will be disproportionately reserved for schools with many low-income students to hire new arts staff.

Proposition 29 – Failed 61.42% No Votes

- This measure would have imposed new restrictions on dialysis clinics, including a requirement that a doctor, nurse practitioner or a physician assistant be on site during all treatment hours. Centers would have been required to get state approval before

shuttering or reducing services and to publicly list any doctors who have at least a 5% ownership stake in a clinic.

Proposition 30 – Passed 53.33% Yes Votes

- This measure will impose a new 1.75% tax on any individual's income of more than \$2 million per year to raise between \$3 billion to \$4.5 billion each year to fund a collection of greenhouse gas reducing initiatives. Most of the money will go toward new incentives for Californians to buy zero-emission vehicles and to build new electric charging or hydrogen fueling stations. (Lyft, which is required to move toward ZEVs, was a major funder). A quarter of the new money will go toward wildfire fighting and prevention efforts.

Proposition 31 – Passed 75.64% Yes Votes

- In 2020, Gov. Gavin Newsom signed a bill banning the sale of all flavored tobacco products, whether smoked, chewed or vaped. The tobacco industry gathered enough signatures to ask voters to overturn the law with this referendum. (Voting "yes" was to keep the law; voting "no" was to overturn it.)

Alameda County Ballot Measure D – Passed 69.71% Yes Votes

- The Measure amends the "Save Agriculture and Open Space Lands" Initiative (Measure D, November 2000) to allow (1) a maximum floor area ratio of .025 for agricultural buildings in Large Parcel Agriculture areas and (2) a maximum floor area ratio of .025, with a minimum of 20,000 and a maximum of 60,000 square feet, for covered equestrian riding arenas in Large Parcel Agriculture and Resource Management areas.

Fremont City Council:

District 2

- Desrie Campbell – 40.37%

District 3

- Jenny Kassan – 43.70%

District 4

- Yang Shao – 56.06%

Newark Mayor and City Council:

Mayor:

- Michael Hannon – 62.96%

Council:

- Mike Bucci – 29.54%
- Matthew Jorgens – 20.88%

Union City Council and Ballot Measure:

District 2

- Jaime Patino – 56.44%

District 3

- Jeff Wang – 45.68%

District 4

- Scott Sakakihara – 62.83%

Measure Z – Ballot Measure Seeking Voter Approval for Extension of ½ cent Sales Tax for nine years – Passed 74.40% Yes votes

Tri-City Development Data as of November 1, 2022:

	Planning			Entitled			Under Construction		
	Fremont	Union City	Newark	Fremont	Union City	Newark	Fremont	Union City	Newark
Single Family Dwelling Units (SFD)	40	89	527	1	39	NDA	140	5	637
Multi-Family Dwelling Units (MFD)	2,301	686	297	750	974	598	2,284	0	581
Accessory Dwelling Units (ADU)	8	NDA	NDA	22	1	4	40	15	8
Comm/Ind (SQ FT)	2,055,971	12,031	0	1,867,259	16,842	3,655	370,536	53,314	178,200

- "Multi-Family Dwelling Units" includes Duplex, Triplex, Townhomes, Condos, Apartments, Hotel Rooms, etc.
- "Planning" are projects that have not been submitted to USD for review and permitting but have been submitted to the Cities for planning review.
- "Entitled" are projects that have been submitted to USD and are either in Plan Review or have been Approved but have NOT yet paid capacity fees.
- "Under Construction" are projects that have been Approved by USD and paid Capacity Fees (USD permits may or may not have been issued).
- NDA = No Data Available

California Legislature:

All newly-elected and standing members of the Senate and Assembly convened an organizational session of the Legislature on December 5th wherein new members were sworn in and procedural rules for the upcoming session were adopted. The current Speaker of the Assembly, Anthony Rendon, will continue to serve until June 30, 2023. Speaker-elect Robert Rivas will then take over the leadership position. After an organizing session in early December legislators will return to their districts until the new Session kicks off on January 4, 2023.

California State Legislature 2021-2022 Legislative Session:

CONSUMER BILLS
AB 2247 (Bloom) Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform.
Position: CASA – Sponsor and Support; CSDA Support 3
Status: Vetoed by the Governor

Summary:

Would have required, as part of the hazardous waste control laws, the Department of Toxic Substances Control to work with the Interstate Chemicals Clearinghouse to establish, on or before January 1, 2025, a publicly accessible reporting platform to collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS, as defined, being sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state. The bill was co-sponsored by CASA in conjunction with Clean Water Action and the Environmental Working Group.

AB 1817 (Ting) Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Position: CASA – Support; CSDA Support 3; League of CA Cities – Watch

Status: Chaptered into law 9/29/22

Summary:

Prohibits, beginning January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in the state any textile articles that contain regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in textile articles to comply with these provisions. The bill requires a manufacturer of a textile article that contains regulated PFAS to provide persons that offer the product for sale or distribution in the state with a certificate of compliance stating that the textile article is in compliance with these provisions and does not contain any regulated PFAS.

AB 2771 (Friedman) Cosmetic products: safety.

Position: CASA – Support; CSDA – Support 3; League of CA Cities - Watch

Status: Chaptered into law 9/29/22

Summary:

This bill, beginning January 1, 2025, prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances PFAS, as defined.

PUBLIC WORKS AND FACILITIES**SB 991 (Newman) Public contracts: progressive design-build: local agencies.**

Position: CASA – Support; CSDA – Support 3

Status: Chaptered into law 9/2/22

Summary:

This bill will permit a local agency to procure progressive design-build contracts and use the progressive design-build contracting process, as described therein, for up to 15 specified public works projects in excess of five million dollars (\$5,000,000) per project. The provisions of this bill can only be used for a project that treats, pumps, stores, or conveys water, wastewater, recycled

water, advanced treated water, or supporting facilities, by a local agency, defined as a city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source. This bill contains procedures applicable for its implementation, including subcontracting. This bill provides that the design professionals responsible for performing design services on behalf of a design build entity that has been replaced, as specified, shall have sole liability for their design errors and omissions, provided the local agency elects to use their complete and stamped designs with subsequent design build entities or licensed contractors. This bill further provides that a construction subcontractor licensed pursuant to Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code that provides design services used on a project shall not be subject to any liability arising from their design if the construction subcontract for that design is not performed by that subcontractor. This bill requires the local agency to make reports to the Legislature, as specified. The provisions of this bill sunset on January 1, 2029.

AB 2173 (Petrie-Norris, Cottie) Public contracts: payment.

Position: CASA – Watch; CSDA – Watch

Status: Chaptered into Law 7/19/22

Summary:

This bill eliminates the January 1, 2023 sunset on existing law authorizing the retention proceeds withheld from any payment by an awarding entity, as described, from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor, to exceed 5% on specific projects where the director of the applicable department, as specified, has made, or the governing body of the public entity or designated official of the public entity has approved, a finding prior to the bid that the project is substantially complex and requires a higher retention and the department or public entity includes both this finding and the actual retention amount in the bid documents. This new law makes the existing law's provisions operative indefinitely.

WATER, WASTEWATER, AND CONSERVATION

AB 2108 (Rivas, Robert) Water policy: environmental justice: disadvantaged and tribal communities.

Position: CASA – Oppose unless amended; League of CA Cities – Watch

Status: Chaptered into law 9/16/22

Summary:

This bill requires that one of the persons appointed by the Governor to the State Water Resources Control Board be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities and not be the same member as the member appointed who is qualified in the field of water supply and water quality relating to irrigated agriculture. The bill also requires that at least one person appointed to each regional board have specialized experience relating to disadvantaged or tribal communities, except as provided. The bill would prohibit, in making those appointments, preference to be given on the basis of ethnicity or national origin.

This bill, among other things, specifies that the state board and each regional board need to begin

outreach to identify issues of environmental justice as early as possible in planning, policy, and permitting processes. The bill requires the state board and each regional board to engage in equitable, culturally relevant community outreach to promote meaningful civic engagement from potentially impacted communities of proposed discharges of waste that may have disproportionate impacts on water quality in disadvantaged communities or tribal communities and ensure that outreach and engagement shall continue throughout the waste discharge planning, policy, and permitting processes.

ENERGY

AB 2700 (McCarty) Transportation electrification: electrical distribution grid upgrades.

Position: CSDA - Watch

Status: Chaptered into law 9/16/22

Summary:

Requires the Energy Commission, in collaboration with the State Air Resources Board, the PUC, and other relevant stakeholders, to annually gather from state agencies, as provided, specified entities' fleet data for on-road and off-road vehicles in the medium- and heavy-duty sectors and share that data with electrical corporations and local publicly owned electric utilities to help inform electrical grid planning efforts, as specified. The bill prohibits electrical corporations and local publicly owned electric utilities from disclosing that data to third parties.

ENVIRONMENT

SB 1157 (Hertzberg) Urban water use objectives: indoor residential water use.

Position: CASA – Neutral as amended; CSDA – Oppose unless amended 3

Status: Chaptered into law 9/28/22

Summary:

This bill requires, beginning January 1, 2025, and until January 1, 2030, the standard for indoor residential water be 47 gallons per capita daily. Beginning January 1, 2030, the standard for indoor residential water use would be 42 gallons per capita daily. This bill has been amended to require the Department of Water Resources to conduct necessary studies and investigations to assess and quantify the economic benefits and impacts of meeting the 2030 indoor residential use standard of water, wastewater, and recycled water systems. Based on the conclusions of the studies and investigations, the Department of Water Resources shall consider whether to recommend additional variances to accommodate unique challenges related to residential indoor water use.

SB 867 (Laird) Sea level rise: planning and adaptation.

Position: CASA – Watch; CSDA – Watch

Status: Vetoed by the Governor 9/29/22

Summary:

Previously approved law created within the Ocean Protection Council the California Sea Level Rise State and Regional Support Collaborative to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment, planning, and, where feasible, the mitigation of the adverse

environmental, social, and economic effects of sea level rise within the coastal zone, as provided.

This bill would have required a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting a local coastal program, as defined, to the California Coastal Commission or submitting a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, by January 1, 2026. The bill would have required those local governments to provide a comprehensive update to that planning and adaptation every 10 years, and technical adjustments every 5 years, as prescribed.

AB 1985 (Rivas, Robert) Organic waste: list: available products.

Position: CASA – Support, if amended, work with author; CSDA – Watch

Status: Chaptered into law 9/16/22

Summary:

Previously approved (current) law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Current law requires the methane emissions reduction goals to include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals that include, among other things, requirements intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025 and that may include penalties to be imposed by the department for noncompliance, as provided. The department's regulations provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction.

This bill requires any penalties imposed by the department on a local jurisdiction that fails to meet its recovered organic waste procurement target to be imposed pursuant to a specified schedule based on the percentage of the local jurisdiction's recovered organic waste product procurement target achieved. The bill exempts jurisdictions in possession of a specified rural exemption from these requirements until December 31, 2026.

HOUSING AND DEVELOPMENT

SB 897 (Wieckowski) Accessory dwelling units: junior accessory dwelling units.

Position: CSDA – Watch; League of CA Cities: Oppose

Status: Chaptered into law 9/28/22

Summary:

The Planning and Zoning Law authorizes a local agency, by ordinance or ministerial

approval, to provide for the creation of accessory dwelling units in areas zoned for residential use, as specified. Previously approved law authorizes a local agency to impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, and maximum size of a unit.

This bill requires that the standards imposed on accessory dwelling units be objective. For purposes of this requirement, the bill defines “objective standard” as a standard that involves no personal or subjective judgment by a public official and is uniformly verifiable, as specified.

This bill changes the height limitations applicable to accessory dwelling units subject to ministerial approval if the accessory dwelling unit is within one-half mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined, or if the accessory dwelling unit is attached to a primary dwelling, as specified. The bill, if the existing multifamily dwelling exceeds applicable height requirements or has a rear or side setback of less than 4 feet, prohibits a local agency from requiring any modification to the existing multifamily dwelling to satisfy these requirements.

AB 2536 (Grayson) Development fees: impact fee nexus studies: connection fees and capacity charges.

Position: CASA – Watch; League of CA Cities: Watch

Status: Chaptered into law 7/19/22

Summary:

The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed. Previously approved law requires a local agency that conducts an impact fee nexus study to follow certain standards and practices, as specified. Previously approved law also requires a local agency to hold at least one open and public meeting prior to levying a new fee or service charge, as specified.

This bill requires a local agency, prior to levying a new fee or capacity charge or approving an increase in an existing fee or capacity charge, to evaluate the amount of the fee or capacity charge. The bill requires the evaluation to include evidence to support that the fee or capacity charge does not exceed the estimated reasonable cost of providing service, as specified. The bill requires all information constituting the evaluation to be made publicly available at least 14 days prior to a specified meeting.

GOVERNANCE

AB 2449 (Rubio, Blanca) Open meetings: local agencies: teleconferences.

Position: CASA – Support; CSDA – Watch; League of CA Cities – Support in Concept

Status: Chaptered into law 9/13/2022

Summary:

AB 2449 provides for relaxed teleconferencing rules when a member of the legislative body has to

attend remotely for an emergency or other reasons supported by “just cause”. Under these new rules, a legislative body may hold a hybrid (partial teleconference, partial in-person) meeting without having to comply with the standard Brown Act teleconference rules (e.g., without giving the public access to private locations) under certain circumstances. Those circumstances are:

- One or more members of the legislative body (but less than a quorum) have notified the body at the earliest opportunity of their need to participate remotely for just cause (e.g., childcare or family caregiving need, contagious illness, physical or mental disability need, travel while on official public business); or
- One or more members of the legislative body (but less than a quorum) experience an emergency circumstance (e.g., a physical or family medical emergency that prevents in-person attendance). The member must provide a general description of the circumstances relating to their need to appear remotely; however, they are not required to disclose a medical diagnosis, disability, or other confidential medical information. The legislative body must then take action on each member’s request. If the request does not allow sufficient time to be placed on the posted agenda for the meeting for which the request is made, the legislative body may take action on it at the beginning of the meeting.

The provisions of AB 2449 cannot be used as the means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year. Additionally, a quorum of the body must still meet in-person at a single location within the district boundaries that is open to the public, and the meeting format must meet the following remote access rules:

- Use either a two-way audio-visual system or a two-way phone service with live webcasting.
- Members participating remotely must disclose at the meeting, before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member’s relationship with any such individuals.
- Identify a call-in or internet-based access option for the public on the agenda, along with the in-person meeting location.
- Ensure that, if a disruption to the online meeting occurs, the body takes no further action on agenda items until public access is restored.
- Avoid requiring public comments to be submitted in advance and provide a real-time option for the public to address the body at the meeting.
- Take all votes by roll call.

AB 2647 (Levine, Marc) Local government: open meetings.

Position: CSDA – Support 3; League of California Cities - Sponsor

Status: Chaptered into law 9/30/22

Summary:

This bill makes clear that agenda-related materials distributed to the majority of a legislative body less than 72 hours before a meeting can be posted online to satisfy the requirement of making the documents available to the public.

Previously, under the Brown Act, when local agencies distributed agenda-related materials to members of a legislative body less than 72 hours before a meeting, the agencies were required to make the materials physically available for public inspection at a public office or location. Although the Brown Act previously allowed agencies to post such materials on their websites, its basic requirement to make the materials physically available to the public at a public office or location remained in effect.

This allows agencies to distribute agenda-related materials in a timely fashion, such as updated staff reports or proposed agreements, to their legislative bodies, as long as the materials are made immediately available on the agency's website in a manner that makes it clear that they relate to an agenda item for an upcoming meeting.

Local agencies are required to also place their web addresses on their meeting agendas. Along with posting the materials on the agency's website, agencies are required to post the materials at the physical location as soon as possible following their release on the agency's website during the agency's next business hours, though this would have to be at least 24 hours before an agency meeting. Agencies must also provide an initial staff report or similar document containing an executive summary and the staff recommendation, if any, relating to that agenda item and make that summary/recommendation available for public inspection at the office/designated location.

SB 1100 (Cortese, Dave) Open meetings: orderly conduct.

Position: CSDA – Support 3

Status: Chaptered into Law 8/22/22

Summary:

This bill gives legislative bodies additional clarity on their ability to address unwelcome meeting disruptions. The Brown Act already authorizes a legislative body to order the room cleared and continue in session if a group willfully interrupts the orderly conduct of the meeting, provided certain requirements are met. SB 1100 amends the Brown Act to make clear that the presiding member of a legislative body may have an individual removed for disrupting a meeting.

Before removing an individual, the legislative body must warn them that their behavior is disruptive and that continued disruption may result in their removal (however, no prior warning is required if they are engaging in or threatening the use of force). Behavior is otherwise “disruptive” if it actually disrupts or impedes the orderly conduct of the meeting.

COMMUNITY AND ECONOMIC DEVELOPMENT

SB 972 (Gonzalez) California Retail Food Code.

Position: CASA – Work with Author; League of CA Cities - Watch

Status: Chaptered into law 9/23/22

Summary:

Authorizes a cottage food operation or microenterprise home kitchen operation to serve as a commissary or mobile support unit for up to 2 compact mobile food operations if the cottage food operation or microenterprise home kitchen operation permit includes an endorsement from the local enforcement agency that the cottage food operation or

microenterprise home kitchen operation is capable of supporting the preparation and storage of the food being sold from the compact mobile food operation and the storage and cleaning of the compact mobile food operation. The bill authorizes non-potentially hazardous foods prepared in a cottage food operation to be served from a compact mobile food operation. The bill defines “compact mobile food operation” as a mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance. The bill would require compact food operations to conduct only limited food preparation.

Federal Legislative Update and Issues of National Interest:

November 8, 2022 Midterm Elections

The Republican party gained a 222 to 213 majority control of the House of Representatives in the next Congress. The death of Virginia Democrat Donald McEachin leaves Democrats starting the new Congress with 212 seats. A special election will be held for McEachin’s seat.

The Senate remains under Democratic party control in what is currently a 50-49 split. A runoff between Democratic incumbent Rafael Warnock and Republican challenger Herschel Walker for a Georgia Senate seat is scheduled for December 6, 2022. If the seat is won by Walker, Democrats will still retain control of the Senate with Vice-President Kamala Harris’ vote to break any ties.

Congressional “Lame Duck” session

The 117th Congress returned to Washington D.C. the week of November 14, then broke for its Thanksgiving recess. Upon returning from the Thanksgiving recess on November 28, legislating on the budget and other pending business began in earnest. Priority issues are expected to involve finalizing Fiscal Year 2023 spending bills, the National Defense Authorization Act, (NDAA), the Water Resources Development Act (WRDA), and possibly an extension of expiring Research and Development tax credits. Completing work on a full omnibus package for the balance of the fiscal year will require both parties completing negotiations of a package and the support of at least 10 Republicans in the Senate to end a filibuster. Lawmakers have until December 16 to pass spending bills before expiration of the Continuing Resolution currently funding the government or be forced to pass another Continuing Resolution to avoid a partial government shutdown. If the latter happens, lawmakers leave final appropriations decisions to the 118th Congress that convenes on January 3, 2023.

Proposed Earmark Ban Fails

House Republicans voted against a proposed earmark ban during a conference rules meeting on November 30. The conference voted 52-158 against an amendment proposed by Representative Tom McClintock that would throw out the current conference rule allowing members to earmark spending bills if they meet certain transparency criteria.

Republican legislators stressed support for the practice ahead of the vote. Congressman Steve Womack noted earlier this month that the current process has sufficient transparency rules in place and allows Congress to exercise its constitutional authority to oversee government

spending. House Republicans banned earmarks following the 2010 midterms, the last time the party flipped the House. Democrats revived the practice with increased transparency rules in 2021.

Build America, Buy America Mandate

In early November, U.S. EPA released additional guidance, [Build America, Buy America Act Implementation Procedures for EPA Office of Water Federal Financial Assistance Programs](#), related to the Build America, Buy American Act (BABAA) changes that were made in the *Bipartisan Infrastructure Law* (BIL).

Utilities, engineering firms, equipment manufacturers and others have been awaiting additional guidance to inform how they can comply with BABAA. The law was enacted November 2021 and went into effect in May 2022, putting projects that have started development since then at a potential disadvantage without the necessary guidance to inform whether and how they may design to qualify for federal infrastructure funding or financing. BABAA requirements apply to all federal financing moving forward, including State Revolving Funds (SRFs), WIFIA, and EPA grant programs – not just funds coming through the BIL.

The new guidance outlines how utilities and firms can seek waivers related to water infrastructure projects. It also provides template contract language related to BABAA requirements. Key points include that only projects/federal funding recipients can request a waiver, which would be granted based on project performance requirements. Manufacturers, for example, cannot apply for blanket waivers for their products. For SRF awards, funding recipients will need to submit waiver applications through their state office, which in turn will send them along to U.S. EPA. EPA will research and review the application (with no deadline specified) before putting the waiver out for a 15-day public comment period.

According to the National Association of Clean Water Agencies (NACWA), the guidance is raising questions about efficiency, potential EPA backlogs, and the extent to which it will deter use of federal financing to avoid project delays or changes where certain products or technologies employed in a project may not meet BABAA requirements or would need to go through a lengthy waiver process. NACWA is discussing a meeting with other key water associations in the coming weeks to identify next steps and recommendations. NACWA also notes that rulemaking from the Office of Management and Budget will be released soon regarding how to determine domestic content requirements.

Environmental Protection Agency's (EPA) Proposed PFAS CERCLA Designations

In a 23-page comment document filed with EPA in November, the National Association of Clean Water Agencies (NACWA) expressed serious concerns with the Agency's proposal to designate two PFAS substances – PFOA and PFOS – as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and encouraged EPA to take steps to shield clean water utility ratepayers from liability for PFAS cleanups.

The letter notes that EPA's proposed designations fall short of its stated aims by failing to advance the "polluter pays" approach the agency has espoused. It notes the proposal instead threatens to "push significant costs and liabilities onto local communities, increase affordability concerns, particularly for disadvantaged communities, and untenably put cleanup actions ahead of critical source control and risk assessment processes."

The comments stated EPA's economic analysis fails to consider the significant costs the proposed designations will impose on public clean water agencies, and that the EPA must consider the costs of the proposed designations. The letter notes EPA should "actively support the adoption by Congress of an exclusion for clean water utilities from CERCLA's strict liability scheme for potential 'releases' or 'disposal' of PFAS substances", noting "local communities should not have to bear the costs of cleaning up pollution they did not cause and were themselves harmed by."

EPA's finalized ruling is currently expected in Fall 2023.

Potential Rail Strike Averted

The Senate passed a resolution Thursday, December 1 that would put in place the rail labor agreement reached by the White House, railroads, and labor unions in September, but rejected a separate measure to provide an additional seven days of sick leave to workers. Some unions had voted against the agreement and threatened to strike December 9 unless they got the additional sick leave. The passed resolution would prevent unions from striking by imposing a contract agreement.

President Biden warned earlier in the week that a shutdown could be "crippling", noting that it would impair access to chemicals necessary to provide clean and safe water. He is expected to sign the resolution.

A coalition letter of several water sector associations, including NACWA and the Water Environment Federation (WEF), was sent to President Biden on November 4, 2022, asking that he continue working urgently to produce a settlement among railway companies and rail unions to avert a strike that would threaten provision of safe drinking water and wastewater. The letter noted the critical products used to disinfect and treat water are typically delivered to distributors by rail, who then ship it to utilities over roadways.

Attachment:

CASA End of session tracked legislation list

CASA Active Positions

AB 351 (Garcia, Cristina D) Reduction of human remains and the disposition of reduced human remains.

Current Text: Chaptered: 9/19/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Assembly Floor Analysis](#) (text 8/25/2022)

Last Amend: 8/25/2022

Status: 9/18/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 399, Statutes of 2022.

Location: 9/19/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Cemetery and Funeral Act provides for the licensure and regulation of cemeteries, crematoria, hydrolysis facilities, cremated remains disposers, funeral establishments, and their personnel by the Cemetery and Funeral Bureau within the Department of Consumer Affairs. Current law creates the Cemetery and Funeral Fund, which is continuously appropriated for the purpose of implementing the act. Under existing law, the violation of the act is a misdemeanor. Current law provides for the disposition of human remains and makes specified acts relating to human remains, including improperly disposing of human remains, a crime. This bill, commencing January 1, 2027, would require the bureau to license and regulate reduction facilities, as defined, and would enact requirements applicable to reduction facilities substantially similar to those applicable to crematoria and hydrolysis facilities and would enact provisions relating to the disposition of reduced human remains by integration into the soil. By expanding the definition of crimes relating to the disposition of human remains and creating new crimes, this bill would impose a state-mandated local program.

Position

Work w/Author

AB 1717 (Aguilar-Curry D) Public works: definition.

Current Text: Vetoed: 9/28/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Assembly Floor Analysis](#) (text 8/24/2022)

Last Amend: 8/24/2022

Status: 9/28/2022-Vetoed by Governor.

Location: 9/28/2022-A. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would, commencing January 1, 2024, expand the definition of "public works" to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified. The bill would limit those provisions to work that falls within an apprenticeship program in the building and construction trades for which an apprenticeship program has been approved and to contracts in excess of \$100,000. The bill would delay the application of those provisions until January 1, 2025, for nonprofits.

Position

Watch

AB 1749 (Garcia, Cristina D) Community emissions reduction programs: toxic air contaminants and criteria air pollutants.

Current Text: Chaptered: 9/16/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Assembly Floor Analysis](#) (text 8/25/2022)

Last Amend: 8/25/2022

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 340, Statutes of 2022.

Location: 9/16/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the State Air Resources Board to prepare, and to update at least once every 5 years, a statewide strategy to reduce emissions of toxic air contaminants and criteria air pollutants in communities affected by a high cumulative exposure burden. Current law requires the state board to include in the statewide strategy, among other components, an assessment and identification of communities with high cumulative exposure burdens for toxic air contaminants and

criteria air pollutants, prioritizing disadvantaged communities and sensitive receptor locations based on specified factors. This bill would require the state board to additionally identify in each statewide strategy update measures to reduce criteria air pollutants and toxic air contaminants. The bill would authorize an air district that is required to adopt a community emissions reduction program to take up to one additional year to adopt the program, if the state board and a majority of the persons who are designated by the district to participate in the development and adoption of the program agree. The bill would require an air district that is required to adopt a community emissions reduction program to additionally include in its annual report a summary of updates to the program made to ensure consistency with updates to the statewide strategy. The bill would require an air district with a population of 1,000,000 persons or more that issues permits to stationary sources of criteria air pollutants or toxic air contaminants to make available in an easily identifiable location on the air district's internet website all permits issued by the air district for those stationary sources.

Position
Watch

AB 1817 (Ting D) Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Current Text: Chaptered: 9/29/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Assembly Floor Analysis](#) (text 8/24/2022)

Last Amend: 8/24/2022

Status: 9/29/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 762, Statutes of 2022.

Location: 9/29/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would prohibit, beginning January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in the state any new, not previously owned, textile articles that contain regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS, except as specified, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in textile articles to comply with these provisions. The bill would require a manufacturer of a textile article to provide persons that offer the product for sale or distribution in the state with a certificate of compliance stating that the textile article is in compliance with these provisions and does not contain any regulated PFAS.

Position
Support

AB 1851 (Rivas, Robert D) Public works: prevailing wage: hauling.

Current Text: Chaptered: 9/29/2022 [html](#) [pdf](#)

Current Analysis: 08/29/2022 [Assembly Floor Analysis](#) (text 8/22/2022)

Last Amend: 8/22/2022

Status: 9/29/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 764, Statutes of 2022.

Location: 9/29/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law includes in the definition of "public works" under certain circumstances the hauling of refuse from a public works site to an outside disposal location. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would expand the definition of "public works" for those purposes to include the on-hauling of materials used for paving, grading, and fill onto a public works site if the individual driver's work is integrated into the flow process of construction.

Position
Watch

AB 1857 (Garcia, Cristina D) Solid waste.

Current Text: Chaptered: 9/16/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Assembly Floor Analysis](#) (text 8/23/2022)

Last Amend: 8/23/2022

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 342, Statutes of 2022.

Location: 9/16/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Integrated Waste Management Act of 1989 requires a city, county, or city and county, or regional agency formed under the act, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The act requires those jurisdictions to divert 50% of the solid waste subject to the element, except as specified, through source reduction, recycling, and composting activities. The act allows the 50% diversion requirement to include not more than 10% through transformation, as defined, if specified conditions are met. This bill would repeal the provision authorizing the inclusion of not more than 10% of the diversion through transformation. Because the bill would require local agencies to revise the source reduction and recycling elements of their integrated waste management plans, this bill would impose a state-mandated local program.

Position

Watch

AB 1985 (Rivas, Robert D) Organic waste: recovered organic waste product procurement targets.

Current Text: Chaptered: 9/16/2022 [html](#) [pdf](#)

Current Analysis: 08/23/2022 [Assembly Floor Analysis \(text 8/1/2022\)](#)

Last Amend: 8/1/2022

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 344, Statutes of 2022.

Location: 9/16/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Current law requires the methane emissions reduction goals to include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals that include, among other things, requirements intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025 and that may include penalties to be imposed by the department for noncompliance, as provided. The department's regulations provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction. This bill would require any penalties imposed by the department on a local jurisdiction that fails to meet its recovered organic waste procurement target to be imposed pursuant to a specified schedule based on the percentage of the local jurisdiction's recovered organic waste product procurement target achieved. The bill would exempt jurisdictions in possession of a specified rural exemption from these requirements until December 31, 2026.

Position

Support, if amended, work with author

AB 2106 (Rivas, Robert D) Water quality: permits.

Current Text: Vetoed: 9/28/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Assembly Floor Analysis \(text 8/24/2022\)](#)

Last Amend: 8/24/2022

Status: 9/28/2022-Vetoed by Governor.

Location: 9/28/2022-A. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, on or before December 31, 2025, the State Water Resources Control Board to update its stormwater data collection systems and software through specified actions.

Position

Watch

AB 2108 (Rivas, Robert D) Water policy: environmental justice: disadvantaged and tribal communities.

Current Text: Chaptered: 9/16/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Assembly Floor Analysis \(text 8/25/2022\)](#)

Last Amend: 8/25/2022

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 347, Statutes of 2022.

Location: 9/16/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires the State Water Resources Control Board to formulate and adopt state policy for water quality control. Current law requires the regional boards to prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge, except discharges into a community sewer system, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. Current law also authorizes the state board or a regional board to waive these requirements as to a specific discharge or type of discharge if the state board or a regional board determines, after any necessary state board or regional board meeting, that the waiver is consistent with any applicable state or regional water quality control plan and is in the public interest. This bill would, among other things, specify that the state board and each regional board need to begin outreach to identify issues of environmental justice as early as possible in planning, policy, and permitting processes. The bill would require the state board and each regional board to engage in equitable, culturally relevant community outreach to promote meaningful civic engagement from potentially impacted communities of proposed discharges of waste that may have disproportionate impacts on water quality in disadvantaged communities or tribal communities and ensure that outreach and engagement shall continue throughout the waste discharge planning, policy, and permitting processes.

Position

Neutral, As
Amended

AB 2173 (Petrie-Norris D) Public contracts: payment.

Current Text: Chaptered: 7/19/2022 [html](#) [pdf](#)

Current Analysis: 06/17/2022 [Senate Floor Analyses](#) (text 2/15/2022)

Status: 7/19/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 121, Statutes of 2022.

Location: 7/19/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law, until January 1, 2023, authorizes the retention proceeds withheld from any payment by an awarding entity, as described, from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor, to exceed 5% on specific projects where the director of the applicable department, as specified, has made, or the governing body of the public entity or designated official of the public entity has approved, a finding prior to the bid that the project is substantially complex and requires a higher retention and the department or public entity includes both this finding and the actual retention amount in the bid documents. This bill would make these provisions operative indefinitely.

Position

Watch

AB 2179 (Grayson D) COVID-19 relief: tenancy.

Current Text: Enrollment: 3/31/2022 [html](#) [pdf](#)

Current Analysis: 03/30/2022 [Senate Floor Analyses](#) (text 3/28/2022)

Last Amend: 3/28/2022

Status: 3/31/2022-Chaptered by Secretary of State - Chapter 13, Statutes of 2022.

Location: 3/31/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The COVID-19 Tenant Relief Act, until October 1, 2025, establishes procedural requirements and limitations on evictions for nonpayment of rent due to COVID-19 rental debt, as defined. The act, among other things, requires that a notice that demands payment of COVID-19 rental debt served pursuant to specified law be modified, as provided. The act requires that a notice that demands payment of rent that came due during the transition time period, as defined, comply with certain requirements, including that the notice include certain text which varies depending on the date that the notice is served. This bill would require notices described above that are served on or after April 1, 2022, and before July 1, 2022, to include certain text.

Position

Watch

AB 2247 (Bloom D) Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible data collection interface.

Current Text: Vetoed: 9/29/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Assembly Floor Analysis](#) (text 8/25/2022)

Last Amend: 8/25/2022

Status: 9/29/2022-Vetoed by Governor.

Location: 9/29/2022-A. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, as part of the hazardous waste control laws, the department to contract with an existing multistate chemical data collection entity that is used by other states and jurisdictions to implement, by January 1, 2026, a publicly accessible data collection interface to collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS. The bill would require, on or before July 1, 2026, and annually thereafter, a manufacturer, as defined, of PFAS or a product or a product component containing intentionally added PFAS that, during the prior calendar year, is sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state to register the PFAS or the product or product component containing intentionally added PFAS, and specified other information, on the publicly accessible data collection interface. The bill would specify that the above requirements do not apply to certain products regulated by the United States Food and Drug Administration or products intended for certain animal uses that are regulated under certain federal laws.

Position

Support/Co-Sponsor

[AB 2278](#) (Kalra D) Natural resources: biodiversity and conservation report.

Current Text: Chaptered: 9/16/2022 [html](#) [pdf](#)

Current Analysis: 08/24/2022 [Assembly Floor Analysis](#) (text 8/11/2022)

Last Amend: 8/11/2022

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 349, Statutes of 2022.

Location: 9/16/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: By Executive Order No. N-82-20, Governor Gavin Newsom directed the Natural Resources Agency to combat the biodiversity and climate crises by, among other things, establishing the California Biodiversity Collaborative and conserving at least 30% of the state's lands and coastal waters by 2030. This bill would require the Natural Resources Agency, in implementing actions to achieve the goal to conserve at least 30% of the state's lands and coastal waters by 2030 established by the executive order, to prioritize specified actions. The bill would require the Secretary of the Natural Resources Agency to prepare and submit, beginning on or before March 31, 2024, an annual report to the Legislature on the progress made during the prior calendar year toward achieving that goal, as provided.

Position

Watch

[AB 2374](#) (Bauer-Kahan D) Crimes against public health and safety: illegal dumping.

Current Text: Chaptered: 9/29/2022 [html](#) [pdf](#)

Current Analysis: 06/28/2022 [Senate Floor Analyses](#) (text 4/7/2022)

Last Amend: 4/7/2022

Status: 9/29/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 784, Statutes of 2022.

Location: 9/29/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would increase the maximum fine for the dumping of commercial quantities of waste by a business that employs more than 10 employees from \$3,000 to \$5,000 for the first conviction, from \$6,000 to \$10,000 for the second conviction, and from \$10,000 to \$20,000 for the third and any subsequent convictions. The bill would require a court, when imposing a fine, to consider the defendant's ability to pay, as specified.

Position

Support

[AB 2449](#) (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Chaptered: 9/13/2022 [html](#) [pdf](#)

Current Analysis: 08/24/2022 [Assembly Floor Analysis](#) (text 8/8/2022)

Last Amend: 8/8/2022

Status: 9/13/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 285, Statutes of 2022.

Location: 9/13/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

Position

Support

AB 2536 (Grayson D) Development fees: impact fee nexus studies: connection fees and capacity charges.

Current Text: Chaptered: 7/19/2022 [html](#) [pdf](#)

Current Analysis: 06/24/2022 [Senate Floor Analyses](#) (text 4/26/2022)

Last Amend: 4/26/2022

Status: 7/19/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 128, Statutes of 2022.

Location: 7/19/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Mitigation Fee Act requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. Current law requires a local agency that conducts an impact fee nexus study to follow certain standards and practices, as specified. Current law also requires a local agency to hold at least one open and public meeting prior to levying a new fee or service charge, as specified. This bill would require a local agency, prior to levying a new fee or capacity charge or approving an increase in an existing fee or capacity charge, to evaluate the amount of the fee or capacity charge. The bill would require the evaluation to include evidence to support that the fee or capacity charge does not exceed the estimated reasonable cost of providing service, as specified.

Position

Watch

AB 2647 (Levine D) Local government: open meetings.

Current Text: Chaptered: 9/30/2022 [html](#) [pdf](#)

Current Analysis: 08/19/2022 [Assembly Floor Analysis](#) (text 8/4/2022)

Last Amend: 8/4/2022

Status: 9/30/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 971, Statutes of 2022.

Location: 9/30/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

Position

Support

AB 2771 (Friedman D) Cosmetic products: safety.**Current Text:** Chaptered: 9/29/2022 [html](#) [pdf](#)**Current Analysis:** 08/22/2022 [Assembly Floor Analysis \(text 6/13/2022\)](#)**Last Amend:** 6/13/2022**Status:** 9/29/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 804, Statutes of 2022.**Location:** 9/29/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would prohibit, beginning January 1, 2025, a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances PFAS, as defined.

Position

Support

AB 2887 (Garcia, Eduardo D) Public resources: Sales and Use Tax Law: exclusions.**Current Text:** Chaptered: 9/6/2022 [html](#) [pdf](#)**Current Analysis:** 08/13/2022 [Senate Floor Analyses \(text 5/9/2022\)](#)**Last Amend:** 5/9/2022**Status:** 9/6/2022-Approved by the Governor. Chaptered by Secretary of State - Chapter 248, Statutes of 2022.**Location:** 9/6/2022-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, the Sales and Use Tax Law, imposes taxes on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The California Alternative Energy and Advanced Transportation Financing Authority Act establishes the California Alternative Energy and Advanced Transportation Financing Authority. The act authorizes, until January 1, 2026, the authority to provide financial assistance to a participating party in the form of specified sales and use tax exclusions for projects, including those that promote California-based manufacturing, California-based jobs, advanced manufacturing, reduction of greenhouse gases, or reduction in air and water pollution or energy consumption. The act prohibits the sales and use tax exclusions from exceeding \$100,000,000 for each calendar year. This bill would, until January 1, 2026, increase the limit on sales and use tax exclusions to \$150,000,000 for each calendar year. This bill contains other related provisions and other existing laws.

PositionRefer to ACE
Committee**SB 45 (Portantino D) Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.****Current Text:** Chaptered: 9/19/2022 [html](#) [pdf](#)**Current Analysis:** 08/29/2022 [Senate Floor Analyses \(text 8/15/2022\)](#)**Last Amend:** 8/15/2022**Status:** 9/19/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 445, Statutes of 2022.**Location:** 9/19/2022-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic waste reduction goals established by the state board for 2020 and 2025, as provided. Current law requires the department, no later than July 1, 2020, and in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving these organic waste reduction goals. Current law authorizes the department, if it determines that significant progress has not been made toward achieving the organic waste reduction goals established by the state board, to include incentives or additional requirements in its regulations to facilitate progress towards achieving the goals. This bill would require the department, in consultation with the state board, to assist local jurisdictions in complying with these provisions, including any regulations adopted by the department.

PositionSupport, if
amended

[SB 222](#)**(Dodd D) Water Rate Assistance Program.****Current Text:** Vetoed: 9/28/2022 [html](#) [pdf](#)**Current Analysis:** 08/29/2022 [Senate Floor Analyses](#) (text 8/24/2022)**Last Amend:** 8/24/2022**Status:** 9/28/2022-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.**Location:** 9/28/2022-S. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill would establish the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income residential ratepayers. The bill would make moneys in the fund available upon appropriation by the Legislature to the state board to provide, in consultation with relevant agencies, direct water bill assistance to low-income residential ratepayers served by eligible systems, as defined, and would require 80% of total expenditures from the fund to be directly applied to residential ratepayer accounts.

Position

Work w/Author

[SB 867](#)**(Laird D) Sea level rise: planning and adaptation.****Current Text:** Vetoed: 9/29/2022 [html](#) [pdf](#)**Current Analysis:** 08/24/2022 [Senate Floor Analyses](#) (text 8/15/2022)**Last Amend:** 8/15/2022**Status:** 9/29/2022-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.**Location:** 9/29/2022-S. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law creates within the Ocean Protection Council the California Sea Level Rise State and Regional Support Collaborative to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment, planning, and, where feasible, the mitigation of the adverse environmental, social, and economic effects of sea level rise within the coastal zone, as provided. This bill would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program, as defined, to the California Coastal Commission or submitting, and receiving approval for, a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2033. By imposing additional requirements on local governments, the bill would impose a state-mandated local program.

Position

Watch

[SB 938](#)**(Hertzberg D) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.****Current Text:** Chaptered: 7/1/2022 [html](#) [pdf](#)**Current Analysis:** 06/17/2022 [Senate Floor Analyses](#) (text 6/9/2022)**Last Amend:** 6/9/2022**Status:** 7/1/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 89, Statutes of 2022.**Location:** 7/1/2022-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under existing law, in each county there is a local agency formation commission (commission) that oversees these changes of organization and reorganization. Current law authorizes a commission to dissolve an inactive district if specified conditions are satisfied. This bill would also authorize a commission to initiate a proposal for the dissolution of a district, as described, if the commission approves, adopts, or accepts a specified study that includes a finding, based on a preponderance of the evidence, that, among other things, the district has one or more documented chronic service provision deficiencies, the district spent public

funds in an unlawful or reckless manner, or the district has shown willful neglect by failing to consistently adhere to the California Public Records Act. The bill would require the commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the stated deficiencies.

Position

Watch

SB 972 **(Gonzalez D) California Retail Food Code.**

Current Text: Chaptered: 9/23/2022 [html](#) [pdf](#)

Current Analysis: 08/24/2022 [Senate Floor Analyses](#) (text 8/18/2022)

Last Amend: 8/18/2022

Status: 9/23/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 489, Statutes of 2022.

Location: 9/23/2022-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would authorize a cottage food operation or microenterprise home kitchen operation to serve as a commissary or mobile support unit for up to 2 compact mobile food operations if the cottage food operation or microenterprise home kitchen operation permit includes an endorsement from the local enforcement agency that the cottage food operation or microenterprise home kitchen operation is capable of supporting the preparation and storage of the food being sold from the compact mobile food operation and the storage and cleaning of the compact mobile food operation. The bill would authorize nonpotentially hazardous foods prepared in a cottage food operation to be served from a compact mobile food operation. The bill would define "compact mobile food operation" as a mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance. The bill would require compact food operations to conduct only limited food preparation.

Position

Work w/Author

SB 991 **(Newman D) Public contracts: progressive design-build: local agencies.**

Current Text: Chaptered: 9/2/2022 [html](#) [pdf](#)

Current Analysis: 08/15/2022 [Senate Floor Analyses](#) (text 8/11/2022)

Last Amend: 8/11/2022

Status: 9/2/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 243, Statutes of 2022.

Location: 9/2/2022-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes the Director of General Services to use the progressive design-build procurement process for the construction of up to 3 capital outlay projects, as jointly determined by the Department of General Services and the Department of Finance, and prescribes that process. Current law defines "progressive design-build" as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. Current law, pursuant to the process, after selection of a design-build entity, authorizes the Department of General Services to contract for design and preconstruction services sufficient to establish a guaranteed maximum price, as defined. Current law authorizes the department, upon agreement on a guaranteed maximum price, to amend the contract in its sole discretion, as specified. Current law requires specified information to be verified under penalty of perjury. This bill, until January 1, 2029, would authorize local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project, similar to the progressive design-build process authorized for use by the Director of General Services.

Position

Support

SB 1075 **(Skinner D) Hydrogen: green hydrogen: emissions of greenhouse gases.**

Current Text: Chaptered: 9/16/2022 [html](#) [pdf](#)

Current Analysis: 08/30/2022 [Senate Floor Analyses](#) (text 8/23/2022)

Last Amend: 8/23/2022

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 363, Statutes of 2022.

Location: 9/16/2022-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The State Air Resources Board is required to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. This bill would require the state board, in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission) and Public Utilities Commission (PUC), to prepare an evaluation posted to the state board's internet website by June 1, 2024, that includes specified information relative to the deployment, development, and use of hydrogen. The bill would require the state board, in making this evaluation, to consult with the California Workforce Development Board and labor and workforce organizations.

Position

Refer to ACE
Committee

SB 1078 (Allen D) Sea Level Rise Revolving Loan Pilot Program.

Current Text: Vetoed: 9/29/2022 [html](#) [pdf](#)

Current Analysis: 08/31/2022 [Senate Floor Analyses](#) (text 8/23/2022)

Last Amend: 8/23/2022

Status: 9/29/2022-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

Location: 9/29/2022-S. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Would require the Ocean Protection Council, in consultation with the State Coastal Conservancy, to develop the Sea Level Rise Revolving Loan Pilot Program, within 12 months of receiving specified requests from local jurisdictions to do so, for purposes of providing low-interest loans to local jurisdictions, as defined, for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property, as defined, located in specified communities, including low-income communities, as provided. The bill would require the council in consultation with other state planning and coastal management agencies, as provided, to adopt guidelines and eligibility criteria for the program. The bill would authorize specified local jurisdictions to apply for, and be awarded, a low-interest loan under the program from the conservancy, in consultation with the council, if the local jurisdiction develops and submits to the conservancy a vulnerable coastal property plan and completes all other requirements imposed by the council. The bill would require the conservancy, in consultation with the council, to review the plans to determine whether they meet the required criteria and guidelines for vulnerable coastal properties to be eligible for participation in the program.

Position

Seek Info

SB 1109 (Caballero D) California Renewables Portfolio Standard Program: bioenergy projects.

Current Text: Chaptered: 9/16/2022 [html](#) [pdf](#)

Current Analysis: 08/29/2022 [Senate Floor Analyses](#) (text 8/24/2022)

Last Amend: 8/24/2022

Status: 9/16/2022-Approved by the Governor. Chaptered by Secretary of State. Chapter 364, Statutes of 2022.

Location: 9/16/2022-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law requires electrical corporations, by December 1, 2016, to collectively procure, through financial commitments of 5 years, their proportionate share of 125 megawatts of cumulative rated generating capacity from bioenergy projects commencing operation before June 1, 2013, and requires a local publicly owned electric utility serving more than 100,000 customers to procure its proportionate share of 125 megawatts of cumulative rated generating capacity from bioenergy projects subject to terms of at least 5 years. This bill would extend to December 31, 2023, the electrical corporations' obligation to collectively procure their proportionate share of 125 megawatts of cumulative rated generating capacity from existing bioenergy projects commencing operation before June 1, 2013, through financial commitments of 5 to 15 years, inclusive. The bill would exempt from these requirements a local publicly owned electric utility that previously entered into a 5-year financial commitment under existing law under certain conditions. The bill would require any incremental procurement of electricity products from bioenergy resources by a new contract or contract extension of 5 years or longer in duration to be from a resource that meets emission limits equivalent to, or more stringent than, the applicable best available retrofit control technology, as specified.

Position

Seek Info

SB 1157 (Hertzberg D) Urban water use objectives.

Current Text: Chaptered: 9/28/2022 [html](#) [pdf](#)

Current Analysis: 08/31/2022 [Senate Floor Analyses](#) (text 8/25/2022)

Last Amend: 8/25/2022

Status: 9/28/2022-Signed by the Governor

Location: 9/28/2022-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Current law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. Current law requires the board, in coordination with the department, to adopt by regulation variances recommended by the department and guidelines and methodologies pertaining to the calculation of an urban retail water supplier's urban water use objective recommended by the department. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use. The bill would instead require that from January 1, 2025, to January 1, 2030, the standard for indoor residential water use be 47 gallons per capita daily and beginning January 1, 2030, the standard be 42 gallons per capita daily.

Position

Neutral, As
Amended

Total Measures: 29

Total Tracking Forms: 29

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Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
182319	11/3/2022	143	800551.1	INSITUFORM TECHNOLOGIES, LLC	IRVINGTON BASIN RCP REHABILITATION		
						\$1,347,294.51	\$1,347,294.51
182304	11/3/2022	143	800452.5	CLARK CONSTRUCTION GROUP CA LP	STANDBY POWER SYSTEM UPGRADE		
						\$321,637.48	\$321,637.48
182508	11/23/2022	143	800452.7	CLARK CONSTRUCTION GROUP CA LP	STANDBY POWER SYSTEM UPGRADE		
						\$295,061.72	\$295,061.72
182316	11/3/2022	114	201180112	HAZEN AND SAWYER	CAMPUS BUILDINGS (ADMIN, FMC, OPS)		
						\$103,107.57	\$273,620.77
	11/3/2022	114	201180107		MP - AERATION BASIN MODIFICATIONS		
						\$90,492.12	
	11/3/2022	114	2011800233		MP - AERATION BASIN MODIFICATIONS		
						\$6,701.63	
	11/3/2022	114	2011800420		ETSU PHASE 1B PROJECT		
						\$73,319.45	
182604	12/1/2022	143	800516.4	POWER ENGINEERING CONSTRUCTION	FORCE MAIN CORROSION REPAIRS PROJECT PHASE 3		
						\$266,234.49	\$266,234.49
182344	11/3/2022	143	188783	PSOMAS CORP	STANDBY POWER SYSTEM UPGRADE		
						\$70,706.00	\$252,052.91
	11/3/2022	114	188880		AERATION BASIN MODIFICATIONS		
						\$181,346.91	
182509	11/23/2022	143	800452.6	CLARK CONSTRUCTION GROUP CA LP	STANDBY POWER SYSTEM UPGRADE		
						\$239,841.62	\$239,841.62
182306	11/3/2022	170	683	DAVIDSON ENTERPRISES INC	1 WATER TRUCK		
						\$160,683.85	\$160,683.85
182341	11/3/2022	143	800516.3	POWER ENGINEERING CONSTRUCTION	FORCE MAIN CORROSION REPAIRS PROJECT PHASE 3		
						\$121,360.76	\$121,360.76
182480	11/17/2022	143	22346601.5	QUINCY ENGINEERING INC	FORCE MAIN CORROSION REPAIRS PROJECT PHASE 3 & IRVINGTC		
						\$113,550.64	\$113,550.64
182407	11/10/2022	170	761520221031	PACIFIC GAS AND ELECTRIC	SERV TO 10/24/22 NEWARK PS		
						\$19,146.18	\$112,472.58
	11/10/2022	110	170120221031		SERV TO 10/19/2022 PLANT		
						\$93,326.40	
182478	11/17/2022	110	1684376	POLYDYNE INC	45,960 LBS CLARIFLOC C-6267		
						\$92,196.44	\$101,367.73
	11/17/2022	110	1686916		42,100 LBS CLARIFLOC WE-539		
						\$9,171.29	

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182621	12/1/2022	110	33543	SYNAGRO WEST LLC	SEP 2022 BIOSOLIDS DISPOSAL		
						\$93,437.93	\$93,437.93
182628	12/1/2022	110	470008508	USP TECHNOLOGIES	4312 GALS HYDROGEN PEROXIDE		
						\$19,856.76	\$78,367.89
	12/1/2022	110	470008505		1404 GALS HYDROGEN PEROXIDE		
						\$6,465.42	
	12/1/2022	110	470008507		4280 GALS HYDROGEN PEROXIDE		
						\$19,709.40	
	12/1/2022	110	470008504		4310 GALS HYDROGEN PEROXIDE		
						\$19,847.55	
	12/1/2022	110	470008506		2712 GALS HYDROGEN PEROXIDE		
						\$12,488.76	
182607	12/1/2022	143	189749	PSOMAS CORP	STANDBY POWER SYSTEM UPGRADE		
						\$62,696.86	\$62,696.86
182322	11/3/2022	143	800501.24	KIEWIT INFRASTRUCTURE WEST CO	ALVARADO INFLUENT PS PUMPS AND VFDS		
						\$59,850.00	\$59,850.00
182377	11/10/2022	143	11460060	BROWN & CALDWELL CONSULTANTS	STANDBY POWER SYSTEM UPGRADE		
						\$6,004.96	\$58,305.16
	11/10/2022	143	11460061		STANDBY POWER SYSTEM UPGRADE		
						\$52,300.20	
182490	11/17/2022		533620221024	US BANK CORP PAYMENT SYSTEM	MONTHLY CAL-CARD REPORT - OCTOBER 2022		
						\$45,985.78	\$45,985.78
182420	11/10/2022	173	17723	SYSTEMATES INC	15 PROJECTMATES ADDITIONAL LICENSES AND ANNUAL REVIEW &		
						\$41,275.00	\$41,275.00
182327	11/3/2022	171	486505	LUBRICATION ENGINEERS INC	GAS ENGINE OIL		
						\$30,207.15	\$40,629.55
	11/3/2022		486718		4 DR OIL		
						\$10,090.22	
	11/3/2022		486717		3 DR OIL		
						\$8,843.26	
	11/3/2022	170	22188CR		CREDIT: INVS 478540, 483997,481703,481704,476320		
						\$-8,511.08	
182631	12/1/2022	143	800524.7	WESTERN WATER	CENTRIFUGE BUILDING IMPROVEMENTS		
						\$37,185.70	\$37,185.70
182454	11/17/2022	173	17001100047632	GE DIGITAL LLC	ANNUAL SCADA SOFTWARE SUPPORT		
						\$32,279.18	\$32,279.18

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182626	12/1/2022	110	50697278	UNIVAR SOLUTIONS USA INC	4801.7 GALS SODIUM HYPOCHLORITE		\$30,938.37
	12/1/2022	110	50697279		4896.2 GALS SODIUM HYPOCHLORITE	\$7,616.30	
	12/1/2022	110	50694281		4903.4 GALS SODIUM HYPOCHLORITE	\$7,766.20	
	12/1/2022	110	50704362		4903.8 GALS SODIUM HYPOCHLORITE	\$7,777.62	
						\$7,778.25	
182361	11/3/2022	110	50624633	UNIVAR SOLUTIONS USA INC	4903.4 GALS SODIUM HYPOCHLORITE		\$30,780.39
	11/3/2022	110	50631850		4899.2 GALS SODIUM HYPOCHLORITE	\$7,777.62	
	11/3/2022	110	50624634		4801.3 GALS SODIUM HYPOCHLORITE	\$7,770.96	
	11/3/2022	110	50638603		4801.6 GALS SODIUM HYPOCHLORITE	\$7,615.67	
						\$7,616.14	
182491	11/17/2022		7497	WILLIAM LYON HOMES	REFUND # 50924	\$28,670.00	\$28,670.00
182448	11/17/2022	173	10621384600	DELL MARKETING LP C/O DELL USA	FY23 Q2 LAPTOPS	\$27,205.36	\$27,205.36
182584	12/1/2022	143	326244	CITY OF FREMONT	PERMIT: IRVINGTON BASIN RCP REHABILITATION	\$23,531.26	\$23,531.26
182550	11/23/2022	110	50678322	UNIVAR SOLUTIONS USA INC	4901.9 GALS SODIUM HYPOCHLORITE		\$23,333.96
	11/23/2022	110	50687420		4802.1 GALS SODIUM HYPOCHLORITE	\$7,775.24	
	11/23/2022	110	50678323		5006.9 GALS SODIUM HYPOCHLORITE	\$7,616.94	
						\$7,941.78	
182423	11/10/2022	110	50649442	UNIVAR SOLUTIONS USA INC	4802.7 GALS SODIUM HYPOCHLORITE		\$23,152.67
	11/10/2022	110	50652987		4895.3 GALS SODIUM HYPOCHLORITE	\$7,617.89	
	11/10/2022	110	50645892		4898.6 GALS SODIUM HYPOCHLORITE	\$7,764.77	
						\$7,770.01	
182512	11/23/2022	143	800503.6	CORRPRO COMPANIES INC	CATHODIC PROTECTION IMPROVEMENTS - PLANT	\$22,514.32	\$22,514.32
182536	11/23/2022	150	74833	NACWA	FY2023 MEMBERSHIP DUES 10/1/22 - 9/30/23	\$21,970.00	\$21,970.00

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182506	11/23/2022	150	6692	CASA	ANNUAL MEMBERSHIP RENEWAL 1/1/23 - 12/31/23	\$21,500.00	\$21,500.00
182569	12/1/2022	143	29156	CAROLLO ENGINEERS	SODIUM HYPOCHLORITE LOOP IMPROVEMENTS	\$21,232.95	\$21,232.95
182527	11/23/2022	110	9017771896	KEMIRA WATER SOLUTIONS INC	44,400 LBS FERROUS CHLORIDE	\$6,423.24	\$19,888.70
	11/23/2022	110	9017770699		46,740 LBS FERROUS CHLORIDE	\$6,818.98	
	11/23/2022	110	9017771467		46,040 LBS FERROUS CHLORIDE	\$6,646.48	
182460	11/17/2022	150	2011800810	HAZEN AND SAWYER	INTERIM CIP COACH SERVICES - SEP 22	\$17,640.00	\$17,640.00
182503	11/23/2022	150	291348	BURKE, WILLIAMS & SORENSON LLP	CLAIMS - SEP 2022	\$7,495.90	\$16,581.34
	11/23/2022	150	292628		GENERAL LEGAL - SEP 2022	\$6,988.80	
	11/23/2022	150	292258		FORCE MAIN RELOCATION - SEP 2022	\$299.52	
	11/23/2022	150	292629		ETSU - SEP 2022	\$1,797.12	
182576	12/1/2022	150	9000030	EAST BAY MUNI UTILITY DISTRICT	FY23 BACWA MEMBERSHIP AND SPECIAL PROGRAMS FEES	\$16,500.00	\$16,500.00
182374	11/10/2022		B0753T	BENEFIT COORDINATORS CORP	DELTA DENTAL CLAIMS - OCT 2022	\$12,157.82	\$15,790.12
	11/10/2022		B073M9		DELTA DENTAL AND VSP STMT - NOV 2022	\$3,632.30	
182300	11/3/2022	143	1381696	BLACK & VEATCH CORPORATION	ENERGY RESILIENCY STUDY	\$15,746.47	\$15,746.47
182488	11/17/2022	110	50666068	UNIVAR SOLUTIONS USA INC	4903.5 GALS SODIUM HYPOCHLORITE	\$7,777.77	\$15,544.29
	11/17/2022	110	50666067		4896.4 GALS SODIUM HYPOCHLORITE	\$7,766.52	
182557	12/1/2022	110	4071037120221118	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 11/17/22-BENSON ROAD	\$1,122.32	\$14,543.73
	12/1/2022	110	4071036120221118		SERV TO: 11/17/22-BENSON ROAD	\$13,421.41	

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182594	12/1/2022	110	9017772407	KEMIRA WATER SOLUTIONS INC	46,860 LBS FERROUS CHLORIDE		
	12/1/2022	110	9017772981		46,280 LBS FERROUS CHLORIDE	\$6,758.10	\$13,942.38
						\$7,184.28	
182395	11/10/2022	150	201180089	HAZEN AND SAWYER	INTERIM CIP COACH SERVICES - AUG 22		
						\$13,500.00	\$13,500.00
182449	11/17/2022	110	1423888	DEPARTMENT OF GENERAL SERVICES	SERV: SEP 2022 PLANT		
						\$13,198.66	\$13,198.66
182481	11/17/2022	171	31694	RAMOS OIL COMPANY INC	1100 GALS COOLANT		
						\$11,949.28	\$11,949.28
182326	11/3/2022	173	26337	LOOKINGPOINT INC	PUMP STATION BU COMM REFRESH		
						\$11,870.00	\$11,870.00
182302	11/3/2022	143	28837	CAROLLO ENGINEERS	CHERRY ST. PS		
	11/3/2022	143	28831		ALVARADO INFLUENT PS PUMPS AND VFDS	\$2,222.00	\$11,271.14
						\$9,049.14	
182310	11/3/2022	136	27613	FIELDMAN ROLAPP & ASSOCIATES	FINANCIAL ADVISORY SERVICES		
						\$11,269.00	\$11,269.00
182396	11/10/2022	143	2011800710	HAZEN AND SAWYER	PUMP STATION ASSET CONDITION ASSESSMENT		
	11/10/2022	143	201180099		HEADWORKS DEGRITTING STUDY	\$6,370.00	\$10,250.00
						\$3,880.00	
182365	11/3/2022	171	4403798	WESTERN ENERGY SYSTEMS	ASTD COGEN PARTS		
						\$9,673.26	\$9,673.26
182450	11/17/2022	171	504861	EXPONENT INC	COGEN GENERATOR FAILURE ANALYSIS		
						\$9,337.00	\$9,337.00
182400	11/10/2022		374322221101	LINCOLN NATIONAL LIFE INS COMP	LIFE & DISABILITY INSURANCE - NOV 2022		
						\$9,238.15	\$9,238.15
182340	11/3/2022	110	1682714	POLYDYNE INC	42,220 LBS CLARIFLOC WE-539		
						\$9,197.42	\$9,197.42
182513	11/23/2022	150	20221001	CSDA CAL SPECIAL DIST ASSOC	2023 MEMBERSHIP RENEWAL		
						\$8,810.00	\$8,810.00
182570	12/1/2022	173	80429	CDW GOVERNMENT LLC	STANDBY BLDG SWITCHES		
						\$8,305.21	\$8,305.21
182444	11/17/2022	173	96000	CDW GOVERNMENT LLC	1 WAREHOUSE SCANNER		
	11/17/2022	173	55706		3 PRINTERS	\$557.30	\$8,188.73
						\$7,631.43	

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182564	12/1/2022	114	4NB39	BAY AREA AIR QUALITY MGMT DIST	FEE: ETSU PHASE 1B PROJECT		
						\$7,788.00	\$7,788.00
182291	11/3/2022		20220831	AFLAC GROUP	GROUP INSURANCE - AUG 2022		
						\$2,051.75	\$7,743.99
	11/3/2022		20220630		GROUP INSURANCE - JUN 2022		
						\$1,423.06	
	11/3/2022		20220531		GROUP INSURANCE - MAY 2022		
						\$1,423.06	
	11/3/2022		20220930		GROUP INSURANCE - SEP 2022		
						\$1,423.06	
	11/3/2022		20220731		GROUP INSURANCE - JUL 2022		
						\$1,423.06	
182321	11/3/2022	110	9017769534	KEMIRA WATER SOLUTIONS INC	46,620 LBS FERROUS CHLORIDE		
						\$7,275.62	\$7,275.62
182494	11/23/2022	170	4017275220221104	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 11/02/22 - FREMONT BLVD		
						\$978.94	\$7,160.55
	11/23/2022	170	4017420220221104		SERV TO: 11/02/22 - FREMONT BLVD		
						\$58.94	
	11/23/2022	170	4017274120221104		SERV TO: 11/02/22 - FREMONT BLVD		
						\$6,122.67	
182312	11/3/2022	143	325987	CITY OF FREMONT	PERMIT: IRVINGTON BASIN RCP REHABILITATION		
						\$7,106.75	\$7,106.75
182376	11/10/2022	121	283651	BRENNTAG PACIFIC INC	2552 LBS SODIUM HYDROXIDE		
						\$2,198.08	\$6,574.37
	11/10/2022	121	283652		5104 LBS SODIUM HYDROXIDE		
						\$4,376.29	
182290	11/3/2022	171	2000677060	AECOM TECHNICAL SERVICES INC	HAZMAT CONSULTING SERVICES		
						\$6,508.00	\$6,508.00
182464	11/17/2022	110	9017770103	KEMIRA WATER SOLUTIONS INC	45,640 LBS FERROUS CHLORIDE		
						\$6,484.12	\$6,484.12
182358	11/3/2022	143	222276	TANNER PACIFIC INC	ALVARADO INFLUENT PS PUMPS AND VFDS		
						\$6,325.00	\$6,325.00
182335	11/3/2022	173	28478	NEOGOV	CANDIDATE TEXT MESSAGING RENEWAL OCT 2022		
						\$5,903.62	\$5,903.62
182577	12/1/2022	173	1874	ETHOSOFT INC	X-LIMS ANNUAL MAINTENANCE 10/1/22 - 9/30/23		
						\$5,883.00	\$5,883.00
182426	11/10/2022	173	3832	VERTIGIS NORTH AMERICA LTD	GEOCORTEX SWM RENEWAL		
						\$5,737.00	\$5,737.00

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182461	11/17/2022	143	2011800612	HAZEN AND SAWYER	THERMAL DRYER FEASIBILITY STUDY		
						\$5,617.50	\$5,617.50
182540	11/23/2022		3949	PIER2 MARKETING LLC	DISTRICT BRANDING INITIATIVE		
						\$5,500.00	\$5,500.00
182380	11/10/2022		2347	CDW GOVERNMENT LLC	6 SWITCHES		
						\$5,276.86	\$5,276.86
182619	12/1/2022		13758.1	SILICON SAGE BUILDERS	REFUND # 51940		
						\$2,500.00	\$5,100.00
	12/1/2022		13758		REFUND # 51939		
						\$2,600.00	
182295	11/3/2022		16077	APGN INC	200 FILTERS		
						\$4,900.67	\$4,900.67
182477	11/17/2022	143	84424	POLY PROCESSING CO., LLC	FRP LADDER WITH CAGE FOR THE CALCIUM THIOSULFATE TANK		
						\$4,798.54	\$4,798.54
182451	11/17/2022	173	2019791	FARALLON GEOGRAPHICS INC	ARCHES SSC SOFTWARE SUPPORT		
						\$4,600.00	\$4,600.00
182541	11/23/2022		73636	R.D. KINCAIDE INC	8 PATCH KITS		
						\$4,545.18	\$4,545.18
182411	11/10/2022	120	916005090750	REPUBLIC SERVICES #916	RECYCLE & ROLL OFF - NOV 2022		
						\$4,437.54	\$4,437.54
182567	12/1/2022		285317	BURKE, WILLIAMS & SORENSON LLP	CIP - APR 2022		
						\$665.60	\$4,426.24
	12/1/2022		292263		CIP - SEP 2022		
						\$3,760.64	
182496	11/23/2022	170	46851	ALLIED FLUID PRODUCTS CORP	ASTD PARTS & MATERIALS		
						\$4,417.29	\$4,417.29
182528	11/23/2022	173	11986116	KRONOS INC	OPTIMUM ANNUAL SUPPORT		
						\$4,327.36	\$4,327.36
182339	11/3/2022	173	12580	PAGEFREEZER SOFTWARE INC	PAGEFREEZER RENEWAL		
						\$3,933.60	\$3,933.60
182457	11/17/2022	170	13304968	HACH COMPANY	1 LCD DISPLAY & 1 KEYPAD REPLACEMENT		
						\$484.31	\$3,926.81
	11/17/2022	170	13303663		3 PH PROBES		
						\$3,442.50	

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182544	11/23/2022	110	22102625	S&S TRUCKING	GRIT HAULING 10/24/2022		
						\$1,040.36	\$3,909.29
	11/23/2022	110	22102023		GRIT HAULING 10/14 & 10/19/2022		
						\$2,065.96	
	11/23/2022	110	22110328		GRIT HAULING 10/31/2022		
						\$802.97	
182363	11/3/2022		9918688890	VERIZON WIRELESS	WIRELESS SERV 09/21/22-10/20/22		
						\$737.96	\$3,797.80
	11/3/2022		9918688891		WIRELESS SERV 09/21/22-10/20/22		
						\$3,059.84	
182523	11/23/2022	170	9482476810	GRAINGER INC	ASTD PARTS & MATERIALS		
						\$273.77	\$3,759.45
	11/23/2022		9483330339		ASTD PARTS & MATERIALS		
						\$2,589.52	
	11/23/2022	111	9479260342		ASTD PARTS & MATERIALS		
						\$53.66	
	11/23/2022	122	9479260334		ASTD PARTS & MATERIALS		
						\$455.34	
	11/23/2022	170	9479079775		ASTD PARTS & MATERIALS		
						\$98.68	
	11/23/2022	122	9484877841		ASTD PARTS & MATERIALS		
						\$288.48	
182401	11/10/2022	173	26325	LOOKINGPOINT INC	CISCO SFP CABLES		
						\$3,679.76	\$3,679.76
182484	11/17/2022	170	1527	SHAPE INCORPORATED	2 THICKENER SUMP PUMP GRINDER		
						\$3,674.69	\$3,674.69

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182566	12/1/2022	144	17574850	BLAISDELL'S	ASTD OFFICE SUPPLIES		\$3,602.35
	12/1/2022	113	17564261		ASTD OFFICE SUPPLIES	\$20.66	
	12/1/2022	170	17579130		ASTD OFFICE SUPPLIES	\$680.39	
	12/1/2022	113	17564262		ASTD OFFICE SUPPLIES	\$69.09	
	12/1/2022	141	17569190		ASTD OFFICE SUPPLIES	\$99.62	
	12/1/2022	110	17571520		ASTD OFFICE SUPPLIES	\$9.36	
	12/1/2022	110	17576420		ASTD OFFICE SUPPLIES	\$476.40	
						\$2,246.83	
182359	11/3/2022		30080320	THE ADAM HILL COMPANY	6 LEADER HOSES	\$3,549.55	\$3,549.55
182486	11/17/2022	144	20567407	TELEDYNE ISCO INC	SAMPLING SUPPLIES	\$761.37	\$3,455.30
	11/17/2022		20566375		SAMPLING SUPPLIES	\$2,693.93	
182372	11/10/2022		18955614	AT&T	SERV: 09/20/22 - 10/19/22	\$24.20	\$3,429.47
	11/10/2022		18955616		SERV: 09/20/22 - 10/19/22	\$3,405.27	
						\$3,300.00	
182418	11/10/2022		9862	SMITH DEVELOPMENT & CONST	REFUND # 50920	\$3,300.00	\$3,300.00
182334	11/3/2022	123	174475	MUNICIPAL MAINT EQUIPMENT INC	1/2" POLYMER 4000 PSI RODDER HOSE	\$1,720.04	\$3,246.49
	11/3/2022		174521		1 HYDRAULIC ROTO CUTTER MOTOR	\$1,526.45	
182439	11/17/2022	121	285654	BRENNTAG PACIFIC INC	1276 LBS SODIUM HYDROXIDE	\$1,074.64	\$3,214.22
	11/17/2022	121	285655		2552 LBS SODIUM HYDROXIDE	\$2,139.58	

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182402	11/10/2022	113	2210892	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS		
						\$402.00	\$3,213.00
	11/10/2022	113	2210764		LAB SAMPLE ANALYSIS		
						\$178.00	
	11/10/2022	113	2210897		LAB SAMPLE ANALYSIS		
						\$510.00	
	11/10/2022	113	2210770		LAB SAMPLE ANALYSIS		
						\$37.00	
	11/10/2022	113	2210303		LAB SAMPLE ANALYSIS		
						\$308.00	
	11/10/2022	113	2210763		LAB SAMPLE ANALYSIS		
						\$1,778.00	
182500	11/23/2022	121	287385	BRENNTAG PACIFIC INC	3828 LBS SODIUM HYDROXIDE		
						\$3,209.37	\$3,209.37
182601	12/1/2022	173	10025835416	OPTIV SECURITY INC	KNOWBE4 RENEWAL		
						\$3,148.50	\$3,148.50
182347	11/3/2022	141	60678463	ROBERT HALF INTERNATIONAL INC	TEMP LABOR-PRASAD, J. WK ENDING 09/02/2022		
						\$1,580.02	\$3,141.56
	11/3/2022	141	60871836		TEMP LABOR-PRASAD, J. WK ENDING 10/07/2022		
						\$1,561.54	
182452	11/17/2022	170	20227681	G3 ENGINEERING INC	1 POLY MIX CHAMBER		
						\$3,128.52	\$3,128.52
182505	11/23/2022	132	1113806	CAREERS IN GOVERNMENT INC	ANNUAL MEMBERSHIP		
						\$3,100.00	\$3,100.00
182390	11/10/2022		10071	FORE PROPERTY COMPANY	REFUND # 50913		
						\$3,040.00	\$3,040.00
182591	12/1/2022	173	21005584	INFOR PUBLIC SECTOR, INC	HANSEN CONSULTING SERVICES		
						\$3,000.00	\$3,000.00
182456	11/17/2022	170	96876132	H & E EQUIPMENT SERVICES INC	EQUIPMENT RENTAL 10/05/2022 - 11/01/2022		
						\$2,956.30	\$2,956.30
182436	11/17/2022	122	27409	BAYSCAPE LANDSCAPE MANAGEMENT	LANDSCAPE MAINTENANCE SERVICES - OCT 2022		
						\$2,925.00	\$2,925.00

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182533	11/23/2022		88208953	MCMaster Supply Inc	ASTD PARTS & MATERIALS		
						\$133.26	\$2,865.86
	11/23/2022		88268816		ASTD PARTS & MATERIALS	\$81.08	
	11/23/2022		88342275		ASTD PARTS & MATERIALS	\$1,025.32	
	11/23/2022		88128985		ASTD PARTS & MATERIALS	\$801.70	
	11/23/2022	170	87502293		ASTD PARTS & MATERIALS	\$35.03	
	11/23/2022	170	87493463		ASTD PARTS & MATERIALS	\$34.71	
	11/23/2022		87585174		ASTD PARTS & MATERIALS	\$754.76	
182542	11/23/2022	141	60994330	ROBERT HALF INTERNATIONAL INC	TEMP LABOR-PRASAD, J. WK ENDING 10/28/2022	\$1,580.02	\$2,831.91
	11/23/2022	141	60952540		TEMP LABOR-PRASAD, J. WK ENDING 10/21/2022	\$1,251.89	
182592	12/1/2022	170	178716	KAMAN INDUSTRIAL TECHNOLOGIES	1 MOTOR	\$2,806.17	\$2,806.17
182445	11/17/2022	150	98272	CITYLEAF INC	PLANT MAINTENANCE - OCT 2022	\$361.65	\$2,698.54
	11/17/2022	150	20220930		CREDIT: PLANT MAINTENANCE - FEB 2021	\$-431.86	
	11/17/2022	150	98541		2022 HOLIDAY DECOR FOR DISTRICT LOBBY	\$2,768.75	
182405	11/10/2022	170	140028	NEW IMAGE LANDSCAPING CO	LANDSCAPE MAINTENANCE - FMC - OCT	\$2,555.59	\$2,555.59
182294	11/3/2022		20221010	AMAZON.COM LLC	10/22 - ASTD OFFICE SUPPLIES	\$2,494.73	\$2,494.73
182392	11/10/2022		9466719862	GRAINGER INC	ASTD PARTS & MATERIALS	\$2,300.57	\$2,481.76
	11/10/2022		9467070067		ASTD PARTS & MATERIALS	\$161.19	
	11/10/2022		9466763688		ASTD PARTS & MATERIALS	\$20.00	
182608	12/1/2022	141	9669327	QUADIENT INC	NEOPOST IN-360 POSTAGE MACHINE RENTAL	\$2,471.40	\$2,471.40

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182403	11/10/2022	114	86017726	MCMaster Supply Inc	ASTD PARTS & MATERIALS		
						\$352.19	\$2,470.53
	11/10/2022	122	86738433		ASTD PARTS & MATERIALS		
						\$2,078.25	
	11/10/2022	170	87478210		ASTD PARTS & MATERIALS		
						\$40.09	
182397	11/10/2022	114	1200469857	HDR ENGINEERING INC	ETSU PHASE 1B PROJECT		
						\$2,367.88	\$2,367.88
182526	11/23/2022	141	GYWT164	IRON MOUNTAIN	OFF-SITE STORAGE AND SERVICE - NOV 22		
						\$613.89	\$2,267.77
	11/23/2022	141	GYZG757		OFF-SITE STORAGE AND SERVICE - NOV 22		
						\$1,653.88	
182419	11/10/2022		736672876001	STAPLES CONTRACT & COMMERCIAL	JANITORIAL & BREAKROOM SUPPLIES		
						\$611.44	\$2,259.62
	11/10/2022		760111681101		JANITORIAL & BREAKROOM SUPPLIES		
						\$250.16	
	11/10/2022		736672876002		JANITORIAL & BREAKROOM SUPPLIES		
						\$112.94	
	11/10/2022		760111681102		JANITORIAL & BREAKROOM SUPPLIES		
						\$112.94	
	11/10/2022		736592841201		JANITORIAL & BREAKROOM SUPPLIES		
						\$1,172.14	
182558	12/1/2022		20221110	AMAZON.COM LLC	11/22 - ASTD OFFICE SUPPLIES		
						\$2,119.59	\$2,119.59
182502	11/23/2022	132	4226	BRYCE CONSULTING INC	HUMAN RESOURCES TECHNICAL SERVICES		
						\$2,090.00	\$2,090.00
182493	11/23/2022	170	9992694828	AIRGAS NCN	CYLINDER RENTAL		
						\$1,079.23	\$2,072.54
	11/23/2022		9131411097		3 CY ARGON		
						\$993.31	
182305	11/3/2022		156598910	COLORADO WASHINGTON INC	COMCAST OF CFIBER INTERNET BACKUP - OCT 2022		
						\$2,010.71	\$2,010.71
182572	12/1/2022		158785487	COLORADO WASHINGTON INC	COMCAST OF CFIBER INTERNET BACKUP - NOV 2022		
						\$2,010.71	\$2,010.71
182389	11/10/2022		1353	EAGLE WINGS CO INC	FORKLIFT TRAIN THE TRAINER		
						\$2,000.00	\$2,000.00
182578	12/1/2022	136	27682	FIELDMAN ROLAPP & ASSOCIATES	FINANCIAL ADVISORY SERVICES		
						\$1,958.00	\$1,958.00

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182416	11/10/2022		2108865005	SAN LEANDRO ELECTRIC SUPPLY	ASTD ELECTRICAL SUPPLIES		
						\$1,905.18	\$1,905.18
182559	12/1/2022	121	16465	AMERICAN DISCOUNT SECURITY	10/01/22 - 10/31/22 GUARD AT DISTRICT		
						\$1,874.25	\$1,874.25
182324	11/3/2022	110	20221027	MARCUS LEE	EXP REIMB: PER DIEM, AIRFARE, SHUTTLE & LODGING FOR WEFTE		
						\$1,834.72	\$1,834.72
182465	11/17/2022	171	487486	LUBRICATION ENGINEERS INC	1 DR OIL		
						\$1,822.85	\$1,822.85
182349	11/3/2022	110	22100475	S&S TRUCKING	GRIT HAULING 09/30/2022		
						\$895.22	\$1,783.67
	11/3/2022	110	22101315		GRIT HAULING 10/10/2022		
						\$888.45	
182320	11/3/2022	113	4002604522	KELLY SERVICES INC	TEMP LABOR-JANES, O. WK ENDING 10/09/22		
						\$1,732.50	\$1,732.50
182399	11/10/2022	113	4102431522	KELLY SERVICES INC	TEMP LABOR-JANES, O. WK ENDING 10/16/22		
						\$1,732.50	\$1,732.50
182487	11/17/2022		30080669	THE ADAM HILL COMPANY	2 LEADER HOSES		
						\$1,729.63	\$1,729.63
182296	11/3/2022	130	16448478	APPLEONE EMPLOYMENT SVCS	TEMP LABOR-GONZALES, WK END 10/08/2022		
						\$1,721.60	\$1,721.60
182370	11/10/2022	130	16457109	APPLEONE EMPLOYMENT SVCS	TEMP LABOR-GONZALES, WK END 10/15/22		
						\$1,721.60	\$1,721.60
182432	11/17/2022	130	16463809	APPLEONE EMPLOYMENT SVCS	TEMP LABOR-GONZALES, WK END 10/22/22		
						\$1,721.60	\$1,721.60
182497	11/23/2022	130	16470638	APPLEONE EMPLOYMENT SVCS	TEMP LABOR-GONZALES, WK END 11/02/2022		
						\$1,721.60	\$1,721.60
182560	12/1/2022	130	16476557	APPLEONE EMPLOYMENT SVCS	TEMP LABOR-GONZALES, WK END 11/05/22		
						\$1,721.60	\$1,721.60
182455	11/17/2022		9472441659	GRAINGER INC	ASTD PARTS & MATERIALS		
						\$189.52	\$1,696.95
	11/17/2022		9472862748		ASTD PARTS & MATERIALS		
						\$1,345.78	
	11/17/2022	122	9477974886		ASTD PARTS & MATERIALS		
						\$14.86	
	11/17/2022	111	9473985704		ASTD PARTS & MATERIALS		
						\$91.86	
	11/17/2022	114	9474895472		ASTD PARTS & MATERIALS		
						\$54.93	

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182468	11/17/2022	113	2210D23	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS	\$74.00	\$1,693.00
	11/17/2022	113	2210D22		LAB SAMPLE ANALYSIS	\$762.00	
	11/17/2022	113	2210F53		LAB SAMPLE ANALYSIS	\$364.00	
	11/17/2022	113	2210F54		LAB SAMPLE ANALYSIS	\$493.00	
182466	11/17/2022		5474279	MALLORY SAFETY AND SUPPLY LLC	CALIBRATION GAS	\$1,669.65	\$1,669.65
182338	11/3/2022	173	9003343712	OPEN TEXT	RIGHTFAX SUPPORT AND MAINTENANCE	\$1,631.72	\$1,631.72
182510	11/23/2022	170	88644	CONCRETE WALL SAWING CO INC	CONCRETE GPR & CORE DRILLING	\$800.00	\$1,600.00
	11/23/2022	170	88645		CONCRETE GPR & CORE DRILLING	\$800.00	
182613	12/1/2022	141	61044082	ROBERT HALF INTERNATIONAL INC	TEMP LABOR-PRASAD, J. WK ENDING 11/04/2022	\$1,593.30	\$1,593.30
182413	11/10/2022	141	60922394	ROBERT HALF INTERNATIONAL INC	TEMP LABOR-PRASAD, J. WK ENDING 10/14/2022	\$1,571.36	\$1,571.36
182408	11/10/2022		20221108	BRIANT POLK	THIRD PARTY CLAIM	\$1,565.38	\$1,565.38
182504	11/23/2022	171	99165955	CALTROL INC	3 PRESSURE GAUGES	\$1,539.46	\$1,539.46
182447	11/17/2022		20221025	DALE HARDWARE INC	10/22 - ASTD PARTS & MATERIALS	\$1,528.50	\$1,528.50
182606	12/1/2022	170	103525	PRIME MECHANICAL SERVICE INC	SERVICE CALL: REPLACED FLOW SWITCH	\$1,518.20	\$1,518.20
182547	11/23/2022		426522712	TERMINIX COMMERCIAL	PEST CONTROL	\$182.00	\$1,506.00
	11/23/2022		426525334		PEST CONTROL	\$148.00	
	11/23/2022		426525335		PEST CONTROL	\$1,176.00	

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182348	11/3/2022		37924	ROOTER HERO	REFUND # 50882		
						\$500.00	\$1,500.00
	11/3/2022		37900		REFUND # 50887		
						\$500.00	
	11/3/2022		37897		REFUND # 50888		
						\$500.00	
182331	11/3/2022	171	2337543	MOBILE MODULAR MANAGEMENT CORP	FMC TRAILER RENTAL - NOV 2022		
						\$1,492.89	\$1,492.89
182600	12/1/2022	171	2349851	MOBILE MODULAR MANAGEMENT CORP	FMC TRAILER RENTAL - DEC 2022		
						\$1,492.89	\$1,492.89
182315	11/3/2022	170	3S0645	HARRINGTON INDUSTRIAL PLASTICS	ASTD PARTS & MATERIALS		
						\$1,425.53	\$1,425.53
182369	11/10/2022		20221030	AFLAC GROUP	GROUP INSURANCE - OCT 2022		
						\$1,423.06	\$1,423.06
182501	11/23/2022	143	11463567	BROWN & CALDWELL CONSULTANTS	PRIMARY DIGESTER NO. 7		
						\$1,385.01	\$1,385.01
182404	11/10/2022	121	235869	NAYLOR STEEL INC	ASTD METAL, STEEL, STAINLESS & ALUMINUM		
						\$1,365.40	\$1,365.40
182475	11/17/2022	122	151	NORCAL DIESEL SOLUTIONS	ANNUAL DIESEL OPACITY TESTS		
						\$1,320.00	\$1,320.00
182539	11/23/2022	170	666720221104	PACIFIC GAS AND ELECTRIC	SERV TO 10/30/22 PASEO PADRE PS		
						\$507.08	\$1,292.82
	11/23/2022	170	380420221104		SERV TO 10/30/22 CHERRY ST PS		
						\$510.12	
	11/23/2022	170	898220221104		SERV TO 10/30/22 FREMONT PS		
						\$275.62	
182593	12/1/2022	113	4402880022	KELLY SERVICES INC	TEMP LABOR-HATO, N. WK ENDING 11/06/22		
						\$1,287.00	\$1,287.00
182463	11/17/2022		189004	KAMAN INDUSTRIAL TECHNOLOGIES	1 ACTUATOR		
						\$1,258.09	\$1,258.09

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182598	12/1/2022		88587050	MCMaster Supply Inc	13 Buckets		
						\$422.10	\$1,256.97
	12/1/2022	170	88497626		ASTD Parts & Materials		
						\$251.17	
	12/1/2022	170	88503453		ASTD Parts & Materials		
						\$113.27	
	12/1/2022	170	88724851		ASTD Parts & Materials		
						\$26.33	
	12/1/2022		87820620		ASTD Parts & Materials		
						\$14.25	
	12/1/2022		87822803		ASTD Parts & Materials		
						\$429.85	
182529	11/23/2022	173	26432	Lookingpoint Inc	Next Care on Demand Renewal - Nov		
						\$1,225.00	\$1,225.00
182309	11/3/2022	111	20221027	Austin Farsai	Travel Reimb: Weftec Conf Lodging/per diem/parking/taxi		
						\$1,209.62	\$1,209.62
182364	11/3/2022	113	8810883677	VWR International LLC	Lab Supplies		
						\$212.73	\$1,202.34
	11/3/2022	113	8810897822		Lab Supplies		
						\$11.42	
	11/3/2022	113	8810890810		Lab Supplies		
						\$451.08	
	11/3/2022	113	8810989037		Lab Supplies		
						\$527.11	
182409	11/10/2022	172	37519	Protection Engineering	55 Gal Drum Solvent MEK		
						\$1,196.71	\$1,196.71
182443	11/17/2022	173	6002202856	Canon Solutions America Inc	Mthly Maintenance Based on Use		
						\$829.42	\$1,192.72
	11/17/2022	173	6002203786		Mthly Maintenance Based on Use		
						\$363.30	
182446	11/17/2022	170	20221028	Communication & Control Inc	Utility Fee/Antenna Rental		
						\$1,181.07	\$1,181.07
182609	12/1/2022	170	28215	R & S Erection of S Alameda	Service Call: Vehicle Gate Controller Bump Stops		
						\$1,164.00	\$1,164.00
182548	11/23/2022	171	911596879	The Lincoln Electric Company	Consumable Parts for Plasma Table Flexcut 80		
						\$1,154.89	\$1,154.89
182585	12/1/2022	132	20221129	Alisa Gordon	Exp Reimb: Calpelra Conference Hotel, per diem & mileage		
						\$1,145.57	\$1,145.57

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182470	11/17/2022	114	2343308	MOBILE MODULAR MANAGEMENT CORP	ETSU TEMPORARY OFFICE SPACE		
						\$1,080.81	\$1,080.81
182318	11/3/2022	173	21000856	INFOR PUBLIC SECTOR, INC	HANSEN CONSULTING SERVICES		
						\$1,080.00	\$1,080.00
182425	11/10/2022	122	595011	VALLEY OIL COMPANY	230 DEF		
						\$1,069.39	\$1,069.39
182298	11/3/2022		18888767	AT&T	SERV: 09/10/22 - 10/09/22		
						\$1,009.24	\$1,009.24
182617	12/1/2022	173	51509	SACRAMENTO COMPUTER POWER INC	CONTROL BUILDING UPS SUPPORT AND MAINTENANCE RENEWAL		
						\$1,005.00	\$1,005.00
182479	11/17/2022	170	103393	PRIME MECHANICAL SERVICE INC	MONTHLY MAINTENANCE - OCT 22		
						\$992.00	\$992.00
182562	12/1/2022		19034164	AT&T	SERV: 10/10/22 - 11/09/22		
						\$987.61	\$987.61
182498	11/23/2022		2591094418	ARAMARK	UNIFORM LAUNDERING & RUGS		
						\$344.38	\$984.31
	11/23/2022		2591094424		UNIFORM LAUNDERING SERVICE		
						\$639.93	
182333	11/3/2022		2400151541	MOTION INDUSTRIES INC	ASTD PARTS & MATERIALS		
						\$720.42	\$981.79
	11/3/2022		2400151407		ASTD PARTS & MATERIALS		
						\$261.37	
182524	11/23/2022		3S1439	HARRINGTON INDUSTRIAL PLASTICS	ASTD PARTS & MATERIALS		
						\$95.61	\$961.89
	11/23/2022	170	3S0983		ASTD PARTS & MATERIALS		
						\$866.28	
182314	11/3/2022	170	9460936710	GRAINGER INC	ASTD PARTS & MATERIALS		
						\$198.22	\$949.18
	11/3/2022		9455059262		CREDIT: ASTD PARTS & MATERIALS		
						\$-211.75	
	11/3/2022	170	9459744745		ASTD PARTS & MATERIALS		
						\$687.80	
	11/3/2022		9458240422		ASTD PARTS & MATERIALS		
						\$53.78	
	11/3/2022		9460936728		ASTD PARTS & MATERIALS		
						\$221.13	

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182561	12/1/2022		2591096342	ARAMARK	ASTD DUST MOPS, WET MOPS & TERRY	\$66.94	\$941.72
	12/1/2022		2591096355		UNIFORM LAUNDERING & RUGS	\$479.10	
	12/1/2022		2591096368		UNIFORM LAUNDERING SERVICE	\$395.68	
182435	11/17/2022	136	2522504770	BANK OF NEW YORK	SEP 2022 SERVICE FEES	\$932.19	\$932.19
182473	11/17/2022	170	2400151118	MOTION INDUSTRIES INC	ASTD PARTS & MATERIALS	\$925.12	\$925.12
182492	11/23/2022	143	22071689	ABC IMAGING, INC	CHERRY ST. PS	\$924.20	\$924.20
182586	12/1/2022	111	9490365724	GRAINGER INC	ASTD PARTS & MATERIALS	\$24.54	\$916.01
	12/1/2022		9492613386		ASTD PARTS & MATERIALS	\$513.19	
	12/1/2022	111	9485933163		ASTD PARTS & MATERIALS	\$14.84	
	12/1/2022		9491300597		ASTD PARTS & MATERIALS	\$363.44	
182329	11/3/2022	111	87168288	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$116.84	\$914.84
	11/3/2022	170	87415365		ASTD PARTS & MATERIALS	\$169.80	
	11/3/2022	170	87121049		ASTD PARTS & MATERIALS	\$20.11	
	11/3/2022		87335088		ASTD PARTS & MATERIALS	\$608.09	
182351	11/3/2022		2112506001	SAN LEANDRO ELECTRIC SUPPLY	ASTD ELECTRICAL SUPPLIES	\$156.12	\$907.46
	11/3/2022		2110713001		ASTD ELECTRICAL SUPPLIES	\$751.34	
182518	11/23/2022	113	7818368	FISHER SCIENTIFIC	LAB SUPPLIES	\$907.27	\$907.27
182343	11/3/2022	121	103245	PRIME MECHANICAL SERVICE INC	SERVICE CALL: INSTALL NEW PRESSURE TRANSDUCER	\$894.93	\$894.93
182299	11/3/2022		1418453708	AT&T	SERV: 09/11/22 - 10/10/22	\$872.58	\$872.58

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182563	12/1/2022		5925834708	AT&T	SERV: 10/11/22 - 11/10/22		
						\$872.58	\$872.58
182313	11/3/2022	122	1841097736	GOODYEAR COMM TIRE & SERV CTRS	4 TIRES		
						\$863.54	\$863.54
182612	12/1/2022	170	463438	RKI INSTRUMENTS INC	ASTD PARTS & MATERIALS		
						\$863.34	\$863.34
182476	11/17/2022		24030	PACIFIC COMMONS OWNER LP	REFUND # 50922		
						\$850.00	\$850.00
182434	11/17/2022	173	525214	AVERTIUM LLC	VULNERABILITY SCAN SUBSCRIPTION - OCT 2022		
						\$845.00	\$845.00
182597	12/1/2022	113	2211307	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS		
						\$383.00	\$843.00
	12/1/2022	113	2211187		LAB SAMPLE ANALYSIS		
						\$460.00	
182573	12/1/2022	170	20222613	COMPACTOR MANAGEMENT COMPANY	TRASH COMPACTOR REPAIR		
						\$840.69	\$840.69
182297	11/3/2022		2591087847	ARAMARK	ASTD DUST MOPS, WET MOPS & TERRY		
						\$66.94	\$833.38
	11/3/2022		2591087859		UNIFORM LAUNDERING & RUGS		
						\$366.95	
	11/3/2022		2591087877		UNIFORM LAUNDERING SERVICE		
						\$399.49	
182588	12/1/2022		3S1538	HARRINGTON INDUSTRIAL PLASTICS	ASTD PARTS & MATERIALS		
						\$829.00	\$829.00
182317	11/3/2022	130	9719592	HF&H CONSULTANTS, LLC	SEWER RATE MODELING		
						\$828.00	\$828.00
182385	11/10/2022	120	20221031	CWEA	4 CERT & 2 MEMBERSHIP RENEWALS - CS 6 EMPLOYEES		
						\$809.00	\$809.00
182433	11/17/2022		2591092441	ARAMARK	UNIFORM LAUNDERING SERVICE		
						\$390.04	\$806.25
	11/17/2022		2591092440		UNIFORM LAUNDERING SERVICE		
						\$349.27	
	11/17/2022		2591092439		ASTD DUST MOPS, WET MOPS & TERRY		
						\$66.94	
182330	11/3/2022		9779	MISSION PEAK CONSTRUCTION INC	REFUND # 50903		
						\$800.00	\$800.00
182614	12/1/2022	170	349632	ROCHESTER MIDLAND CORPORATION	HOT WATER LOOP SERVICE		
						\$785.92	\$785.92

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182534	11/23/2022	170	221149	METROMOBILE COMMUNICATIONS INC	RADIO SERVICE - NOV 2022		
						\$772.91	\$772.91
182469	11/17/2022	170	88113939	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS		
						\$28.61	\$756.77
	11/17/2022	170	86639923		ASTD PARTS & MATERIALS		
						\$142.14	
	11/17/2022	170	88209746		ASTD PARTS & MATERIALS		
						\$388.55	
	11/17/2022	170	88028850		ASTD PARTS & MATERIALS		
						\$52.33	
	11/17/2022	170	88199188		ASTD PARTS & MATERIALS		
						\$145.14	
182371	11/10/2022		2591090034	ARAMARK	UNIFORM LAUNDERING SERVICE		
						\$405.46	\$753.46
	11/10/2022		2591090011		UNIFORM LAUNDERING & RUGS		
						\$348.00	
182379	11/10/2022	113	701407	CALTEST ANALYTICAL LABORATORY	12 LAB SAMPLE ANALYSIS		
						\$737.65	\$737.65
182545	11/23/2022	132	50482	SLOAN SAKAI YEUNG & WONG LLP	SPECIAL COUNSEL SERVICES		
						\$705.00	\$705.00
182356	11/3/2022	144	20221101	JOSE SOTO	EXP REIMB: LODGING, PER DIEM, SHUTTLE AND PARKING-CASQA C		
						\$703.41	\$703.41
182516	11/23/2022	173	2019810	FARALLON GEOGRAPHICS INC	ARCHES SSC SOFTWARE SUPPORT		
						\$700.00	\$700.00
182360	11/3/2022		39243	THE CONSTRUCTION ZONE LLC	6 TRAFFIC SIGNS		
						\$699.83	\$699.83
182482	11/17/2022	170	465586	RKI INSTRUMENTS INC	ASTD PARTS & MATERIALS		
						\$265.80	\$691.08
	11/17/2022	170	465922		ASTD PARTS & MATERIALS		
						\$43.19	
	11/17/2022	170	465921		ASTD PARTS & MATERIALS		
						\$166.13	
	11/17/2022	170	465587		ASTD PARTS & MATERIALS		
						\$215.96	
182378	11/10/2022		291080	BURKE, WILLIAMS & SORENSON LLP	CIP - AUG 2022		
						\$665.60	\$665.60
182574	12/1/2022		3638997	DAILY JOURNAL CORPORATION	AD: CHERRY ST. PS		
						\$661.44	\$661.44

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182579	12/1/2022	122	94012	FREMONT TEST ONLY	ANNUAL SMOG TESTING - VEHICLE T1377		\$655.00
	12/1/2022	122	93899		ANNUAL SMOG TESTING - VEHICLE T1271	\$35.00	
	12/1/2022	122	93925		ANNUAL SMOG TESTING - VEHICLE T1368	\$35.00	
	12/1/2022	122	93981		ANNUAL SMOG TESTING - VEHICLE T1370	\$35.00	
	12/1/2022	122	93997		ANNUAL SMOG TESTING - VEHICLE T1371	\$35.00	
	12/1/2022	122	94001		ANNUAL SMOG TESTING - VEHICLE T1375	\$35.00	
	12/1/2022	122	93924		ANNUAL SMOG TESTING - VEHICLE T1267	\$35.00	
	12/1/2022	122	93937		ANNUAL SMOG TESTING - VEHICLE T1338	\$35.00	
	12/1/2022	122	93952		ANNUAL SMOG TESTING - VEHICLE T1305	\$35.00	
	12/1/2022	122	93795		ANNUAL SMOG TESTING - VEHICLE T1380	\$35.00	
	12/1/2022	122	94013		ANNUAL SMOG TESTING - VEHICLE T1326	\$35.00	
	12/1/2022	122	94050		ANNUAL SMOG TESTING - VEHICLE T1373	\$35.00	
	12/1/2022	122	93779		ANNUAL SMOG TESTING - VEHICLE T1066	\$35.00	
	12/1/2022	122	93945		ANNUAL SMOG TESTING - VEHICLE P8330	\$35.00	
	12/1/2022	122	93969		ANNUAL SMOG TESTING - VEHICLE T1304	\$35.00	
	12/1/2022	122	93973		ANNUAL SMOG TESTING - VEHICLE T1309	\$35.00	
	12/1/2022	122	93760		ANNUAL SMOG TESTING - VEHICLE P8035	\$60.00	
	12/1/2022	122	94044		ANNUAL SMOG TESTING - VEHICLE P8365	\$35.00	
182354	11/3/2022	173	2793	SHARESQUARED INC	SHAREPOINT PROFESSIONAL SUPPORT		\$647.50
						\$647.50	

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182383	11/10/2022	132	221114687	CLAREMONT BEHAVIORAL SERVICES	NOV 2022 EAP PREMIUMS		
						\$630.20	\$630.20
182438	11/17/2022	143	102264	BEECHER ENGINEERING	SWITHBOARD NO 3 & MCC NO 25 REPLACEMENT		
						\$630.00	\$630.00
182587	12/1/2022	170	13330151	HACH COMPANY	1 PROBE CALIBRATION		
						\$601.84	\$601.84
182602	12/1/2022	170	2610	PACIFIC CRANE INSPECTION	CRANE INSPECTIONS		
						\$600.00	\$600.00
182625	12/1/2022	123	109159	TRI-SIGNAL INTEGRATION INC	SERVICE: PIV TROUBLE PANEL		
						\$585.00	\$585.00
182622	12/1/2022	173	20221129	RUFUS TAI	EXP REIMB: PLURASIGHT SUBSCRIPTION/ ISACA MEMBERSHP /CIS.		
						\$449.00	\$568.40
	12/1/2022	173	20221129.1		EXP REIMB: CISCO SUBSCRIPTIONS		
						\$119.40	
182537	11/23/2022		20221031	NAPA AUTO PARTS	MONTHLY AUTO PARTS STMT - OCTOBER 2022		
						\$544.46	\$544.46
182311	11/3/2022	132	15020	CITY OF FOSTER CITY	1 JOB POSTING		
						\$540.00	\$540.00
182520	11/23/2022	132	15054	CITY OF FOSTER CITY	1 JOB POSTING		
						\$540.00	\$540.00
182632	12/1/2022	122	2773453001	WHCI PLUMBING SUPPLY CO	ASTD PARTS & MATERIALS		
						\$274.93	\$516.93
	12/1/2022	122	2781024001		ASTD PARTS & MATERIALS		
						\$242.00	
182368	11/10/2022	170	60103	ABC FIRE PROTECTION INC	ANNUAL FIRE PAINT BOOTH SERVICE 2022		
						\$500.75	\$500.75
182332	11/3/2022		37905	MONARCH PLUMBING & ROOTER INC	REFUND # 50883		
						\$500.00	\$500.00
182337	11/3/2022		37901	ONE DAY COMPLETE REPIPE	REFUND # 50886		
						\$500.00	\$500.00
182355	11/3/2022		30424	VENKATESH SOLAIYAPPAN	REFUND # 50895		
						\$500.00	\$500.00
182357	11/3/2022		37904	STREAMLINE PLUMBING & DRAIN	REFUND # 50884		
						\$500.00	\$500.00
182387	11/10/2022		33724	DRAINLINE SEWER SPECIALIST	REFUND # 50917		
						\$500.00	\$500.00
182415	11/10/2022		33710	ROOTER HERO	REFUND # 50918		
						\$500.00	\$500.00

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182428	11/10/2022		26080	THERESA WANG	REFUND # 50921		
						\$500.00	\$500.00
182575	12/1/2022		37920	DRAIN DOCTOR	REFUND # 51936		
						\$500.00	\$500.00
182595	12/1/2022		30492	LEVEL UP HOME REMODELING	REFUND # 51942		
						\$500.00	\$500.00
182599	12/1/2022		37914	MIKE COUNSIL PLUMBING	REFUND # 51937		
						\$500.00	\$500.00
182603	12/1/2022		37894	SANDIP PATEL	REFUND # 51938		
						\$500.00	\$500.00
182629	12/1/2022		35827	CHANDRAMOULI VIRUNCHIPURAM	REFUND # 51934		
						\$500.00	\$500.00
182624	12/1/2022		26771401	TRI DIM FILTER CORPORATION	200 FILTERS		
						\$491.30	\$491.30
182532	11/23/2022	113	2210H61	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS		
						\$99.00	\$478.00
	11/23/2022	113	2210K55		LAB SAMPLE ANALYSIS		
						\$154.00	
	11/23/2022	113	2210H62		LAB SAMPLE ANALYSIS		
						\$37.00	
	11/23/2022	113	2210K54		LAB SAMPLE ANALYSIS		
						\$188.00	
182630	12/1/2022		8811298972	VWR INTERNATIONAL LLC	LAB SUPPLIES		
						\$129.88	\$460.60
	12/1/2022		8811314840		LAB SUPPLIES		
						\$330.72	
182414	11/10/2022	171	20221107	LISUARTE ROCHA	EXP REIMB: TOOLS		
						\$459.98	\$459.98
182301	11/3/2022	120	17514220	BLAISDELL'S	ASTD OFFICE SUPPLIES		
						\$126.17	\$452.39
	11/3/2022	143	17501420		ASTD OFFICE SUPPLIES		
						\$97.89	
	11/3/2022		17497370		ASTD OFFICE SUPPLIES		
						\$228.33	
182437	11/17/2022		26066100	BECK'S SHOES	SAFETY SHOES: M. DE AVILA DIAZ & ROCHA		
						\$444.26	\$444.26
182381	11/10/2022	143	20221024	DEREK CHIU	EXP REIMB: ENGINEER EXAM		
						\$404.41	\$404.41

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182421	11/10/2022	170	20221024.1	EDWARD TATOLA	EXP REIMB: PER DIEM, PARKING, SHUTTLE - WEFTEC CONF	\$398.16	\$398.16
182499	11/23/2022	120	17565710	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$224.31	\$395.41
	11/23/2022	144	17565350		ASTD OFFICE SUPPLIES	\$27.30	
	11/23/2022	113	17564260		ASTD OFFICE SUPPLIES	\$143.80	
182429	11/10/2022	143	2051233	WEST YOST ASSOCIATES	FORCE MAIN CORROSION REPAIRS PROJECT PHASE 3	\$384.75	\$384.75
182467	11/17/2022		5472188	MALLORY SAFETY AND SUPPLY LLC	CALIBRATION GAS	\$381.76	\$381.76
182610	12/1/2022	171	8201131465	RED WING BUS ADVANTAGE ACCT	SAFETY SHOES: C PARKER	\$168.64	\$376.97
	12/1/2022	121	8201130319		SAFETY SHOES: S. TARNOWSKI	\$208.33	
182521	11/23/2022	150	19779	FREMONT CHAMBER OF COMMERCE	MEMBERSHIP DUES	\$375.00	\$375.00
182515	11/23/2022	170	905598569	EVOQUA WATER TECHNOLOGIES	DI WATER SYSTEM	\$371.61	\$371.61
182507	11/23/2022	150	98738	CITYLEAF INC	PLANT MAINTENANCE - OCT 2022	\$361.65	\$361.65
182422	11/10/2022	141	436276	ULTRAEX LLC	COURIER SVCS: 5 BOARDMEMBER DELIVERY - 10/5 AND 10/11/22	\$341.82	\$341.82
182549	11/23/2022	141	436508	ULTRAEX LLC	COURIER SVCS: 5 BOARDMEMBER DELIVERY - 10/19 AND 10/21/22	\$341.82	\$341.82
182336	11/3/2022	173	9821	OJO TECHNOLOGY INC	CCTV TECH SUPPORT	\$337.50	\$337.50
182394	11/10/2022		3S0850	HARRINGTON INDUSTRIAL PLASTICS	ASTD PARTS & MATERIALS	\$332.58	\$332.58
182554	11/23/2022	143	5255	WORKSMART AUTOMATION INC	AERATION BLOWER 11 (HIGH SPEED)	\$321.60	\$321.60
182623	12/1/2022	170	33060	THOMAS AND ASSOCIATES	1 DEWATERING PUMP	\$310.16	\$310.16
182391	11/10/2022	144	4095229401	GLACIER ICE COMPANY INC	144 5-LB BAGS OF ICE	\$303.03	\$303.03
182342	11/3/2022		177932	PREFERRED ALLIANCE INC	SEP 2022 SERVICE FEE	\$302.94	\$302.94

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182605	12/1/2022		178435	PREFERRED ALLIANCE INC	OCT 2022 SERVICE FEE		
						\$302.94	\$302.94
182440	11/17/2022	173	91229722	CALIFORNIA SURVEYING DRAFTING	PLOTTER MAINTENANCE		
						\$300.00	\$300.00
182511	11/23/2022	173	30635038	CORELOGIC INFORMATION SOLUTION	REALQUEST 12 MONTH SERVICE		
						\$300.00	\$300.00
182525	11/23/2022		604929043	HILLYARD/SAN FRANCISCO	ASTD JANITORIAL SUPPLIES		
						\$285.76	\$285.76
182596	12/1/2022	171	487246	LUBRICATION ENGINEERS INC	LE OIL DRUM ADAPTER (BEIGE)		
						\$269.84	\$269.84
182328	11/3/2022	113	2210423	MCCAMPBELL ANALYTICAL	LAB SAMPLE ANALYSIS		
						\$24.00	\$268.00
	11/3/2022	113	2210424		LAB SAMPLE ANALYSIS		
						\$108.00	
	11/3/2022	113	2210302		LAB SAMPLE ANALYSIS		
						\$136.00	
182538	11/23/2022	132	2202764	OPTIMUM TECHNOLOGIES LLC	AT HOME EMPLOYEE PORTAL		
						\$260.00	\$260.00
182519	11/23/2022		193109	FITGUARD INC	PREVENTATIVE MAINTENANCE - EXERCISE CLUB EQUIPMENT		
						\$259.00	\$259.00
182398	11/10/2022	173	6066909	INTRADO LIFE & SAFETY INC	E911 ANNUAL SUBSCRIPTION		
						\$250.00	\$250.00
182633	12/1/2022		5503	ZELAYA DESIGNS	PUBLIC OUTREACH NEW LOGO / FOG ADS NEW LOGO		
						\$246.00	\$246.00
182589	12/1/2022		40604	HAYWARD PIPE AND SUPPLY	ASTD PARTS & MATERIALS		
						\$238.19	\$238.19
182366	11/3/2022	143	5199	WORKSMART AUTOMATION INC	CALCIUM THIOSULFATE CHEMICAL TANK		
						\$232.50	\$232.50
182530	11/23/2022		5460718	MALLORY SAFETY AND SUPPLY LLC	48 PR GLOVES		
						\$225.12	\$225.12
182514	11/23/2022	143	3638998	DAILY JOURNAL CORPORATION	CHERRY ST. PS		
						\$223.75	\$223.75
182345	11/3/2022	171	8201127462	RED WING BUS ADVANTAGE ACCT	SAFETY SHOES: S. NOEGEL		
						\$218.28	\$218.28
182531	11/23/2022	170	771059615	MATHESON TRI-GAS INC	MONTHLY CYLINDER RENTAL - OCT 2022		
						\$207.46	\$207.46
182303	11/3/2022		87042	CDW GOVERNMENT LLC	6 SWITCHES		
						\$200.60	\$200.60

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182459	11/17/2022		3S1237	HARRINGTON INDUSTRIAL PLASTICS	ASTD PARTS & MATERIALS		
						\$199.45	\$199.45
182565	12/1/2022	122	26107200	BECK'S SHOES	SAFETY SHOES: P. NELSON		
						\$182.73	\$182.73
182556	12/1/2022	143	2000684861	AECOM TECHNICAL SERVICES INC	CENTRIFUGE BUILDING IMPROVEMENTS		
						\$181.50	\$181.50
182410	11/10/2022	170	27996	R & S ERECTION OF S ALAMEDA	SERV CALL: FRONT GATE REPAIR		
						\$177.00	\$177.00
182571	12/1/2022	122	330357	CENTERVILLE LOCKSMITH	ASTD KEYS & TAGS		
						\$36.05	\$174.08
	12/1/2022		330356		ASTD KEYS & TAGS		
						\$68.70	
	12/1/2022	122	330380		ASTD KEYS & TAGS		
						\$69.33	
182427	11/10/2022		8811109319	VWR INTERNATIONAL LLC	LAB SUPPLIES		
						\$129.62	\$173.03
	11/10/2022	113	8811088450		LAB SUPPLIES		
						\$43.41	
182431	11/17/2022		47002	ALLIED FLUID PRODUCTS CORP	36 GASKETS		
						\$170.14	\$170.14
182620	12/1/2022	141	20221031	SPOK INC	NOV 2022 PAGER SERVICE		
						\$166.68	\$166.68
182393	11/10/2022		3S0460	HARRINGTON INDUSTRIAL PLASTICS	ASTD PARTS & MATERIALS		
						\$-528.95	\$152.81
	11/10/2022		3R8715		ASTD PARTS & MATERIALS		
						\$681.76	
182373	11/10/2022	170	9142	BACKFLOW TEAM, LLC	NPS ANNUAL BACKFLOW TESTING		
						\$150.00	\$150.00
182474	11/17/2022	122	236081	NAYLOR STEEL INC	ASTD METAL, STEEL, STAINLESS & ALUMINUM		
						\$145.17	\$145.17
182430	11/10/2022		5494	ZELAYA DESIGNS	MISC ARTWORK - PIE CHART/SPILLS		
						\$142.00	\$142.00
182353	11/3/2022	170	2210107S	SGS NORTH AMERICA INC	3 ANALYSIS		
						\$60.00	\$136.00
	11/3/2022	170	2210140S		2 ANALYSIS		
						\$40.00	
	11/3/2022	170	2210078S		2 ANALYSIS		
						\$36.00	

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182412	11/10/2022	170	465097	RKI INSTRUMENTS INC	ASTD PARTS & MATERIALS		
						\$132.90	\$132.90
182462	11/17/2022		768520221028	HOME DEPOT CREDIT SERVICES	MONTHLY HARDWARE STMT - OCTOBER 2022		
						\$126.64	\$126.64
182346	11/3/2022		120217	REMOTE SATELLITE SYSTEMS INT'L	IRIDIUM SVC FEE NOV 2022		
						\$118.00	\$118.00
182611	12/1/2022		120657	REMOTE SATELLITE SYSTEMS INT'L	IRIDIUM SVC FEE DEC 2022		
						\$118.00	\$118.00
182441	11/17/2022		20221116	STATE OF CALIFORNIA	SALES & USE TAX 10/01/22 - 10/31/2022		
						\$117.03	\$117.03
182489	11/17/2022	136	98XW53432	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 10/22/22		
						\$112.86	\$112.86
182590	12/1/2022		604936561	HILLYARD/SAN FRANCISCO	ASTD JANITORIAL SUPPLIES		
						\$106.94	\$106.94
182616	12/1/2022		8005205301	RS HUGHES CO INC	ASTD SAFETY SUPPLIES		
						\$103.25	\$103.25
182568	12/1/2022	120	20230032	CALIFORNIA REGIONAL CGA	STAKEHOLDER ANNUAL MEMBERSHIP 01/01/23-12/31/23		
						\$100.00	\$100.00
182424	11/10/2022	136	98XW53422	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 10/15/22		
						\$98.70	\$98.70
182362	11/3/2022	136	98XW53412	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 10/08/22		
						\$94.27	\$94.27
182495	11/23/2022	170	5454137001	ALAMEDA ELECTRICAL DISTR. INC.	ASTD ELECTRICAL SUPPLIES		
						\$88.57	\$88.57
182292	11/3/2022	170	4088644120221024	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 10/21/22 - BOYCE ROAD		
						\$85.86	\$85.86
182293	11/3/2022	170	5431547001	ALAMEDA ELECTRICAL DISTR. INC.	ASTD ELECTRICAL SUPPLIES		
						\$85.45	\$85.45
182367	11/3/2022	132	20221031	FRANCISCO ZARAGOZA	REIMB LIVESCAN PRE-EMPLOYMENT		
						\$85.34	\$85.34
182453	11/17/2022	111	20221114	BRUCE GALLEG0 JR.	EXP REIMB: TPO SAFETY RECOGNITION 1ST QTR		
						\$85.11	\$85.11
182471	11/17/2022	122	55794	MORSE HYDRAULICS USA LLC	ASTD PARTS & MATERIALS		
						\$84.87	\$84.87
182375	11/10/2022	120	17517230	BLAISDELL'S	ASTD OFFICE SUPPLIES		
						\$81.97	\$81.97
182307	11/3/2022	120	20221101	MICHAEL DELA ROSA	EXP REIMB: DOT PHYSICAL		
						\$80.00	\$80.00

**UNION SANITARY DISTRICT
CHECK REGISTER
10/29/2022-12/02/2022**

Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
182386	11/10/2022	173	585069	DLT SOLUTIONS, LLC	AWS CLOUD STORAGE - SEP 2022	\$76.48	\$76.48
182384	11/10/2022	110	20221107	MITCHELL COSTELLO	EXP REIMB: TPO RECOGNITION	\$75.00	\$75.00
182442	11/17/2022	113	701647	CALTEST ANALYTICAL LABORATORY	1 LAB SAMPLE ANALYSIS	\$74.70	\$74.70
182406	11/10/2022	170	20221108	STEVEN NOEGEL	EXP REIMB: GAS FOR NEW WATER TRUCK	\$72.00	\$72.00
182382	11/10/2022	171	1903427157	CINTAS CORPORATION	2 JACKETS FOR ROCHA	\$71.97	\$71.97
182350	11/3/2022	170	85340220221021	SAN FRANCISCO WATER DEPT	SERVICE 09/21/2022 - 10/21/22	\$69.77	\$69.77
182555	11/23/2022	160	5499	ZELAYA DESIGNS	NAME BADGE DESIGN	\$68.00	\$68.00
182553	11/23/2022	113	8811184993	VWR INTERNATIONAL LLC	LAB SUPPLIES	\$66.39	\$66.39
182546	11/23/2022	172	20221121	THOMAS SOLARI	EXP REIMB: MILEAGE FOR CALL-OUT	\$62.50	\$62.50
182552	11/23/2022		9919428210	VERIZON WIRELESS	WIRELESS SERV 10/02/22-11/01/22	\$60.51	\$60.51
182551	11/23/2022	136	98XW53442	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 10/29/22	\$56.15	\$56.15
182522	11/23/2022	123	26453	FREMONT RECYCLING & TRANSFER	.27 TONS MSW COMMERCIAL	\$55.00	\$55.00
182543	11/23/2022	120	20221121	JOSE RODRIGUES JR	EXP REIMB: COMMERCIAL LIC RENEWAL	\$50.00	\$50.00
182458	11/17/2022	160	166691	HANIGAN COMPANY INC	BUSINESS CARDS - P. KITE	\$49.33	\$49.33
182485	11/17/2022	170	20221114	AARON SHONG	EXP REIMB: MILEAGE FOR CALL-OUT	\$45.25	\$45.25
182388	11/10/2022	144	20221104	ALICIA DUTROW	EXP REIMB: PRESENTATITON SUPPLIES & TRAINING SNACKS	\$43.53	\$43.53
182323	11/3/2022	132	20221031	KATHLEEN KING	EXP REIMB: TRAVEL CHANGE FEE	\$41.00	\$41.00
182417	11/10/2022	170	2210202S	SGS NORTH AMERICA INC	2 ANALYSIS	\$40.00	\$40.00
182627	12/1/2022	136	98XW53452	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 11/05/22	\$38.15	\$38.15

**UNION SANITARY DISTRICT
CHECK REGISTER
10/29/2022-12/02/2022**

Check No.	Date	Dept	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
182472	11/17/2022	122	8509127	MOTION & FLOW CONTROL PRODUCTS	ASTD PARTS & MATERIALS	\$35.96	\$35.96
182580	12/1/2022	122	94174	FREMONT TEST ONLY	ANNUAL SMOG TESTING - VEHICLE T1379	\$35.00	\$35.00
182581	12/1/2022	122	94229	FREMONT TEST ONLY	ANNUAL SMOG TESTING - VEHICLE T1360	\$35.00	\$35.00
182582	12/1/2022	122	94247	FREMONT TEST ONLY	ANNUAL SMOG TESTING - VEHICLE T1376	\$35.00	\$35.00
182583	12/1/2022	122	94256	FREMONT TEST ONLY	ANNUAL SMOG TESTING - VEHICLE T1367	\$35.00	\$35.00
182308	11/3/2022	132	20221031	OSCAR FAJARDO	REIMB LIVESCAN PRE-EMPLOYMENT	\$25.00	\$25.00
182615	12/1/2022	120	20221128	JESSICA RODRIGUEZ	EXP REIMB: CS MEETING SNACKS	\$21.00	\$21.00
182325	11/3/2022	132	20221031	GUADALUPE LEON	REIMB LIVESCAN PRE-EMPLOYMENT	\$20.00	\$20.00
182618	12/1/2022	170	2211104S	SGS NORTH AMERICA INC	1 ANALYSIS	\$20.00	\$20.00
182352	11/3/2022	171	20221101	ELOY SEPULVEDA	EXP REIMB: MILEAGE FOR CALLOUT	\$15.75	\$15.75
182535	11/23/2022	122	8515419	MOTION & FLOW CONTROL PRODUCTS	ASTD PARTS & MATERIALS	\$10.84	\$10.84
182517	11/23/2022	122	1131150	FASTENAL	ASTD PARTS & MATERIALS	\$2.96	\$2.96

Invoices:

Credit Memos :	4	-9,683.64
\$0 - \$1,000 :	307	94,394.05
\$1,000 - \$10,000 :	163	612,965.84
\$10,000 - \$100,000 :	37	1,280,273.61
Over \$100,000 :	10	3,150,119.55
Total:	521	5,128,069.41

Checks:

\$0 - \$1,000 :	169	66,648.76
\$1,000 - \$10,000 :	125	401,914.15
\$10,000 - \$100,000 :	37	1,054,327.44
Over \$100,000 :	12	3,605,179.06
Total:	343	5,128,069.41

The cleanest drinking water is recycled

New research shows treated wastewater can be more dependable and less toxic than common tap water sources including rivers and groundwater.

November 10, 2022 | By Corey Binns



As traditional water sources dry up, utilities in the American West and beyond are scrambling to find reliable supplies. | iStock/BKhamitsevich

Recycled wastewater is not only as safe to drink as conventional potable water, it may even be less toxic than many sources of water we already drink daily, Stanford University engineers have discovered.

“We expected that potable reuse waters would be cleaner, in some cases, than conventional drinking water due to the fact that much more extensive treatment is conducted for them,” said Stanford professor William Mitch, senior author of an Oct. 27 study in *Nature Sustainability* comparing

conventional drinking water samples to wastewater purified as a drinking water, also known as potable reuse water. “But we were surprised that in some cases the quality of the reuse water, particularly the reverse-osmosis-treated waters, was comparable to groundwater, which is traditionally considered the highest quality water.”

As drinking water sources become more scarce, the discovery is promising news for a thirsty public and utility companies struggling to keep up with demand.

Why recycle

Several potable reuse systems are up and running around the United States. The Orange County Water District has run the world’s largest water recycling plant since the 1970s. Water providers in Atlanta, Georgia, and Aurora, Colorado, also use potable reuse water as part of their drinking water supplies. Los Angeles plans to recycle all of its wastewater by 2035.

But decades of drought have intensified the urgency to make recycling wastewater as common as recycling an empty can of La Croix. Water utilities, particularly those in the drought-stricken western U.S., are scrambling to find reliable water supplies. Traditional water sources from places such as the Colorado River and Sierra Nevada snowmelt have dried up. Instead, utilities have set their sights on potable reuse as a dependable water supply – one that utilities already conveniently manage and own.

“There are additional benefits beyond a secure water supply. If you're not relying on importing water, that means there's more water for ecosystems in northern California or Colorado,” said Mitch, a professor of civil and environmental engineering in Stanford Engineering and the Stanford Doerr School of Sustainability. “You're cleaning up the wastewater, and therefore you're not discharging wastewater and potential contaminants to California's beaches.”

Cleaning up recycled water is also known to cost a lot less and require less energy than plucking the salt out of seawater.

Clean-up crew

The engineers found that, after treatment, potable reuse water is cleaner than conventional drinking water sourced from pristine-looking rivers. In most rivers, someone upstream is dumping in their wastewater with much less treatment than occurs in potable reuse systems. Conventional wastewater treatment plants just aren't equipped to deep clean. This leaves many organic contaminants, such as chemicals from shampoos and medicines, floating down river and straight into a drinking water plant.

Regulators demand more extensive treatment at potable reuse treatment plants. They specify that treatment systems must remove harmful pathogens, such as viruses and amoebas, and utilities flush out other contaminants using reverse osmosis, ozonation, biofiltration, and other cleaning techniques.

Reverse osmosis treatment pushes water at high pressure through a filter that's so small, it squeezes out even sodium and chloride. Mitch and his colleagues discovered the process cleans wastewater as much if not more than groundwater, the gold standard.

Even when reverse osmosis wasn't applied, reuse waters were less toxic than the samples of conventional drinking waters sourced from rivers across the United States.

Policy solutions for overlooked contaminants

The Environmental Protection Agency aims to protect people from toxic drinking water by regulating a slew of chemicals. But some of the stuff floating in our water has yet to be identified or categorized by scientists.

In order to suss out the toxicity of different sources of tap water, the researchers applied water from various sources to hamster ovary cells,

because they act similarly to human cells. Mitch and his colleagues looked at whether cells slowed or stopped growing, compared to untreated cells. “Ideally, we picked up the effects of chemicals specifically measured by the EPA, as well as those that aren’t,” Mitch said.

The engineers discovered the compounds regulated by the EPA accounted for less than 1% of the harm to the ovary cells.

“Even if we include all these other unregulated compounds that a lot of us in this field have been focusing on, that still accounted for only about 16% of the total,” Mitch said. “It really says we're not necessarily focusing on the right contaminants.”

The culprits may be associated with disinfection. No matter where your tap water comes from, it will carry residual disinfectant to prevent pathogens growing in the pipes. Disinfectants like chlorine react with chemicals in the water and convert them to something else, and that may be what’s killing the hamster cells.

The EPA regulates disinfection byproducts, but not all. “Our study indicates that maybe the toxicity exerted by these byproducts regulated by the government may not be so important.”

Mitch says his team plans to further investigate whether other side effects from disinfecting water could be causing toxicity. His team is looking specifically at larger byproducts formed when disinfectants mix with pesticides, proteins, or other organic matter.

Disinfecting water is necessary: Without it, we’d die from cholera and other waterborne diseases. But Mitch notes that disinfection is a balancing act between killing pathogens and minimizing exposure to harmful byproducts.

“We can't get to zero contaminants. That would be ridiculously expensive, and probably unwarranted from a health point of view,” he said.

Whatever you do, Mitch warned, don't stock your fridge with bottles of water. That plastic taste in bottled water tells you compounds from the plastic have migrated into the water, he said.

"At the end of the day, yes, there's stuff in everything, but the reuse water quality is as good as tap water, which is pretty darn good."

First study author Stephanie Lau is a postdoctoral scholar in civil and environmental engineering at Stanford. Additional co-authors are affiliated with the University of Illinois at Urbana-Champaign.

This research was supported by the National Science Foundation and the Water Research Foundation.

Sisters of the Holy Family Celebrate 150 years of caring for families and children



The Gardens of Palmdale is the legacy gift to future generations from Sisters of the Holy Family.



Sisters of the Holy Family Leadership Team (L to R) Michaela O'Connor, Kathy Littrell, Sandra Ann Silva, President Gladys Guenther.

SUBMITTED BY CHARLOTTE HALL

Hundreds of people gathered Saturday, November 5 at St. Joseph's Church in Fremont to celebrate Sisters of the Holy Family's 150th Jubilee. The Sisters, whose Motherhouse is in the Mission District, have been a fixture in Fremont since the 1940s and are well known for their caring and advocacy for the under-privileged in the area.

The Jubilee celebration included Bishops from the Oakland and Stockton Diocese and nine other priests who have served with the Sisters and wanted to

honor them for their important work in the Bay Area. Sister Gladys Guenther, President of the Sisters, said gratitude best signified her feelings that day, knowing that "for 150 years we members of the Sisters of the Holy Family have been committed to the vision of our founders: to seek out and advocate for the poor and needy, especially families. That seeking has found us serving in places and with people we could never have imagined."

Speakers looked back to 1872 founding in San Francisco when the city was a wild frontier town exploding with an influx of people, many who were living in great poverty. In that atmosphere two young women, Dolores Armer and Teresa O'Connor, with the support of Archbishop Alemany and Father Prendergast, founded Sisters of the Holy Family, dedicated to relieving the suffering of poor families and children.

Decorating the church for the celebration was a display of their "Cloud of Witnesses" ...almost 400 individual photos of the founding Sisters and most of the Sisters and Associates who have been part of their Sisterhood.

One of the Sisters' early concerns was poor children who were often left home alone. In 1878 the Sisters opened a Day Home to care for young children while their parents worked, often at menial jobs. It was the first such facility in San Francisco and the Sisters very soon were opening more Day Homes, including St. Elizabeth's in San Jose and St. Vincent's in Oakland. Their Day Home ministry spread to other cities in California and Nevada, and eventually the Sisters were providing care to over a thousand children every day.

People also remembered Sisters of the Holy Family for their ongoing efforts to improve the lives of all people. "Sister John Marie's Pantry" brought On Lok health services to Fremont, collaborating on

building affordable housing projects such as Oroysom Village and City Center Apartments, teaching religious education throughout the Bay Area. Sisters of the Holy Family were innovators and leaders in religious education and in offering spiritual services to the developmentally disadvantaged.

The Sisters' property, Palmdale Estates, with acres of magnificent trees and gardens, holds a special place in the hearts of many. For decades it was a popular site for weddings and parties, and as a peaceful retreat in nature. A few years ago, in recognition of Palmdale's importance to the people of Fremont and in keeping with their commitment to the Earth Charter, the Sisters created a new non-profit, The Gardens of Palmdale Inc. with a Board of Directors responsible for overseeing maintenance and preservation in perpetuity through an endowment from the Sisters. In addition, The Gardens were placed in a conservation easement held by the Garden Conservancy. In doing so the people of Fremont received The Gardens of Palmdale as a gift from Sisters of the Holy Family, which will be their legacy in a city they call home.

Sisters of the Holy Family, Fremont
43543 Mission Blvd., Fremont
(510) 624-4596
<https://holyfamilysisters.org/>

The Gardens at Palmdale
43202 Calle Dolorosa, Fremont
(Park near Mission Coffee Roasting Company on Washington Blvd.)
www.gardensatpalmdale.org



Sister Michaela O'Connor hangs photos in their "Cloud of Witnesses" display that included individual photos of most of their Sisters from 1872 until present day.



Sister Gladys Guenther, President of Sisters of the Holy Family welcome family and friends to their celebration.

AVOID PIPE CLOGS!

KEEP FATS, OILS, & GREASE (FOG) OUT OF YOUR DRAINS!

COOL IT.

LET OIL & GREASE COOL DOWN

CAN IT.


PUT INTO EMPTY CAN

TRASH IT.

PLACE IN YOUR GARBAGE

FOG (Fats, Oils, and Grease) in your household drains can create blockages that turn a great holiday into a hot mess. Avoid sloppy, costly backups into your home and overflows that can enter local waterways, harming wildlife and the environment. NEVER put fats, oils, or grease down your drains or into storm drains, which flow untreated to our creeks and San Francisco Bay. Bring your used cooking oil to the Republic Services Customer Service Center at 42600 Boyce Road in Fremont for FREE disposal Monday through Friday, 8 AM to 5 PM. Pour used cooking oil into the receptacle and dispose of your empty jug in the provided container.

For more information, call Union Sanitary District at (510) 477-7500, visit www.StopFOG.com, or call Republic Services at (510) 657-3500.



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