



Santa Clara Valley Water District Capital Improvement Program Committee Meeting

Teleconference Zoom Meeting

REGULAR MEETING AGENDA

**Monday, September 14, 2020
10:00 AM**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

Nai Hsueh, Chair, District 5
Linda J. LeZotte, Vice Chair, District
4

Tony Estremera, District 6

All public records relating to an item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

BETH REDMOND
Committee Liaison

NATALIE F. DOMINGUEZ,
CMC
Assistant Deputy Clerk II
Office/Clerk of the Board
(408) 265-2659
ndominguez@valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

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**Santa Clara Valley Water District
Capital Improvement Program Committee**

**REGULAR MEETING
AGENDA**

Monday, September 14, 2020

10:00 AM

Teleconference Zoom Meeting

IMPORTANT NOTICES

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020 that allows attendance by members of the Committee, staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

Members of the public wishing to address the Committee during a video conferenced meeting on an item not listed on the agenda, or any item listed on the agenda, should use the "Raise Hand" or "Chat" tools located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in the order requests are received and granted speaking access to address the Committee.

Santa Clara Valley Water District (Valley Water) in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Committee meetings to please contact the Clerk of the Board's office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emma.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively

JOIN ZOOM MEETING

<https://valleywater.zoom.us/j/95508666563>

Meeting ID: 955 0866 6563

One tap mobile: +16699009128,,95508666563# US (San Jose)

Dial by your location: +1 669 900 9128 US (San Jose)

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.

Notice to the public: This item is reserved for persons desiring to address the Committee on any matter not on this agenda. Members of the public who wish to address the Committee on any item not listed on the agenda should complete a Speaker Form and present it to the Committee Clerk. The Committee Chair will call individuals in turn. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Committee may take action on any item of business appearing on the posted agenda.

3. APPROVAL OF MINUTES:

3.1. Approval of August 10, 2020 Meeting Minutes.

[20-0084](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 081020 CIP Committee Minutes](#)

Est. Staff Time: 5 Minutes

4. ACTION ITEMS:

- 4.1. Capital Project Monitoring - Construction. [20-0138](#)
- Recommendation: Receive and discuss information regarding the status of capital projects in the construction phase.
- Manager: Rechelle Blank, 408-630-2615
Heath McMahon, 408-630-3126
Christopher Hakes, 408-630-3796
Mike Cook, 408-630-2424
- Attachments: [Attachment 1: Capital Project Monitoring - Construction](#)
- Est. Staff Time: 15 Minutes
- 4.2. Receive Information on Upcoming Consultant Agreement Amendments for Capital Projects. [20-0705](#)
- Recommendation: Receive information on upcoming consultant agreement amendments for capital projects.
- Manager: Rechelle Blank, 408-630-2615
Heath McMahon, 408-630-3126
Chris Hakes, 408-630-3796
- Est. Staff Time: 10 Minutes
- 4.3. Contracts Compliance: New Approval Process for Consultant Agreement Amendments for Capital Projects. [20-0780](#)
- Recommendation: Receive a status update as it relates to the Contracts Compliance Process, including the new approval process for consultant agreement amendments, and provide feedback as necessary.
- Manager: Roslyn Fuller, 408-630-2379
- Attachments: [Attachment 1: Justification Approval Memo](#)
[Attachment 2: PowerPoint](#)
- Est. Staff Time: 10 Minutes

- 4.4. Information on the Calabazas and San Tomas Aquino Creek Realignment Project, a Part of Salt Ponds A5-11 Restoration (Project Number 20444001), and the Availability of Grant Funds from the San Francisco Bay Restoration Authority (Measure AA) and from the Ocean Protection Council (Proposition 68). [20-0845](#)

Recommendation: Receive information on the Calabazas and San Tomas Aquino (STA) Creek Realignment Project, a part of Salt Ponds A5-11 Restoration (Project Number 20444001) and the availability of Measure AA and Proposition 68 grant funds for planning, permitting, design, data collection and analysis, California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) documentation; and provide feedback, as necessary.

Manager: Darin Taylor, (408) 630-3068

Attachments: [Attachment 1: Integrated Project Concept Map](#)

Est. Staff Time: 10 Minutes

- 4.5. Review 2020 Capital Improvement Committee Work Plan. [20-0094](#)

Recommendation: Review the 2020 Capital Improvement Program Committee Work Plan, and make adjustments as necessary.

Manager: Michele King, 408-2630-2711

Attachments: [Attachment 1: 2020 CIP Committee Workplan](#)

Est. Staff Time: 5 Minutes

5. INFORMATION ITEMS:

6. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

7. ADJOURN:

- 7.1. Adjourn to Regular Rescheduled Meeting at 10:00 a.m, on October 19, 2020, in the Santa Clara Valley Water District, Board Conference Room A-124, 5700 Almaden Expressway, San Jose, California.



File No.: 20-0084

Agenda Date: 9/14/2020
Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM

Capital Improvement Program Committee

SUBJECT:

Approval of August 10, 2020 Meeting Minutes.

RECOMMENDATION:

Approve the minutes.

SUMMARY:

In accordance with the Ralph M. Brown Act, a summary of Committee discussions, and details of all actions taken by the Capital Improvement Program Committee, during all open and public Committee meetings, is transcribed and submitted to the Committee for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the Committee's historical record archives, and serve as the official historical record of the Committee's meeting.

ATTACHMENTS:

Attachment 1: 081020 CIP Committee Minutes

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711

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CAPITAL IMPROVEMENT PROGRAM COMMITTEE MEETING

MINUTES

**MONDAY, AUGUST 10, 2020
10:00 AM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER/ROLL CALL.

A regular meeting of the Santa Clara Valley Water District (Valley Water) Capital Improvement Program Committee (Committee) was called to order via Zoom video teleconference at 10:00 a.m.

1.1 Roll Call.

Committee members in attendance were District 4 Director Linda LeZotte, District 6 Director Tony Estremera, and District 5 Director Nai Hsueh, Chairperson presiding, constituting a quorum of the Committee.

Staff members in attendance were Michele King, Clerk, Board of Directors, B. Ching, J. Collins, N. Dominguez, R. Fuller, M. Ganjoo, R. Gibson, C. Hakes, G. Hall, H. McMahon, D. Montenegro, A. Nichols, N. Nguyen, L. Orta, N. Pan, M. Potter, M. Richardson, S. Tippets and T. Yoke.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.

Chairperson Hsueh declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

3. APPROVAL OF MINUTES.

3.1. Approval of Meeting Minutes – March 9 and June 29, 2020.

The Committee considered the attached minutes of the March 9 and June 29, 2020 meetings. It was moved by Director LeZotte, seconded by Director Estremera, and unanimously carried to approve the minutes as presented.

4. ACTION ITEMS.

4.1. Capital Project Monitoring – Design.

Recommendation: Receive and discuss information regarding the status of capital projects in the design phase.

Chairperson Hsueh reviewed the information on this item, per the attached Committee Agenda Memo, and corresponding presentation materials contained in Attachment 1 were reviewed by staff as follows: Mr. Heath McMahon, Deputy Operating Officer, reviewed Items 1 and 6 through 9, Mr. Chris Hakes, Deputy Operating Officer, reviewed Items 2 through 4, Ms. Bhavani Yerrapotu, Deputy Operating Officer, reviewed Item 5, Mr. Afshin Rouhani, Water Policy and Planning Manager, reviewed Items 10, 11, 13, and 15 through 18, Mr. Ngoc Nguyen, Deputy Operating Officer, reviewed Items 12 and 14..

Mr. Nguyen announced he would be retiring at the end of August and expressed appreciation for the opportunity to serve Valley Water, and announced that Ms. Rechelle Blank, Deputy Operating Officer, would be assuming his position. The Committee expressed appreciation to Mr. Nguyen for his many years of service and support to the Capital Improvement Program Committee.

During the presentation, the Committee made the following requests of staff:

Staff to bring back an update on the Stevens Creek fish barrier removal project, including a prioritized list of fish barriers proposed for removal and the estimated project cost.

4.2. Review Proposed Project Approach for the Water Supply Infrastructure Implementation Projects.

Recommendation: Review and provide input to staff on the proposed project approach for the three new water supply infrastructure implementation projects included in the Fiscal Year (FY) 2021-25 five-year Capital Improvement Program.

Ms. Yerrapotu reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachment 1.

Mr. William Sherman, San Jose resident, expressed support for the proposed projects, and expressed concern for project prioritization in regard to the Master Plan and projected usage.

The Committee expressed support for the proposed project approach for the Supervisory Control and Data Acquisition, Water Treatment Plant and Distribution System Implementation Projects included in the FY 2021-25 five-year Capital Improvement Program.

4.3. Receive Information on Upcoming Consultant Agreement Amendments for Capital Projects.

Recommendation: Receive information on upcoming consultant agreement amendments for capital projects.

Mr. Nguyen and Mr. Mc Mahon reviewed the information on this item, per the attached Committee Agenda Memo as follows: Mr. Nguyen reviewed proposed amendments to the agreement with NV5, Inc., for the San Francisquito Creek Project and Mr. McMahon reviewed proposed amendments to the agreement with Brown and Caldwell, Inc., for the Coyote Pumping Plant Adjustable Speed Drive Replacement Project.

The Committee noted the information without formal action.

4.4. Review 2020 Capital Improvement Committee Work Plan.

Recommendation: Review the 2020 Capital Improvement Program Committee Work Plan, and make adjustments ad necessary.

Chairperson Hsueh reviewed the information on this item, per the attached Committee Agenda Memo, and corresponding presentation materials contained in Attachment 1.

The Committee noted the information without formal action.

5. INFORMATION ITEMS.

None.

6. CLERK’S REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS AND RECOMMENDATIONS.

Ms. Natalie Dominguez, Assistant Deputy Clerk II, confirmed that there were no new Committee Recommendations or Requests for Board consideration.

Direction to staff was recorded as follows:

Item 4.1, Staff to bring back an update on the Stevens Creek fish barrier removal project, including a prioritized list of fish barriers proposed for removal and the estimated project cost.

7. ADJOURN.

Chairperson Hsueh adjourned the meeting at 11:15 a.m., to the next regular scheduled meeting at 10:00 a.m., on September 14, 2020, via Zoom video teleconference.

Natalie F. Dominguez, CMC
Assistant Deputy Clerk

Approved:



File No.: 20-0138

Agenda Date: 9/14/2020
Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM

Capital Improvement Program Committee

SUBJECT:

Capital Project Monitoring - Construction.

RECOMMENDATION:

Receive and discuss information regarding the status of capital projects in the construction phase.

SUMMARY:

The 2020 Workplan for the Board Capital Improvement Program Committee (Committee) includes monitoring of capital projects during all phases of development. Staff will present a list of active projects at each Committee meeting and provide detailed information on those where potential and/or significant issues have been identified. The projects presented for discussion will be organized by phases: planning/feasibility; design; and construction. Staff will present projects to the Committee for review one phase at a time. Projects currently in the construction phase are being presented at this Committee meeting. Other attachments may be included to provide more detail on other items associated with these projects.

Attachment 1 is a list of projects in the construction phase. A verbal report will be provided at the meeting with more detailed information about recent developments on the projects listed in Attachment 1.

ATTACHMENTS:

Attachment 1: Capital Project Monitoring - Construction

UNCLASSIFIED MANAGER:

Rechelle Blank, 408-630-2615
Heath McMahon, 408-630-3126
Christopher Hakes, 408-630-3796
Mike Cook, 408-630-2424

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Capital Project Monitoring Report - September 2020

CM Services

Construction Phase

Row	Project No.	Project Name	Notes, Upcoming Board Actions or potential issues	In house	External	Combination
Water Supply						
1	91234011	Coyote Warehouse	Warehouse building is substantially complete. Occupancy anticipated September 2020.	X		
2	93294057	RWTP Reliability Improvement	Phase 2 improvements are near complete. Contractor change order and demobilization anticipated for October 2020.		X	
3	93294057	RWTP Oak Woodland Project (Small Capital Project)	Installation of plantings and irrigation completed in January 2020 and six-month maintenance period was completed in July 2020. Notice of Completion and acceptance by the Board anticipated for September 2020.	X		
4	92764009	Vasona Pump Station Fence and Gate Replacement (Small Capital Project)	Construction was completed in April 2020. Notice of Completion and acceptance by the Board approved August 11, 2020.	X		
5	95084002	10-Yr Pipeline Inspection & Rehabilitation (Cross Valley and Calero Pipeline)	Pipeline was returned to service as scheduled in February 2020 after initial rehabilitation work was completed. Construction of remaining rehabilitation work at over 100 locations along the pipeline is in final stages and anticipated to be completed in September 2020.	X		
6	95084002	Almaden Valley Pipeline Emergency Response	Construction was completed in February 2020. Notice of Completion and acceptance of the work was approved by the Board on July 28, 2020.	X		
7	95084002	Milpitas Pipeline Emergency Response	Construction was completed in May 2020. Notice of Completion and acceptance by the Board is scheduled for August 25, 2020.	X		
8	91214010	Pacheco Pumping Plant Priority 1 Fire Alarm & Suppression System Improvement	Board authorized advertisement for construction on June 23, 2020. Award of construction contract scheduled for September 2020.	X		
9	93764004	Santa Teresa Water Treatment Plant Air Wash Pipeline Replacement Project	Board authorized advertisement for construction on July 28, 2020. Award of construction contract scheduled for October 2020.	X		
10	95084002	10-Year Pipeline Inspection and Rehabilitation Project (Central and Parallel East Pipelines)	Advertised for construction on August 11, 2020. Award of construction contract scheduled for October 13, 2020. Central Pipeline shutdown scheduled from January 4, 2021 to April 2, 2021.	X		
Flood Protection						
11	26154002	Upper Guadalupe River Reach 6	A project to install gravel for fish habitat in a portion of Reach 6. Due to COVID-19 constraints, construction advertising of this project is planned for spring 2021; construction scheduled to begin in summer 2021.	X		
12	26244001	Permanente Creek, SF Bay to Foothill Expressway	Construction of channel work was completed in January, 2019; Construction of McKelvey Park was completed and the Board accepted completion of the work on June 23, 2020; an opening celebration was held on February 29, 2020; Construction of Rancho San Antonio Park Flood Detention Basin is on-going and expected to be completed in December 2020.	Rancho San Antonio	McKelvey Park	X
13	26174041s	Berryessa Ck, Calaveras-I-680	COE- civil construction completed in June 2018; mitigation planting completed in January 2019; USACE is addressing items on the deficiency list.	N/A		
14	26174051 26174052	Upper Llagas Creek Flood Protection Project, Phase I	Construction in progress, with civil work scheduled to be completed in May 2022.			X
15	40174005	Berryessa Creek, Lwr Penitencia Ck to Calaveras Blvd, Phase 2	Flood protection improvements and mitigation planning were completed and the Board accepted completion of the Lower Berryessa Creek Phase 2 construction on July 28, 2020. The Lower Calera Creek portion is set to be advertised in January 2021; construction is anticipated to start in summer 2021.		X	X
16	40264008s	Lower Silver Creek, I-680 to Cunningham (Reach 4-6)	Civil construction complete; Plant establishment expected to be complete by December 2020.	X		
17	40264011	Cunningham Flood Detention Certification	Construction work completed in October, 2019. The Board of Directors accepted project completion on December 10, 2019. Flood plain remapping information was submitted to FEMA on December 20, 2019. Plant establishment and maintenance phase of work and is estimated to be completed by the end of 2022.	X		X

Capital Project Monitoring Report - September 2020

CM Services

Construction Phase

Row	Project No.	Project Name	Notes, Upcoming Board Actions or potential issues	In house	External	Combination
Water Resources Stewardship						
18	26044002	Bolsa Road Fish Passage Improvement Project	Due to COVID-19 constraints, construction is planned to be advertised in spring 2021 for construction to begin in summer 2021.			X
Buildings & IT						
19	73274002	PeopleSoft System Upgrade and ERP System Implementation	Project continues full steam ahead with all Valley Water and Infor staff working remotely. Finance, supply chain, human resources and expense management staff have all completed 2x conference room pilots and are currently diligently working toward preparing for our systems integration testing. Staff is currently working on realigning the project schedule to create a single go-live date for finance, supply chain, expense management and human resources. This will minimize the number of interfaces that need to be created between the legacy Peoplesoft environment and Infor while improving quality. This moves the finance and supply chain go-live date back by about 11 weeks. Project expected to continue through summer, 2021.	N/A	N/A	N/A
20	73274001	Information Technology Disaster Recovery	Valley Water has approved disaster recovery assessments and is currently working with consultant to determine long term strategy and recommendations. A number of unsupported applications have been identified as well as a number of dated systems which need upgrading. Consultant has completed extensive interviews with business stakeholders and is currently compiling results of the study. IT is expecting to review requirement documents in September.	N/A	N/A	N/A



File No.: 20-0705

Agenda Date: 9/14/2020

Item No.: 4.2.

COMMITTEE AGENDA MEMORANDUM

Capital Improvement Program Committee

SUBJECT:

Receive Information on Upcoming Consultant Agreement Amendments for Capital Projects.

RECOMMENDATION:

Receive information on upcoming consultant agreement amendments for capital projects.

SUMMARY:

At the March 28, 2017 meeting, the Board of Directors approved revising the Capital Improvement Program (CIP) Committee's purpose to include monitoring implementation progress of key projects in the CIP. At their June 29, 2020 meeting, the CIP Committee requested this topic be added as a standing item on all future CIP Committee meeting agendas, and that staff provide updates on all consultant agreement amendments for capital projects to be presented for Board consideration and approval.

At this time, there are six capital project consultant agreement amendments staff recommends for discussion by the Committee. Two are informational items only as they are subject to administrative approval by the Chief Executive Officer.

1. Amendment No. 3 to Agreement A3967A with Wood Rogers, Inc. for the Lower Penitencia Creek Improvements Project No. 40334005. INFORMATIONAL ITEM ONLY.

Staff plans to recommend Board approval of Amendment No. 3 to the Agreement A3967A (Agreement) between the Santa Clara Valley Water District (Valley Water) and Wood Rogers, Inc. (Consultant) to increase the not-to-exceed fee by \$455,132 from \$2,118,754 to \$2,573,886 for engineering support services during construction. The original scope of the Agreement included the required tasks for Consultant to perform all necessary Project design services: data collection and development for the basis of design documentation; preparation of design plans and specifications (30%, 60%, 90% and final design); support during the construction bid and award period; and Project management.

Amendment No. 1 to this Agreement added key personnel and classifications. Amendment No. 2 extended the Agreement to December 31, 2020 to allow the Consultant more time to complete the Project design documents and provide engineering support during the bidding process as a result of a schedule modification.

This planned Amendment No. 3 was discussed by the CIP Committee in August 2019. Since

August 2019, staff has been working with the City of Milpitas (City) to develop an agreement titled MASTER AGREEMENT FOR THE REMOVAL & CONSTRUCTION OF CITY IMPROVEMENTS, MODIFICATION TO CITY FACILITIES AND WORK WITHIN CITY'S RIGHT OF WAY INCLUDED IN THE VALLEY WATER LOWER BERRYESSA CREEK FLOOD PROTECTION PROJECT, LOWER CALERA CREEK FLOOD PROTECTION PROJECT AND LOWER PENITENCIA CREEK IMPROVEMENTS PROJECT, addressing City comments on the Project plans and specifications, and working on obtaining a permit from the California Department of Transportation.

Due to the length of time that has passed between the CIP Committee discussion regarding this Amendment No. 3, and the current status of this item, a follow-up review of this transaction is presented today. Staff anticipates advertising the Project's construction contract in spring 2021. The Consultant's services, as the designer of record for this Project, are required to provide engineering support during the Project's construction phase and this design services agreement will be subsequently amended to add such necessary services.

2. Amendment No. 6 to Agreement A3356A with Mott MacDonald, LLC. for Permanente Creek Flood Protection Project No. 26244001. INFORMATIONAL ITEM ONLY. Staff prepared for CEO approval Amendment No. 6 to Agreement A3356A with Mott MacDonald for engineering design services for the Permanente Creek Flood Protection Project to extend the term of the Agreement retroactively from March 31, 2020 to March 31, 2021, due to administrative delays caused by the response to COVID-19. This Amendment is currently routing for signatures and is provided as an informational item for the Committee. The CEO's approval complies with EL-5.1.2 as this Amendment only extended the Agreement term and did not increase the not-to-exceed financial limit of the Agreement.

The original Agreement with the Consultant was executed on February 9, 2010. Amendment 1, executed on August 31, 2012 was to extend the term. Amendment 2, executed on December 29, 2014 increased rates and extended the term. Amendment 3, executed on February 1, 2015 added scope, increased rates, extended the term, increased the NTE amount in the sum of \$1,341,837, and implemented administrative updates. Amendment 4, executed on April 26, 2016 increased rates, extended the term, and implemented recent administrative updates. Amendment No. 5, executed August 1, 2018 added scope, increased rates, extended the term, increased the NTE amount in the sum of \$897,115, and added current administrative updates.

The Permanente Creek Flood Protection Project implements flood detention and channel improvements to protect approximately 2,200 parcels in Mountain View and Los Altos. The Consultant has been providing design support during construction for the flood detention basin elements at McKelvey Park in Mountain View and Rancho San Antonio (RSA) County Park by Cupertino. Construction of the McKelvey project is currently in the close-out phase. However, RSA construction continues to be delayed by the treatment and recovery of cultural resources discovered at the site during excavation. RSA construction is not expected to be complete until the end of 2020 and the Consultant's services are needed through the end of construction. Staff therefore recommends the CEO approve Amendment No. 6 which will retroactively

extend the term of the Agreement from March 31, 2020 to March 31, 2021.

In addition to extending the Agreement term to enable the Consultant to perform critical engineer-of-record services through construction completion, Amendment No. 6 also incorporates administrative changes such as identifying key staff; updating insurance requirements; and the standard Terms and Conditions.

This item is on the CIP committee agenda as an informational item as it had not previously been reviewed by the CIP committee prior to routing for approvals.

3. Amendment No. 3 to Agreement A3675A with GEI Consultants, Inc. for Calero and Guadalupe Seismic Retrofits Project No. 91084020; INFORMATIONAL ITEM ONLY. Staff prepared for CEO approval Amendment No. 3 to Agreement A3675A with GEI Consultants, Inc. for planning and environmental services for the Calero and Guadalupe Dams Seismic Retrofits Project. The purpose of Amendment No. 3 is to extend its term to May 31, 2023 to allow sufficient time for Consultant to continue performing planning and environmental services and to implement administrative updates to the Agreement. This Amendment is currently routing for signatures and is provided as an informational item for the Committee. The CEO's approval complies with EL-5.1.2 as this Amendment only extended the Agreement term and did not increase the not-to-exceed financial limit of the Agreement.

Due to the County of Santa Clara Health Officer's Order issued March 16, 2020 that all persons living in the county must shelter in place at their residences, the Santa Clara Valley Water District Board of Directors canceled all non-essential Board and Committee meetings through April. The April and May 2020 meetings of the Capital Improvement Program board committee were cancelled, and the June special meeting was conducted only for the purpose of reviewing and updating the committee's 2020 annual Work Plan. This item is on the CIP committee agenda as an informational item as it had not previously been reviewed by the CIP committee prior to routing for approvals.

4. Amendment No. 4 to Agreement A3675A with GEI Consultants, Inc. for Calero and Guadalupe Seismic Retrofits Project No. 91084020. Staff plans to recommend Board approval of Amendment No. 4 to Agreement A3675A with GEI Consultants, Inc. for planning and environmental services for the Calero and Guadalupe Dam Seismic Retrofits Project No. 91084020 to increase the not-to-exceed amount by \$2,709,970, bringing the total not-to-exceed amount to \$8,929,811.

Valley Water is undertaking the Calero and Guadalupe Dams Seismic Retrofits Project to address seismic stability deficiencies, rehabilitate aging appurtenant facilities, and to ensure compliance with current dam safety standards. The staff recommended alternatives have been selected for retrofit of the dams and Project design is underway.

As a result of unforeseen changes in Project development during the planning phase, delays

in Project design, regulatory agency input, and recent, applicable changes to the CEQA guidelines, staff has determined that additional environmental document preparation and review cycles would be necessary to complete the CEQA process for this Project.

Amendment No. 1 revised the Agreement to remove conflict of interest restrictions on the planning services consultant which precluded them from submitting a proposal for the design services for Guadalupe Dam. This amendment had no monetary impact and was approved by the CEO on June 11, 2015.

Amendment No. 2 revised the Agreement to incorporate in the project scope additional findings of deficiencies at both Calero and Guadalupe Dams and design of a new outlet pipe in a tunnel and new spillways. The amendment extended the term by three years and added a not-to-exceed fee of \$1,316,011 to the Agreement. The amendment was approved by the Board on April 25, 2017.

Amendment No. 3 revised the Agreement to incorporate administrative updates and extended the Agreement term by three years to May 31, 2023. This was a "time only amendment" with the budget for the time extension and additional scope of work planned to be incorporated in Amendment No. 4 to the Agreement after sequencing of other dam retrofits was confirmed by management.

Amendment No. 4 will allocate an additional funding to support the additional environmental and engineering necessary to complete the CEQA and permitting process, which is included in the original scope of work.

5. Amendment No 4 to Agreement No A3902G with HDR Engineering, Inc. for Calero Dam Seismic Retrofit Design and Construction Project No. 91874004. Staff is preparing for CEO approval Amendment No. 4 to Agreement A3902G with HDR Engineering, Inc. for design consultant services for Calero Dam Seismic Retrofit Design and Construction Project No. 91874004 to extend the term of the Agreement from September 22, 2020 to June 30, 2021.

Calero Dam and Reservoir are currently subject to operational restrictions of 54% of the full reservoir capacity, as agreed to by Valley Water and the California Department of Water Resources, Division of Safety of Dams (DSOD), due to seismic stability concerns with the dam and concerns surrounding Fellows Dike, located at the upstream end of the reservoir. The full reservoir capacity will be restored upon completion of the Project.

Agreement A3902G with HDR Engineering, Inc. is for Project design services, which is currently at 60% design level, and includes scope to complete design documentation and prepare the construction plans, specifications, and cost estimates for Project construction.

From a water supply reliability perspective, Valley Water management has determined that Calero Dam and Anderson Dam cannot be out of commission at the same time. Because the completion of the Anderson Dam Seismic Retrofit Project has been deemed a priority, the

seismic retrofit of Calero Dam can only take place after the construction of Anderson Dam retrofit is completed in 2031. Therefore, it is prudent that the design effort for Calero be suspended for the time being as design standards may change in the next ten years and the CEQA documents will become outdated.

The nine-month Agreement term extension is necessary to complete the Agreement close-out formalities, including finalizing accounts, deliverables, and paperwork, and then the parties will let the Agreement expire. The CEO's approval will comply with EL-5.1.2 as this Amendment will only extend the Agreement term and not increase its not-to-exceed financial limit.

6. Amendment No. 1 to Agreement No. A4158A with Northgate Environmental Management, Inc. for On-Call Environmental Site Assessment, Remedial Design, and Storm Water Management and Engineering Services. Staff plans to recommend Board approval of Amendment No. 1 to Agreement No. A4158A with Northgate Environmental Management, Inc. for On-Call Environmental Site Assessment, Remedial Design, and Storm Water Management and Engineering Services to extend the term of the Agreement from July 6, 2021 to July 6, 2022 and increase the not-to-exceed fee by \$200,000 for a new total not-to-exceed fee of \$700,000.

Prior to acquiring property or a property interest, Hazardous Substance Liability Assessments (HSLAs) are conducted to determine the environmental condition of the property and the actual or potential risk of environmental contamination from such conditions. The necessity for and nature and extent of remedial actions to address the conditions are also ascertained. These steps are necessary so Valley Water is fully informed of the environmental conditions of any property interest acquired and as to the conditions and possible remedial measures which must be taken to address a hazardous condition relating to its public works projects. Agreement A4158A with Northgate Environmental Management has allowed Valley Water to direct on-call services be performed for such HSLAs, which are conducted in accordance with federal government regulations and industry guidelines.

The purpose of this On-Call HSLA Agreement is to provide services on an on-call basis to all projects across Valley Water. In June 2020, there was a time-sensitive need to support the Anderson Dam Seismic Retrofit Project services provided by the Consultant pursuant to this Agreement. Three task orders valued at about \$120,000 were issued for HSLAs, Soil Sampling and Testing, and Storm Water Management. This significant expense had been unexpected and impacts the funds available for the Consultant to perform task orders relating to other Valley Water projects. Amendment No. 1 will facilitate completion of the Anderson Dam Seismic Retrofit Project's task orders and provide continuity of services for any planned and unforeseen task orders for the remainder of this Agreement.

ATTACHMENTS:
None.

File No.: 20-0705

Agenda Date: 9/14/2020

Item No.: 4.2.

UNCLASSIFIED MANAGER:

Rechelle Blank, 408-630-2615

Heath McMahon, 408-630-3126

Chris Hakes, 408-630-3796



File No.: 20-0780

Agenda Date: 9/14/2020

Item No.: 4.3.

COMMITTEE AGENDA MEMORANDUM

Capital Improvement Program Committee

SUBJECT:

Contracts Compliance: New Approval Process for Consultant Agreement Amendments for Capital Projects.

RECOMMENDATION:

Receive a status update as it relates to the Contracts Compliance Process, including the new approval process for consultant agreement amendments, and provide feedback as necessary.

SUMMARY:

At the February 10, 2020, Capital Improvement Program (CIP) Committee meeting, the committee asked staff to clarify the current internal process staff utilizes to monitor consultant performance and scope compliance for capital consultant agreements and amendments. Committee members' concerns centered around the internal process for contract compliance, specifically related to:

- Scope, schedule, and budget
- Consultant performance
- Monitoring and maintaining consultant agreements

Staff performed a thorough analysis of our internal Capital Contract and Amendment process and identified opportunities for improvement. Staff recommends the implementation of a new consultant agreement amendment approval process for capital projects. The recommended process will include a review and approval workflow to provide additional oversight for capital consultant agreement amendments submitted to the relevant chief for approval. A new Consultant Agreement Amendment Justification and Approval Memo for Capital Projects (Justification Memo) has been developed and piloted.

The Project Manager (PM) will be required to submit a Justification Memo with any capital agreement amendment they propose for their project. The memo will include: a detailed summary of the agreement, a background summary of the project, an outline of the original scope, a statement of the proposed changes, a justification for the proposed changes, the total cost of the requested amendment, the new agreement total and lastly, the appropriate accounting structure. An internal approval workflow which includes representatives from: The PM's DAO/DOO, Purchasing and Consultant Contracts Services Unit, Business Planning and Analysis Unit, and the COO's approval will be required on the justification memo for the requested amendment.

A sample of a completed justification memo for an amendment to the Lower Penitencia Creek Improvement Project Design Services has been provided as Attachment 1. Staff used the new agreement amendment recommendation as a pilot for the new approval process.

The Attachment 2 PowerPoint represents the new Contract amendment approval process. Additional solutions are proposed with the implementation of the new ERP system (Infor) and the Proposed Project Management Integrate Software (PMIS) System. Infor will afford staff the ability to track the financial activities of amendments and agreements electronically. PMIS planned features include a project dashboard and reporting system to track and monitor process of projects. Both solutions will provide staff with additional oversight and review on capital agreement and amendments.

ATTACHMENTS:

Attachment 1: Justification Approval Memo

Attachment 2: PowerPoint

UNCLASSIFIED MANAGER:

Roslyn Fuller, 408-630-2379



Project Manager: Sunshine Julian

Extension: 2273

Date: August 20, 2020

CONSULTING AGREEMENT AMENDMENT JUSTIFICATION APPROVAL MEMO FOR CAPITAL PROJECTS

The Project Manager must complete and submit this Amendment Justification Memo for approval prior to engaging the Consultant Contract Unit to start the drafting of the official Amendment.

The Project Manager is responsible for the administration of the Consulting Agreement thru closeout.

CONSULTANT AGREEMENT SUMMARY

Agreement No: A3967A CAS No.: 4680
 Consultant: Wood Rodgers, Inc.
 Agreement Title: Lower Penitencia Creek Improvements Project Design Services
 Project No.: 40334005 Project Manager: Sunshine Julian

PROJECT BACKGROUND

Lower Penitencia Creek receives storm flows from Berryessa Creek and flows into Coyote Creek. Construction of the Berryessa Creek project brings more storm flows into Lower Penitencia Creek. In its current condition, Lower Penitencia Creek does not have the required capacity to convey the increased storm flows. The Lower Penitencia Creek Improvements Project (Project) would prevent the increased one-percent flow from overtopping the banks of Lower Penitencia Creek, minimize need for seasonal removal of sediment and non-woody vegetation, maintain existing Federal Emergency Management Agency (FEMA) accreditation, and ensure the Project improvements meet FEMA certification requirements.

ORIGINAL SCOPE OF THE AGREEMENT

On May 14, 2016, the Board approved this Agreement with the Consultant for professional engineering design services for the Project for a not-to-exceed fee of \$2,118,754. The original scope of the Agreement included the required tasks for the Consultant to perform all necessary Project design services: data collection and development for the basis of design documentation; preparation of design plans and specifications (30%, 60%, 90% and final design); support during the construction bid and award period; and Project management.

PROPOSED CHANGES TO AGREEMENT

This Amendment is for the following changes:

- Change in Scope*; *Increase Funds*; *Term Extension*; *Change in Schedule of Completion*
 Change in Subconsultant(s); *Consultant Name Change*; *Changes to Standard Terms and Conditions*;
 Administrative Changes; *Insurance Limit(s) Change (Due to change in scope or addition of subconsultant(s))*;
 Other:

This Amendment No. 3 would allow the Consultant to perform critical engineering support and engineer-of-record services during Project construction as well as any supplemental services needed during the construction phase.

Amendments issued to date:

On December 2, 2016, the CEO approved Amendment No. 1 to the Agreement to add additional Consultant Key Personnel Project role classifications and hourly rates to the hourly/unit rate table.

On April 17, 2019, the CEO approved Amendment No. 2 to the Agreement to extend the term from June 30, 2019 to December 31, 2020 to allow the Consultant to complete the design and to provide engineering support during the anticipated schedule for the bidding process.



Project Manager: Sunshine Julian
Extension: 2273
Date: August 20, 2020

JUSTIFICATION OF AMENDMENT BEING REQUESTED

- New task includes Engineering Support During Construction scope of work.
- An additional amount of \$455,132 is needed for the Consultant to provide the Engineering Support During Construction as well as any supplemental services needed during the construction phase.
- This Amendment No. 3 would extend the term of agreement from December 31, 2020 to December 31, 2023.
- Other changes include Standard Consultant Agreement language updates, Consultant's Key staff updates, Insurance Requirements updates, and Reference Material updates.

SUMMARY TOTAL AMOUNT OF THE AGREEMENT, INCLUDING AMENDMENT(S)

Original Agreement Amount: \$ 2,118,754

Current Agreement Amount, incl. any Amendments to date: \$ 2,118,754

If applicable, Estimated Amount of this Proposed Amendment No. 3 Total: \$ 455,132

If applicable, Revised Estimated Agreement Total, including this Amendment: \$2,573,886

If applicable, Revised Estimated Agreement End Date: December 31, 2023

ACCOUNT CODING

Budget Year	Fund	Department	Account	Project	Activity	Amount	%
2021	12	334	6121	40334005	1493	\$455,132	100

Comments:

INITIAL APPROVALS – PRIOR TO PROCEEDING WITH AMENDMENT

(PM to obtain all signatures)



Project Manager: Sunshine Julian
Extension: 2273
Date: August 20, 2020

APPROVALS:

DocuSigned by:
Sunshine Ventura Julian 8/25/2020
C39EE2233C474CE
Sunshine Julian, P.E., PMP Date
Unit Manager
Design & Construction Unit 4

DocuSigned by:
Rechelle Blank 8/25/2020
0729D65C492A46F
Rechelle Blank, P.E. Date
Deputy Operating Officer
Watersheds

DocuSigned by:
Alicia Fraumeni 8/25/2020
DCCC476B58DB436
Alicia Fraumeni Date
Supervising Program Manager
Purchasing and Contracts Unit

DocuSigned by:
Jennifer Martin 8/26/2020
55770BE0C978472
Jennifer Martin Date
Supervising Program Manager
Business Planning & Analysis Unit
Capital Improvement Program

DocuSigned by:
Sue Tippets 8/26/2020
15EC71C09183446
Sue Tippets, P.E., C.F.M. Date
Interim Chief Operating Officer
Watersheds

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Valley Water

Clean Water • Healthy Environment • Flood Protection



Contract Compliance Process Overview

Presented by: Roslyn Fuller, Deputy Administrative Officer of General Services

Contract Compliance Process Overview

Background:

At the February 10, 2020 CIP Committee meeting the committee asked staff to clarify the current internal process staff uses to monitor consultant performance and scope compliance for capital consultant agreements and amendments.

Contract Compliance Process Overview

Compliance Concerns:

- Concern regarding a lack of an internal process for contract compliance for consultant agreements and amendments, specifically related to:
 - Scope, schedule and budget
 - Consultant performance
 - Monitoring and maintaining consultant agreements

Contract Compliance Process Overview

Proposed Solutions:

- To address the CIP Committee's concerns, in addition to clarifying the current process, staff is proposing the following solutions:
 - New Amendment Approval Process
 - Amendment Justification Approval memo required prior to development of amendment with Consultant Agreements Staff and Legal
 - Infor Financial Software System Implementation
 - Project Management Integrated Software (PMIS) System

Contract Compliance Process Overview

6

Consultant Agreement/Amendment Management Compliance Process

Project Manager (PM) maintains and monitors the agreement (post-award): Objective is to ensure consultants timely perform all Agreement requirements within their control

Current

PM receives monthly status report from consultant

Current

PM reviews and approves consultant invoices

Current

PM works with accounting unit for timely payment on invoices

Current

Implementation of Infor and PMIS software solutions will provide the ability for additional oversight and review for tracking and reporting

Pending

Contract Compliance Process Overview

Consultant Agreement Amendment Development Compliance Process

PM determines the need for an amendment or validates request for amendment from consultant	Current
PM confirms changes in scope and deliverables are appropriate due to changed circumstances	Current
PM/Consulting Contracts determines appropriate amendment types (e.g. time extension, adding funding, or scope)	Current
PM creates the Justification Memo per the Amendment Approval Process and routes for review and approval by Consulting Contracts, CIP Representative, Deputy and Chief	New
PM drafts the scope and works with Consulting Contracts and Legal to process the amendment	Current
Amendment reviewed by the CIP Committee	Current
Amendment routed for review and approval by Board (when required)	Current
PM will manage and monitor the executed amendment per the Consultant Agreement/Amendment Management Process	Current

QUESTIONS





Valley Water

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File No.: 20-0845

Agenda Date: 9/14/2020
Item No.: 4.4.

COMMITTEE AGENDA MEMORANDUM

Capital Improvement Program Committee

SUBJECT:

Information on the Calabazas and San Tomas Aquino Creek Realignment Project, a Part of Salt Ponds A5-11 Restoration (Project Number 20444001), and the Availability of Grant Funds from the San Francisco Bay Restoration Authority (Measure AA) and from the Ocean Protection Council (Proposition 68).

RECOMMENDATION:

Receive information on the Calabazas and San Tomas Aquino (STA) Creek Realignment Project, a part of Salt Ponds A5-11 Restoration (Project Number 20444001) and the availability of Measure AA and Proposition 68 grant funds for planning, permitting, design, data collection and analysis, California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) documentation; and provide feedback, as necessary.

SUMMARY:

Staff is exploring an opportunity to integrate the Calabazas and San Tomas Aquino Creek Realignment Project (Realignment Project as part of the Salt Ponds A5-11 Restoration Project, 20444001) with planned tidal marsh restoration of the A8 Ponds within the project areas of the South Bay Salt Pond Restoration Project (SBSPRP) led by the State Coastal Conservancy (SCC). The Realignment Project and SBSPRP overlap in geographic area and restoration goals. In collaboration with the SCC and the U.S. Fish and Wildlife Service, the owner and operator of the A8 Ponds, staff is preparing grant funding applications to evaluate the integrated approach, which would realign the two creek channels into the A8 Ponds to provide a natural sediment source for marsh restoration, and breach the pond levees to restore tidal action and minimize adverse impacts to flood protection.

The integrated project would reduce channel maintenance and associated impacts in San Tomas Aquino and Calabazas Creeks, and ultimately create more than 1,500 acres of shoreline habitat that is naturally resilient to sea level rise. It would be the first creek-tidal connection project in the lower South Bay. This innovative approach is summarized in the EPA-funded landscape vision report by San Francisco Estuary Institute: <https://www.sfei.org/projects/landscape-vision-calabazas-creek-san-tomas-aquino-creek-and-pond-a8>. This approach would help ensure that the objectives of each project are achieved to the greatest extent possible, avoiding the potential complications related to piecemeal planning and implementation.

Staff is preparing applications for Measure AA and Proposition 68 grant funding for planning, permitting, and design of the integrated project. Pending feedback from the CIP Committee, staff plans to recommend for Board approval a resolution authorizing application for \$1.5 million in Measure AA grant funding on October 13, 2020, and on October 27, 2020, a resolution authorizing

application for \$2 million in Proposition 68 funds. Staff is currently in the process of reviewing the grant requirements for both Measure AA and Proposition 68. If necessary and appropriate, staff's presentations regarding the two grant applications will inform the board of any particular grant conditions that may involve policy or administrative decisions.

To meet grant application deadlines, staff will recommend Board approval prior to finalizing the feasibility study for the Calabazas and San Tomas Aquino Creek Realignment Project.

The final feasibility study report will include a range of options with varying levels of project scope and associated estimated costs, including an option for the integrated project, for Board consideration. The draft feasibility study report would be presented to the CIP Committee for feedback prior to seeking approval from the full Board to proceed to project planning for the integrated project, before the end of the year. If the Board does not approve proceeding to the project planning phase for the integrated project, and the grants are awarded, Valley Water would not proceed with signing the grant agreements.

FINANCIAL IMPACT:

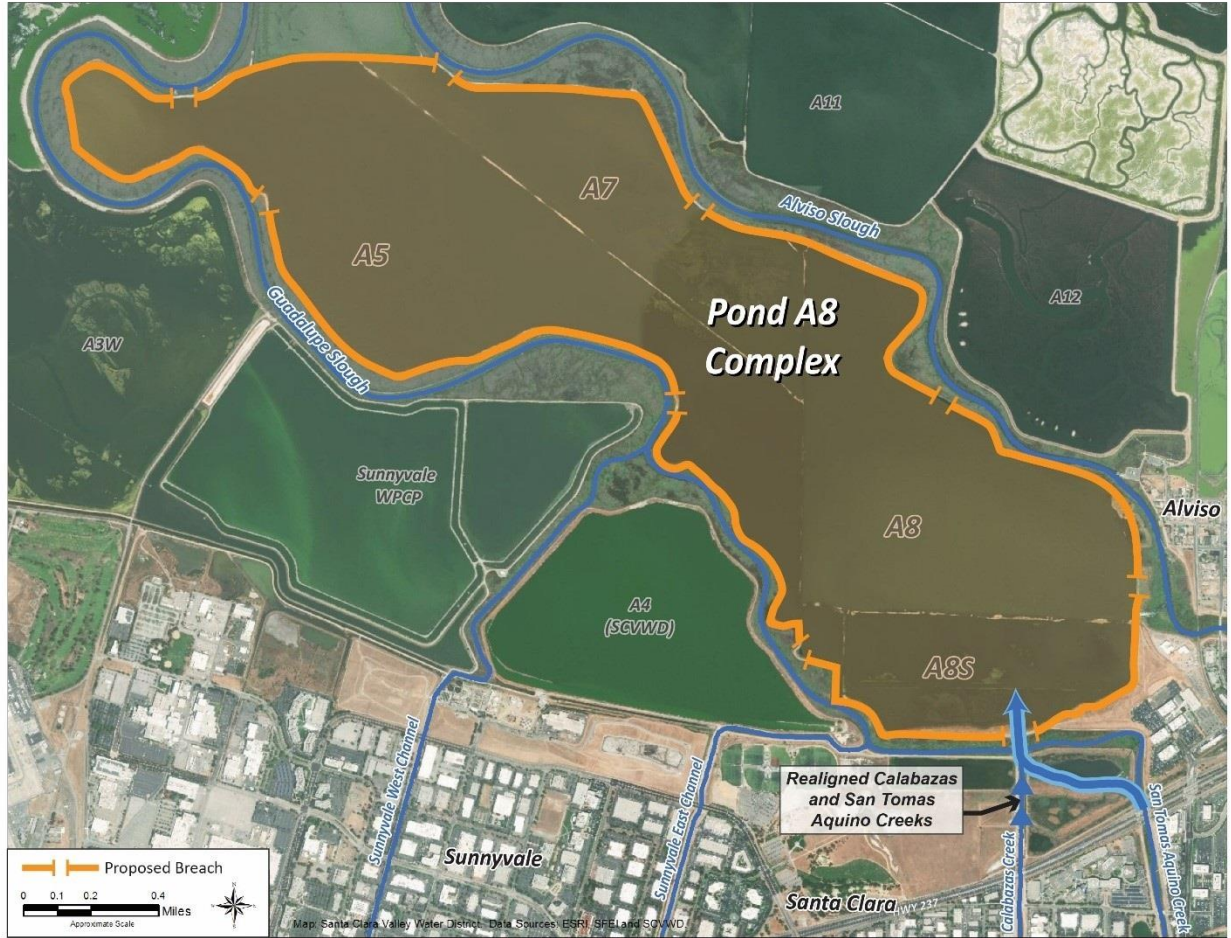
The Salt Ponds A5-11 Restoration Project, 20444001 is included in the Fiscal Year 2021-25 Capital Improvement Program 5-Year Plan, which includes planned funding to cover the estimated total remaining cost of \$1.81 million for planning, design, data collection and analysis, CEQA/NEPA documentation, and permitting for the integrated project, if the requested amounts from Measure AA and Prop 68 grants are awarded.

ATTACHMENTS:

Attachment 1: Integrated Project Concept Map

UNCLASSIFIED MANAGER:

Darin Taylor, (408) 630-3068



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File No.: 20-0094

Agenda Date: 9/14/2020
Item No.: 4.5.

COMMITTEE AGENDA MEMORANDUM

Capital Improvement Program Committee

SUBJECT:

Review 2020 Capital Improvement Committee Work Plan.

RECOMMENDATION:

Review the 2020 Capital Improvement Program Committee Work Plan, and make adjustments as necessary.

SUMMARY:

Work Plans are created and implemented by all Board Committees to increase Committee efficiency, provide increased public notice of intended Committee discussions, and enable improved follow-up by staff. Work Plans are dynamic documents managed by Committee Chairs and are subject to change. Committee Work Plans also serve to assist to prepare an Annual Committee Accomplishments Reports.

The 2020 Capital Improvement Program Committee (CIP) Work Plan is contained in Attachment 1. Information in this Plan document was provided by staff as follows:

Discussion of topics as stated in the Plan have been described based on information from the following sources:

- Items referred to the Committee by the Board;
- Items requested by the Committee to be brought back by staff;
- Items scheduled for presentation to the full Board of Directors; and
- Items identified by staff.

The 2020 CIP Work Plan contained in Attachment 1 is presented for the Committee's review to determine topics for discussion in 2020.

All meetings have been scheduled to occur on the second Monday of each month in 2020 in accordance with the Committee's charter, with the exception of the meetings in April and May 2020, which were cancelled due to the COVID-19 Shelter-in-Place Order; the meetings in June and July 2020, which were special meetings; and the October meeting, which has been rescheduled to October 19, 2020, due to the holiday schedule.

ATTACHMENTS:

File No.: 20-0094

Agenda Date: 9/14/2020

Item No.: 4.5.

Attachment 1: 2020 CIP Committee Work Plan

UNCLASSIFIED MANAGER:

Michele King, 408-2630-2711

CIP Committee 2020 Workplan

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Capital Project Monitoring												
Construction		X							X			X
Design			X							X		
Planning/Feasibility	X										X	
Water Supply Infrastructure Implementation Projects								X				
Contracts Compliance Process Review									X			
Review Alternate Contracting Process for Anderson Dam Project							X					
CIP Implementation												
Review Project Delivery Process for Capital Projects		X										
									X			
CIP Development												
CIP Planning Process												
Review Significant Project Plan Updates										X		
Committee Review of Initially Validated Projects											X	
Preliminary CIP Review												X
Standing Items												
Upcoming Consultant Agreement Amendments		X							X	X	X	X
Workplan	X	X	X				X		X	X	X	X
Minutes	X	X	X						X	X	X	X

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