



Montecito Sanitary District

1042 Monte Cristo Lane
Santa Barbara, CA 93108

A Public Service Agency

Phone: (805) 969-4200
www.montsan.org

BOARD PACKET

For the Regular Board Meeting of

Thursday, June 9, 2022

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AGENDA

For the Regular Meeting of the Board on:

June 9, 2022

The regular meeting of the Governing Board will begin at **2:00 p.m. on June 9, 2022** in the District's Board Room at 1042 Monte Cristo Lane.

There is an alternative remote location for this meeting. Members of the public may participate at the following remote location:

Best Western Executive Inn & Suites, 3307 E Main Street, Madisonville, TX 77864

The public may attend the meeting in person or participate remotely via Zoom using the following virtual meeting details:

By visiting: <https://us02web.zoom.us/j/89962037096>

Or by calling: 1-669-900-6833

Meeting ID: 899 6203 7096

1. CALL TO ORDER

President Dorinne Lee Johnson; statement regarding meeting decorum. When the MSD Board is in session, all Board members must preserve order, decency, and decorum at all times and be respectful while others are speaking.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT

Public comment is **limited to 3 minutes** and is at the discretion of the Board President. For further instructions, see please see [Instructions for Public Comment](#) on the District's website.

3. APPROVAL OF MINUTES

It is recommended that the Board consider approving the minutes from Board Meetings held on May 12, 2022 and May 26, 2022.

B. FISCAL YEAR 2022-23 BUDGET

It is recommended that the Board consider:

- i) Discussing and adopting the Fiscal Year 2022-23 Proposed Budget; and
- ii) Taking such additional, related action that may be desirable.

5. NEW BUSINESS

A. CLARIFIER SCUM TROUGH REPLACEMENT

It is recommended that the Board consider:

- i) Authorizing the General Manager to execute a purchase order to Jim Myers & Sons, Inc. in the amount of \$96,144 for the purchase of materials necessary for the replacement of the four clarifier scum troughs.
- ii) Taking such additional, related action that may be desirable.

6. ITEMS FOR THE NEXT AGENDA

The next Board meeting will be a regularly scheduled board meeting on June 23, 2022 at 2:00 pm; to discuss the following items (but not limited to):

- Swearing in of new Director

7. ADJOURNMENT

The Montecito Sanitary District has resumed in-person meetings in accordance with the Brown Act. In accordance with the State of Emergency declaration issued on March 4, 2020 by the Governor of the State of California in response to COVID-19 and Government Code 54953(e), the District also provides alternative methods of remote participation which permit members of the public to observe and address public meetings remotely via telephone or Zoom. These methods of participation can be accessed through the internet link provided at the top of this agenda.

This agenda was posted on the District website, and at the Montecito Sanitary District Bulletin Board in accordance with the requirements of the Brown Act. Attested by:

Stephen Williams

Stephen Williams

District Administrator/Clerk of the Board

ADA – The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's programs, services or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at 969-4200. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements.



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MINUTES

For the Regular Meeting of the Board on:

May 12, 2022

1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:02 pm on Thursday, May 12, 2022.

ATTENDANCE

Board Members Present:

President Dorinne Lee Johnson, Vice President Woody Barrett, and Treasurer Don Eversoll

Board Members Absent:

Director Dana Newquist

Also Present and Participating:

Brad Rahrer, P.E. MSD General Manager
Stephen Williams, MSD District Administrator
Ricardo Larroude, MSD Operations Manager
Carole Rollins, MSD Laboratory Manager

2. PUBLIC COMMENT

No members of the public addressed the Board.

3. COMMITTEE REPORTS

It is recommended that the Board receive and file a report provided by the following committee(s):

- i) Director Johnson gave a summary of the Public Information Committee meeting held May 6, 2022.

4. APPROVAL OF MINUTES

It is recommended that the Board consider approving the minutes from Board Meetings held on April 13, 2022, April 14, 2022, April 21, 2022, and April 28, 2022.

ON MOTION by Director Barrett, Second by Director Eversoll, the Board voted to approve the Minutes from the Board Meetings held on April 13, 2022, April 14, 2022, April 21, 2022, and April 28, 2022.

AYES: Directors Barrett, Eversoll, and Johnson
NAYS: None
ABSTAIN: None
ABSENT: Director Newquist

5. OLD BUSINESS

A. LILAC OAK GROVE SEWER MAIN EXTENSION PROJECT

ON MOTION by Director Eversoll, Second by Director Barrett, the Board voted to authorize the General Manager to execute a Task Order under the On-Call Services Contract (2020-008-OC) with Fillipin Engineering, in the amount of \$44,200, for part-time construction support and inspections services to complete the project.

AYES: Directors Barrett, Eversoll, and Johnson
NAYS: None
ABSTAIN: None
ABSENT: Director Newquist

6. NEW BUSINESS

None.

7. DISTRICT OPERATIONS AND MAINTENANCE

A. INFORMATION ITEMS

None.

B. AGREEMENTS TO BE SIGNED

None.

C. OPERATIONS AND MAINTENANCE REPORTS – DECEMBER 2021

The operational data was presented for the month of April. Director Barrett requested a visual graph plotting the effluent flow average data for the previous 12 months be included in future Operations and Maintenance Reports.

8. ITEMS FOR THE NEXT AGENDA

The next Board meeting will be a regularly scheduled board meeting on May 26, 2022 at 2:00 pm; to discuss the following items (but not limited to):

- Draft FY 2022-2023 Budget

9. **ADJOURNMENT**

The meeting adjourned at 3:00 p.m. ON MOTION by Director Barrett, seconded by Director Eversoll.

These minutes were presented for approval at the Board Meeting on June 9, 2022.

Dorinne Lee Johnson, President

Ellwood T. Barrett II, Vice President

Dana Newquist, Secretary

Donald M. Eversoll, Treasurer

Gary Fuller, Director



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MINUTES

For the Regular Meeting of the Board on:

May 26, 2022

1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:05 pm on Thursday, May 26, 2022.

ATTENDANCE

Board Members Present:

Vice President Woody Barrett, Treasurer Don Eversoll and Director Newquist

Board Members Absent:

President Dorinne Lee Johnson

Also Present and Participating:

Brad Rahrer, P.E. MSD General Manager

Stephen Williams, MSD District Administrator

Ricardo Larroude, MSD Operations Manager

2. PUBLIC COMMENT

No members of the public addressed the Board.

3. APPROVAL OF PAYABLES

ON MOTION by Director Newquist, Second by Director Eversoll, the Board voted to approve the District payables for checks dated April 1 through April 30, 2022.

Accounts Payable	\$ 90,970.03
Capital Improvement Projects	\$ 453,903.88
Recycled Water Fund	\$ 139,358.08
Payroll	\$ 128,784.93
TOTAL	\$ 684,231.99

AYES: Directors Barrett, Eversoll, and Newquist

NAYS: None

ABSTAIN: None

ABSENT: Director Johnson

4. COMMITTEE REPORTS

It is recommended that the Board receive and file a report provided by the following committee(s):

- i) Director Barrett gave a summary of the Strategic Planning Committee Meeting held May 10, 2022.
- ii) Director Eversoll and District Administrator Stephen Williams gave a summary of the Finance Committee Meeting held May 18, 2022.

5. OLD BUSINESS

None.

6. NEW BUSINESS

A. N JAMESON LANE MANHOLE ADJUSTMENT CONTRACT

ON MOTION by Director Newquist, Second by Director Eversoll, the Board voted to authorize the General Manager to execute a contract with Tierra Contracting, in the amount of \$28,405 plus \$2,840 (10%) in contingencies, for adjusting to grade 19 sewer manhole covers.

AYES: Directors Barrett, Eversoll, and Newquist
NAYS: None
ABSTAIN: None
ABSENT: Director Johnson

B. FISCAL YEAR 2022-23 BUDGET

District Administrator Stephen Williams presented the 2022-23 Proposed Budget and discussed with the Directors present. No action was taken and the item will be continued at the Regular Board Meeting of June 9, 2022.

7. ITEMS FOR THE NEXT AGENDA

The next Board meeting will be a regularly scheduled board meeting on June 9, 2022 at 2:00 pm; to discuss the following items (but not limited to):

- FY 2022-2023 Budget
- Short Review of the District's Board Policies and Procedures
- Recycled Water Maintenance Update

8. ADJOURNMENT

The meeting adjourned at 4:03 p.m. ON MOTION by Director Newquist, seconded by Director Eversoll.

These minutes were presented for approval at the Board Meeting on June 9, 2022.

Dorinne Lee Johnson, President

Ellwood T. Barrett II, Vice President

Dana Newquist, Secretary

Donald M. Eversoll, Treasurer

Gary Fuller, Director



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A Public Service Agency

General Manager: Bradley Rahrer, P.E.

PHONE: (805) 969-4200

www.montsan.org

brahrer@montsan.org

BOARD OF DIRECTORS APPLICATION LIST

For consideration at the Regular Meeting of the Board on June 9, 2022

1. Phillip Hogan
2. James McGinley
3. John Ohlmann
4. Lawrence Waldinger



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FISCAL YEAR 2022-23 PROPOSED BUDGET MEMO

MISSION STATEMENT

“To protect the public health and safety and to preserve the natural environment through the collection, treatment, and disposal of wastewater in the most cost-effective way possible.”

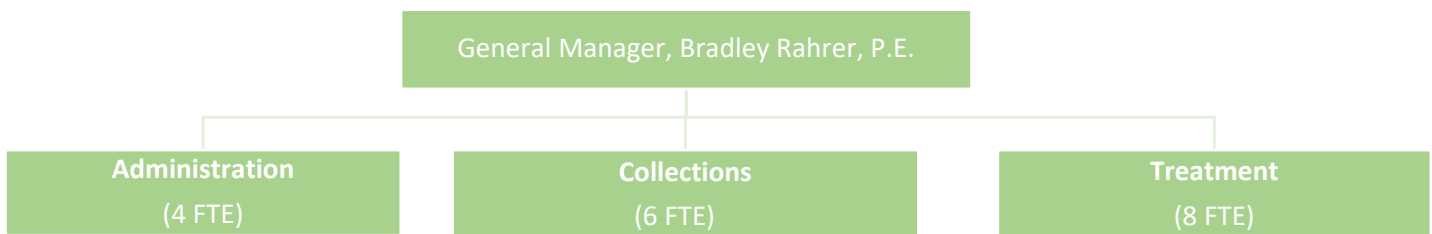
PURPOSE

The District was organized in 1947 pursuant to the Sanitary District Act of 1923 (Division 6 of the California Health and Safety Code) to provide for the collection, treatment and disposal of wastewater to residents within its service area. The District has a service area of approximately 8.9 square miles and an estimated population of approximately 9,000 people. The District currently serves 3,185 properties.

The wastewater collection system includes approximately 77 miles of gravity sewer mains, five lift stations and 2.2 miles of sewer forcemains. The collection system's underground network of pipes range in size from 6-inch to 21-inch in diameter. The majority of the facilities were installed between 1961 and 1969.

Wastewater is conveyed to the District's Wastewater Treatment Plant for treatment. The Treatment Plant, which has a capacity to treat an average of 1.5 million gallons per day, provides full secondary treatment that includes conventional activated sludge tanks, secondary clarification, and disinfection. In 2021, the wastewater treatment reliably treated approximately 539,000 gallons per day and discharged the effluent through the 1,500 foot long ocean outfall.

ORGANIZATION



BUDGET STRUCTURE

Montecito Sanitary District utilizes an Enterprise Fund accounting method, appropriate for the type of utility service business that the District operates. The budget is a non-appropriated budget which supports funding the District's critical operations and capital improvement program. The flexible budget varies according to system demands and level of activity within the District on a year to year basis.

**DISTRICT RECOMMENDED OPERATIONS AND MAINTENANCE
 BUDGET SUMMARY**

Source of Funds		Use of Funds	
Operating Revenues	\$ 6,775,000	Salaries and Benefits	\$ 3,243,700
Non-operating Revenues	\$ 665,000	Operating Expenses	\$ 1,940,000
Total Source of Funds	\$ 7,440,000	Total Use of Funds	\$ 5,183,700

OPERATION & MAINTENANCE REVENUES

The District has four main types of revenues, three of which are Operating and the other Non-Operating. A description of these revenues are as follows:

Operating Revenues:

- **Sewer Service Charges:** The District’s primary source of revenues comes from Sewer Service Charges. The County of Santa Barbara collects these funds from the District’s customers on their annual property tax statements, and the District receives the total amount of Sewer Service Charges revenue reported to the County each year. Sewer Service Charges constitute approximately 91% of total District revenues and 97% of its total operating revenue. This revenue source is relatively stable as any increases would come in the form of an increase to the number of connections or a rate increase. No rate increase is proposed for the upcoming Fiscal Year and amounts are allocated to the District twice during the fiscal year, typically in November and April.
- **Connection Fees:** Connection Fees are established to reimburse existing customers for their investment in the wastewater collection and treatment capacity. As new customers connect to the District facilities, their connection fees contribute to future capacity upgrades. The District’s current connection fee is \$8,400 per equivalent residential unit (per Resl No. 2022-944).
- **Other Services:** The District also receives revenue in the form of miscellaneous fees for services such as plan check, processing agreements, engineering review and inspections. Total fees received for Fiscal Year 2021-2022 are projected to be around \$75,000 and Staff expects a similar revenue for Fiscal Year 2022-2023.

Non-Operating Revenues:

- **Property Tax:** The District’s second highest form of revenue comes from one-half of the 1% of total property tax revenue that is collected by the County of Santa Barbara for parcels within its service area, whether or not they are a customer of the District. This revenue source is also relatively flat as it increases/decreases with the total assessed value of properties within District boundaries. Amounts are allocated to the District twice during the fiscal year along with the Sewer Service Charges, typically in November and April.

Montecito Sanitary District
 Fiscal Year 2022-2023 Proposed Budget Memo

	2022-23 Proposed Budget		2021-22 Approved Budget		Difference
Operating Revenues					
Service Charges	\$	6,600,000	\$	6,519,750	\$ 80,250
Connection Fees		100,000		50,000	50,000
Other Services		75,000		32,000	43,000
Total Operating Revenues	\$	6,775,000	\$	6,601,750	\$ 173,250
Nonoperating Revenues					
Property Taxes	\$	665,000	\$	400,000	\$ 265,000
Total Nonoperating Revenues	\$	665,000	\$	400,000	\$ 265,000
Total Revenues	\$	7,440,000	\$	7,001,750	\$ 438,250

REVENUE PROJECTIONS

Overall, Staff is projecting an increase in total revenues of approximately \$438,000 primarily attributed to the following:

- \$80,000 increase in Sewer Service Charges due to new connections established.
- \$50,000 increase in Connection Fees based on anticipated connection projects in the coming year
- \$43,000 increase in Other Services based on an analysis of average fees received over the past five fiscal years
- \$245,000 increase in Property Tax Revenue to align budgetary estimates with historic trends

Note: The District adopted Ordinance 19 in September 2021, which allows some homeowners to pay connection fees to the District over a 30-year payback period through their County tax bill. It is difficult to predict the adoption rate by homeowners, but the Ordinance could have an impact on the forecasted connection fee revenue in future years.

OPERATION & MAINTENANCE EXPENDITURES

The Districts’ Operations & Maintenance expenditures account for all the routine business expenses related to operating the treatment plant, including: Salaries and Benefits, Insurances, Maintenance and Repairs, Good and Supplies, Professional Services provided by external parties, Administrative Fees, Plant and Lab Operating Costs, Safety, Training, and Travel Costs, and Utilities.

EXPENDITURE PROJECTIONS

The District’s Operations & Maintenance costs, along with the District’s Capital Improvement Program, make up the vast majority of the District’s overall expenditures for the Fiscal Year. The following sections includes a discussion of Fiscal Year 2021-2022 year-end projections and Fiscal Year 2022-2023 anticipated expenditures.

Montecito Sanitary District
 Fiscal Year 2022-2023 Proposed Budget Memo

	2021-22 Approved Budget	2021-22 Projected Actuals	Difference	2022-23 Proposed Budget	2021-22 Variance
Operating Expenditures					
Salaries and Benefits	\$ 3,196,840	\$ 2,667,997	\$ (528,843)	\$ 3,243,700	46,860
Insurance	86,000	84,021	(1,979)	86,000	-
Maintenance & Repairs	205,000	178,101	(26,899)	180,000	(25,000)
Goods & Supplies	120,500	95,403	(25,097)	148,500	28,000
Professional Services	210,000	184,389	(25,611)	300,000	90,000
Administrative Costs	320,500	204,047	(116,453)	350,000	29,500
Plant & Lab Operating Costs	425,000	320,833	(104,167)	536,000	111,000
Safety, Training, & Travel	30,000	10,319	(19,681)	53,500	23,500
Utilities	259,500	204,049	(55,451)	266,000	6,500
Total Operating Expenditures	\$ 4,853,340	\$ 3,949,160	\$ (904,180)	\$ 5,163,700	\$ 310,360

Current Fiscal Year 2021-22

District staff is projecting the Fiscal Year End Operating and Maintenance Fund expenditures to be approximately \$3,949,160, or 81% of the budgeted amount.

Next Fiscal Year 2022-2023

Operating Expenditures: For Fiscal Year 2022-23, District staff is proposing an Operating Budget to cover anticipated expenditures of total operating expenditures of \$5,163,700 in FY 2022-23, an increase of 6.4%. A summary of the proposed operating budget and high-level discussion are as follows:

Salaries and Benefits Summary

- \$90,000 decrease from a staffing restructure within the Operations program. This restructuring eliminates the Operations Manager position and distributes the duties to a Collection Superintendent and Treatment Superintendent positions. Additionally, the District’s part-time Treatment Operator is converted to a full-time position.
- \$30,000 increase in regular salaries for the addition of an hourly Administrative position
- \$21,000 increase in Board salaries due to an increase in expected meetings during the fiscal year
- \$15,000 decrease in CalPERS contributions due to new staff being enrolled in PEPRAs plans in roles that used to be held by Classic members
- \$4,500 increase in uniform cleaning services with Cintas
- \$1,500 increase in Unemployment Tax

Net Result: These are the main factors that comprise the increase of approximately \$47,000 in Salaries and Benefits when compared to Fiscal Year 2021-22.

Note: For budget purposes, Salaries and Benefits have been increased by 5.5% based on the District’s calculation method in its Cost of Living Adjustment (COLA) Policy. The approval of this budget *does not* constitute an approved increase to the current salary rates, that is done on a separate action item after meeting and conferring with the collective bargaining unit.

Operating Expenditures Summary

- \$80,00 to implement a Computerized Maintenance Management System (CMMS)
- \$50,000 to conduct a rate study to align rates with District needs by Fiscal Year 2023-24
- \$45,00 increase in anticipated General Counsel legal fees
- \$35,000 for an SSMP Audit and Updates
- \$25,000 increase in Public Outreach/Education costs
- \$20,000 to implement a Document Management System
- \$20,000 increase in anticipated National Pollutant Discharge Elimination System (NPDES) permit fees
- \$20,000 increase in property maintenance costs due to contractors being utilized rather than District employees

Net Result: These are the main factors that comprise the increase of approximately \$263,000 in Operating Expenditures when compared to Fiscal Year 2021-22.

The full, detailed chart of the Operations and Maintenance Budget is provided in **Attachment A – FY2022-23 Operating Budget - Proposed**. Below are some of the notable line items with explanations of their amounts and inclusion in next years' budget:

- **7461 – Professional Services – Legal** – This line item will now only budget and track costs for the District's General Legal Counsel (Colantuono Highsmith & Whatley).
- **7466 – Professional Services – Human Resources** – This line budgets for and tracks costs for Human Resources legal support by Price, Postel and Parma for Human Resource Special under a retainer agreement.
- **7467 – Professional Services – Special Legal Counsel** – The Finance Committee requested a new line item be created to s budget for and track costs the legal fees associated with special projects, mainly negotiations with SEIU L620 and advising on the Feasibility of Special District Consolidation study.
- **7430 – Memberships** – In preparation for the budget, District Staff have reviewed all 13 professional memberships and their dues that constitute the budgeted amount for Fiscal Year 2022-23. Some of the organizations the District is a member of result in discounts for technical trainings, conferences or certification testing, while others support the District by lobbying and representing the Districts' interest in state legislation.
- **7645 – NPDES Permit Requirements** – Operations – From recent conversations with the Regional Water Quality Control Board, District Staff are expecting to receive a new National Pollution Discharge Elimination System (NPDES) permit within Fiscal Year 2022-23. With the pending renewal, District staff have added some additional budget to plan for adjustments to treatment operations and laboratory sampling for permit compliance.
- **7670 – Special Projects** – The Special Projects line includes some of the infrequent studies like the upcoming Rate Study (typically every 6 years) and Sewer System Management Plan Audit (once every two years by regulation), along with development of an Information Technology Strategic Plan and implementation of a document management system.
- **7671 – Asset Management** – This line item was added to the chart of accounts to fund the upgrade and consolidation of the District's Geographic Information Systems and begin implementing a computerized maintenance management system (CMMS) for the collection and treatment operations. The District has historically used a combination of in-house software systems and paper work orders to

track work completed and plan out future work. Implementing a CMMS for the District’s asset management program should increase efficiency by upgrading workflows and support record retention and succession planning.

CAPITAL IMPROVEMENT PROGRAM EXPENDITURES

Current Fiscal Year 2021-22

The District is projected to spend approximately \$1,429,020 of Capital Replacement (CIP) funds by June 30, 2022, well under the budgeted amount of \$6,628,404 for Fiscal Year 2021-22. The District’s CIP Collection System Projects in Fiscal Year 2021-22 included the Highway 192 Manhole Adjustments, the Lilac/Oak Grove Sewer Main Extension Project, the Brooktree Sewer Main Repair, and a segment of a sewer main replaced in coordination with the County of Santa Barbara’s Fernald Point Bridge Replacement. Facilities and Treatment Projects for the previous Fiscal Year included the board room renovation and roof repair, a forklift purchase, and an influent grinder replacement.

Next Fiscal Year 2022-23

The District is proposing an extensive CIP schedule for Fiscal Year 2022-23 as many of the projects budgeted for Fiscal Year 2021-22 were put on hold due to staffing transitions. Additionally, Staff are preparing to conduct condition assessment studies, develop strategic plans, and perform preliminary design in the upcoming Fiscal Year to prioritize future CIP projects.

The following summary table is a high-level breakdown of the proposed capital expenditures for the upcoming Fiscal Year. It is important to note that the figures in the summary table include both soft costs (planning, design, and construction management), as well as construction, equipment purchases and some contingency to account for minor changes in scope or purchasing factors such as inflation.

CIP Program	2022/2023
Collections	\$ 2,797,000
Lift Stations	\$ 140,000
Treatment & Laboratory	\$ 2,041,000
Facilities	\$ 117,500
Sewer Main Extensions	\$ 70,000
Recycled Water	\$ -
FY2022-23 Total	\$ 5,165,500

A brief description of each project included in the six CIP programs is provided below. A full breakdown of the proposed CIP Budget can be seen in **Attachment B – FY2022-23 CIP Budget – Proposed**.

Collections Program

- The Lilac/Oak Grove Sewer Main Extension Project is currently in construction and the Highway 101 Sewer Main Relocation Projects in final design will be both be carried over into the new Fiscal Year. Construction costs for both projects are expected to incurred fully within the upcoming Fiscal Year.
- The San Ysidro and Olive Mill Roundabouts have District facilities located within the footprint of the new roundabout and District staff are finalizing design to relocate the facilities so that future maintenance and replacements will minimally impact the new roundabouts. Construction is expected to be completed by Fall 2022.
- District staff have identified structural issues with the District's main trunk main along the railroad tracks from Olive Mill to the treatment plant. This year's budget includes funds to hire a professional engineering firm to evaluate the condition and complete a design for the project. Construction would be in a future fiscal year.
- More manhole adjustments are anticipated and an "on-call" or as-needed manhole adjustment contract would be beneficial to the District and potential contractors by reducing the workload on executing small dollar purchase orders for the same type of work throughout the year. Based on prior year's workload and some work identified already, Staff has proposed approximately \$60,000 for this Fiscal Year.
- The District's large combination vacuum-jetter (Vac-Con) used for the majority of cleaning operations is reaching the end of its planned useful life and is due for replacement. The Collections Operators have started evaluating their future needs and researching available options for replacement. The budgeted replacement value for the Vac-Con is approximately \$459,000 although a replacement may be more expensive after Staff competitively selects a replacement.

Lift Station Program

- District staff have identified issues with the District's lift stations but the work needs to be organized and prioritized. The budget includes funds to conduct a condition assessment and develop a renewal prioritization plan for the five District-owned sewer lift stations and associated forcemains. Once the plan is developed, District staff can scope future repair projects and seek out funding to support the rehabilitation of the lift stations.

Treatment & Laboratory Program

- The Electrical Rehabilitation and Aeration Blower Replacement is a carryover from the prior Fiscal Year. Due to the complexity of the project and potential available funding sources, District staff anticipates requesting proposals from qualified firms to complete the design as it currently is scoped. Ideally, the construction work would be initiated in the latter half of Fiscal Year 2022-23 and a portion of the budgeted amount would be spent this fiscal year.
- Replacement of the skimmer trough in each of the four clarifiers are past the end of their useful life are in need of replacement. The budgetary number includes materials procured by the District for a contractor to use for replacement of the troughs.
- The District has a preliminary, "backbone" Supervisory Control and Data Acquisition (SCADA) system for some basic and critical treatment processes Staff are proposing to budget some money in the next two Fiscal Years to map out the existing system, develop the plan and then implement additional functionality when new equipment is installed. The first projects that will be critical to incorporate the SCADA upgrades in are the Electrical Rehabilitation and Aeration Blower Replacement Project.
- The "Mini-Master Plan" developed through the on-going Enhanced Recycled Water Feasibility Study has identified some safety and structural concerns in bottom floor of the influent pump station. Staff

Montecito Sanitary District
Fiscal Year 2022-2023 Proposed Budget Memo

agrees and therefor is proposing to include rehabilitation of the corroded concrete in the channels and replace the grating in Fiscal Year 2022-23.

- The District's tractor is due for replacement. District staff are evaluating the use of the tractor and are considering replacement with a Bobcat or similar track-mounted unit for a reduced cost but better meets the current and future needs of the District.

Facilities Maintenance Program

- The roof for the Admin/Operations Building is a carryover from the prior Fiscal Year because the Contractor discovered the sub-structure to the roof required a different repair method and therefore removed from the contract.
- The maintenance gate opener and controls is due for replacement.
- The main gate on Monte Cristo Lane is proposed to be upgraded to a motorized gate with lighting and remote controls.
- A bathroom remodel for the men's restroom in the maintenance building is being considered to eliminate the rented bathroom facilities. District Staff are scoping the project and have budgeted for the remodel to occur in the upcoming fiscal year.

Sewer Main Extension Program

- The Ashley Drive/E. Mountain Drive has been in the preliminary design stage for the past two years, with the Project being included on the Fiscal Year 2021-22 budget for finalizing an easement for a future lift station to serve the project. In December 2021, the District Board of Directors supported evaluating the Alisos Sewer Main Extension Project. In order to determine the scope, cost and approach to serving both areas, as well as the surround unserved areas, a Septic to Sewer Strategic Plan Development study is included in this year's budget.

Recycled Water Program

- Besides the on-going operating costs for the Pilot Recycled Water Plant, no additional significant CIP work is anticipated or budgeted for in Fiscal Year 2022-23.

2017 SEWER REFUNDING REVENUE BONDS – CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) FINANCE CORPORATION

In May 2017 the District refunded its 2007 Certificates of Participation (COP) by using \$1,121,862 available cash, \$957,824 COP reserve funds, and issuing new 2017 Sewer Refunding Revenue Bonds in the amount of \$10,020,000. This refunding decreased the maturity term by seven years, removed the requirement for a reserve fund, and took advantage of lower interest rates resulting in savings of approximately \$4,000,000 over the term of the bond.

The District will make two payments on its bond during Fiscal Year 2022-23 totaling \$932,700. Of this total \$655,000 will be applied to principal, \$277,700 will be applied to interest. After payments are made, the remaining balance of the bond will be \$7,000,000 and the bond is expected to be paid off by July 1, 2030.

ANNUAL DEPRECIATION FUNDING

Annually, the Board considers contributing to the District’s Capital Replacement Fund. Typically, this contribution has been based on the prior fiscal year’s annual depreciation expense. The current year contribution based on the Fiscal Year 2020-21 Financial Audit would be \$1,228,291. It should be noted that the District may withdraw monies from the Capital Replacement Fund at any time to fund capital projects or to meet any operational needs of the District.

FY 2022-23 PROJECTED OPERATIONS & MAINTENANCE AND CIP CASH POSITION

Taking into account the projected remaining expenditures for Fiscal Year 2021-22 and the proposed budget for Fiscal Year 2022-23, the District’s projected cash position for its Operations and Maintenance fund and Capital Replacement fund are as follows:

Operations and Maintenance Funds

	<u>2021-22 Projected</u>	<u>2022-23 Projected</u>
Beginning Cash Balance	\$ 9,272,610	\$ 10,383,328
Plus: Revenues	7,215,000	7,440,000
Less: Expenditures	(3,949,160)	(5,163,700)
Less: Bond Payment	(936,500)	(932,700)
Less: Capital Replacement Fund Contribution	(1,218,622)	(1,230,000)
Projected Ending Cash Balance	<u>\$ 10,383,328</u>	<u>\$ 10,496,928</u>

Capital Replacement Funds

	<u>2021-22 Projected</u>	<u>2022-23 Projected</u>
Beginning Cash Balance	\$ 7,640,484	\$ 7,430,086
Plus: Revenues	1,218,622	1,230,000
Less: Expenditures	(1,429,020)	(5,165,500)
Projected Ending Cash Balance	<u>\$ 7,430,086</u>	<u>\$ 3,494,586</u>

The District anticipates a cash balance of approximately \$10,497,000 in its Operations and Maintenance funds and \$3,925,000 in its Capital Replacement funds at 6/30/2023, based on the proposed budgetary figures presented in Attachments A and B.

Attachments:

- Attachment A – FY2022-23 Operating Budget – Proposed
- Attachment B – FY2022-23 CIP Budget – Proposed

PROPOSED BUDGET FOR FISCAL YEAR 2022-23

Line Item	DESCRIPTION	FY2021-22 Approved Budget	Actual Expense Through 3/31	Balance Remaining	Projected Year End Expense	Projected % of Budget	FY2022-23 Proposed Budget
6100	Regular Salaries	1,939,000	1,216,696	722,304	1,622,261	84%	1,950,000
6105	Board Salaries	32,000	27,170	4,830	36,227	113%	52,800
6108	Auto Allowance - GM	3,600	1,800	1,800	2,400	67%	3,600
6270	Standby Pay	33,000	23,625	9,375	31,500	95%	33,000
6300	Overtime	30,000	6,272	23,728	8,363	28%	30,000
6400	CalPERS Contribution	500,000	306,311	193,689	408,415	82%	485,000
6410	Employee Benefits	-	47,952	(47,952)	63,936	1000%	65,000
6500	FICA / Social Security Contribution	125,000	78,339	46,661	104,452	84%	125,000
6510	Medicare Contribution	29,000	18,321	10,679	24,428	84%	29,000
6520	Unemployment Tax - SUI	3,000	2,781	219	3,708	124%	4,500
6600	Group Medical Insurance	367,200	191,797	175,403	255,729	70%	325,000
6605	Retirement Medical Benefits	25,000	15,607	9,393	20,809	83%	25,000
6610	Life Insurance	7,140	4,043	3,097	5,391	75%	7,300
6615	Short / Long Term Disability	25,500	13,682	11,818	18,243	72%	26,000
6620	Worker's Compensation	50,000	31,476	18,524	41,968	84%	50,000
6640	Dental Insurance	20,400	7,973	12,427	10,631	52%	21,000
6650	Uniform Allowance	7,000	7,153	(153)	9,537	136%	11,500
	Total Salaries and Benefits	3,196,840	2,000,998	1,195,842	2,667,997	83%	3,243,700
7090	Pooled Liability Insurance	60,000	32,230	27,770	42,973	72%	60,000
7091	Property Insurance	15,000	21,702	(6,702)	28,936	193%	15,000
7093	Crime Policy	1,000	-	1,000	-	0%	1,000
7094	Public Entity Physical Damage	10,000	9,084	916	12,112	121%	10,000
7110	New Employee Physicals/Expenses	2,500	414	2,086	552	22%	2,500
7121	Property Maintenance	45,000	33,241	11,759	44,321	98%	65,000
7122	Vehicle Maintenance	13,000	3,836	9,164	5,115	39%	13,000
7126	Coll - Equipment Rental	1,000	-	1,000	-	0%	1,000
7656	Plant Equipment Rental	5,000	5,803	(803)	7,737	155%	5,000
7127	Coll - Safety Equipment	8,000	157	7,843	209	3%	8,000
7659	Safety Expenses	5,000	946	4,054	1,261	25%	5,000
7129	Lift Station Parts	25,000	17,633	7,367	23,511	94%	30,000
7133	VacCon Equipment / Repairs	15,000	8,718	6,282	11,624	77%	15,000
7134	CCTV Equipment / Repairs	15,000	5,195	9,805	6,927	46%	15,000
7135	Private Lateral Replacement Incentive	50,000	51,150	(1,150)	68,200	136%	-
7136	Miscellaneous Collection Tools/Supplies	8,000	2,587	5,413	3,449	43%	10,000
7138	Jetter Truck Equipment / Repairs	10,000	2,804	-	3,739	37%	8,000
7150	Mechanical Maintenance	5,000	1,506	3,494	2,008	40%	5,000
7200	General Operating Supplies	10,000	4,971	5,029	6,628	66%	10,000
7201	Drinking, Bottled Water	2,000	1,180	820	1,573	79%	2,500
7202	Gloves	6,000	5,102	898	6,803	113%	8,000
7205	Community & Employee Goodwill	4,000	1,506	2,494	2,008	50%	6,000
7220	Mailing / Shipping Expenses	5,000	850	4,150	1,133	23%	5,000
7430	Memberships	45,000	33,817	11,183	45,089	100%	60,000
7440	Miscellaneous Expenses	2,500	-	2,500	-	0%	2,500

PROPOSED BUDGET FOR FISCAL YEAR 2022-23

Line Item	DESCRIPTION	FY2021-22 Approved Budget	Actual Expense Through 3/31	Balance Remaining	Projected Year End Expense	Projected % of Budget	FY2022-23 Proposed Budget
7450	Office Expenses	15,000	6,664	8,336	8,885	59%	15,000
7452	Scanning & Shredding	10,000	-	10,000	-	0%	10,000
7454	Books / Subscriptions / Study Guides	1,000	86	914	115	11%	2,000
7456	Computer Hardware/Software/Licensing	30,000	17,376	12,624	23,168	77%	37,500
7461	Prof Services - Legal	35,000	43,340	(8,340)	57,787	165%	70,000
7462	Prof Services - Accounting	40,000	29,237	10,763	38,983	97%	45,000
7463	Prof Services - Engineering	50,000	13,743	36,257	18,324	37%	50,000
7464	Prof Services - Computer	60,000	29,187	30,813	38,916	65%	60,000
7466	Prof Services - Human Resources	15,000	22,785	(7,785)	30,380	203%	10,000
7467	Prof Services - Special Legal Counsel	-	-	-	-	0%	30,000
7500	Public Outreach/Education	10,000	-	10,000	-	0%	35,000
7506	Administrative Fees	30,000	9,244	20,756	12,325	41%	30,000
7508	Collection/Treatment Fines	10,000	-	10,000	-	0%	10,000
7510	Contracted Services/Labor	110,000	57,426	52,574	76,568	70%	95,000
7530	Notices / Ads for Publication	3,000	3,043	(43)	4,057	135%	3,000
7610	Furniture & Fixtures	10,000	2,124	7,876	2,832	28%	10,000
7641	NPDES Permit Requirements - Lab	15,000	10,340	4,660	13,787	92%	15,000
7645	NPDES Permit Requirements - Operations	30,000	28,708	1,292	38,277	128%	50,000
7650	Election Expenses	-	-	-	-	0%	7,000
7651	Analyzer Chemicals	5,000	3,512	1,488	4,683	94%	-
7652	Biosolids Disposal	55,000	39,326	15,674	52,435	95%	60,000
7653	Chemicals for Plant	215,000	122,753	92,247	163,671	76%	220,000
7654	Generator Servicing - Plant	10,000	2,003	7,997	2,671	27%	10,000
7655	Hazardous Materials Disposal	2,000	351	1,649	468	23%	2,000
7657	Plant Maintenance Materials	75,000	31,838	43,162	42,451	57%	75,000
7658	Plant Maintenance Projects	5,000	-	5,000	-	0%	5,000
7661	Polymer	10,000	5,310	4,690	7,080	71%	10,000
7662	Small Tools/ Equipment - Plant	4,000	566	3,434	755	19%	4,000
7670	Special Projects	100,000	17,377	82,623	23,169	23%	115,000
7671	Asset Management	-	-	-	-	0%	100,000
7675	COVID-19 Expenses	-	24,359	(24,359)	32,479	1000%	-
7700	Laboratory Consumables & Small Equipment	28,000	22,218	5,782	29,624	106%	32,000
7702	Laboratory Equipment Maintenance	10,000	6,575	3,425	8,767	88%	10,000
7703	Contract Laboratory Analyses	6,000	6,173	(173)	8,231	137%	8,000
7722	Board Training/Conf. Registration	1,000	-	1,000	-	0%	2,500
7723	Board Meetings/Travel Expenses	1,000	-	1,000	-	0%	1,000
7724	Staff Training/Conf. Registration	5,000	845	4,155	1,127	23%	15,000
7725	Staff Travel Expenses	5,000	2,699	2,301	3,599	72%	15,000
7726	Staff Certifications/Licenses	8,000	2,158	5,842	2,877	36%	8,000
7727	OSHA Required Training	5,000	990	4,010	1,320	26%	5,000
7728	Safety Boot Allowance	4,000	1,047	2,953	1,396	35%	4,500
7729	Apparel and Uniforms	-	-	-	-	0%	2,500
7731	Local Meeting Expenses	1,000	-	1,000	-	0%	2,500
7740	Fuel and Oil	25,000	12,198	12,802	16,264	65%	25,000

PROPOSED BUDGET FOR FISCAL YEAR 2022-23

Line Item	DESCRIPTION	FY2021-22 Approved Budget	Actual Expense Through 3/31	Balance Remaining	Projected Year End Expense	Projected % of Budget	FY2022-23 Proposed Budget
7761	Water	15,000	7,955	7,045	10,607	71%	15,000
7762	Natural Gas	3,000	2,595	405	3,460	115%	5,000
7763	Electricity	175,000	107,783	67,217	143,711	82%	175,000
7766	Trash & Recycling Service	14,500	5,638	8,862	7,517	52%	16,000
7767	Communications	15,000	9,973	5,027	13,297	89%	18,000
7768	Telephone - Cellular	12,000	6,895	5,105	9,193	77%	12,000
	Total Operating Expenses	1,656,500	960,872	688,432	1,281,163	77%	1,920,000
	Total Expenses	4,853,340	2,961,870	1,884,274	3,949,160	81%	5,163,700

Fiscal Year 2022-23 Capital Improvement Program (CIP) Plan

Collections:

Project No.	Description	Estimated Project Cost	2022/2023
FY2021-2022 Carryover	Highway 101 Sewer Main Relocation - Design	\$ 194,127	\$ 78,000
FY2021-2022 Carryover	Lilac-Oak Grove Sewer Main Extension	\$ 2,051,473	\$ 750,000
C001	Collection System Condition Assessment & Prioritization Plan	\$ 40,000	\$ 40,000
C002	Highway 101 Sewer Main Relocation - Construction	\$ 860,000	\$ 860,000
C003	Olive Mill/San Ysidro Roundabout Relocation	\$ 250,000	\$ 250,000
C004	Large Diameter Sewer Main Rehabilitation	\$ 875,000	\$ 75,000
C005	Manhole Rehab lining project	\$ 25,000	\$ 25,000
CMAN	Manhole Adjustments	\$ 60,000	\$ 60,000
CEME	Collection System Emergency Repairs	\$ 30,000	\$ 30,000
CEQU	Equipment Replacement	\$ 459,000	459,000
Collection Subtotal			\$ 2,627,000

Lift Stations:

Project No.	Description	Estimated Cost	2022/2023
L001	Lift Station Condition Assessment & Prioritization Plan	\$ 50,000	\$ 50,000
L002	Channel Lift Station Improvement	\$ 60,000	\$ 60,000
LEME	Lift Station Emergency Repairs	\$ 30,000	\$ 30,000
Lift Station Subtotal			\$ 140,000

Treatment & Laboratory:

Project No.	Description	Estimated Cost	2022/2023
T001	Electrical Rehabilitation & Aeration Blower Replacement Project	\$ 1,440,000	\$ 1,440,000
T002	Skimmer troughs replacement	\$ 140,000	\$ 140,000
T003	SCADA Implementation	\$ 100,000	\$ 75,000
T004	Disinfection Process -Pumps Replacement	\$ 40,000	\$ 40,000
T005	IPS Channel Improvements	\$ 141,000	\$ 141,000
T006	Grinder No. 2 Replacement	\$ 40,000	\$ 40,000
TEME	Treatment O/M Emergencies	\$ 100,000	\$ 100,000
TEQU	Equipment Replacement	\$ 50,000	\$ 50,000

Treatment Subtotal \$ 2,026,000

Facilities:

Project No.	Description	Estimated Cost	2022/2023
F001	Roof for Admin/Operations Building	\$ 65,000	\$ 65,000
F002	Maintenance Gate controller with new keypads	\$ 13,500	\$ 13,500
F003	Main Gate replacement with motorized gate and keypads	\$ 24,000	\$ 24,000
F004	Remodel Men's Restroom in Maintenance Building	\$ 15,000	\$ 15,000

Facilities Subtotal \$ 117,500

Sewer Main Extensions:

Project No.	Description	Estimated Cost	2022/2023
S001	Septic to Sewer Strategic Plan (Alisos/Ashley & E Mountain 30% Design)	\$ 70,000	\$ 70,000
Sewer Main Extension Subtotal			\$ 70,000

Recycled Water:

Project No.	Description	Estimated Cost	2022/2023
T011	Recycled Water Final Design, Update CDP, and Title 22 Report for first phase	Unknown	\$ -
T012	Recycled Water Construction for first phase	Unknown	\$ -
T008	Recycled Water Construction for remaining phases	Unknown	\$ -

	2022/2023
Collections	\$ 2,627,000
Lift Stations	\$ 140,000
Treatment & Laboratory	\$ 2,026,000
Facilities	\$ 117,500
Sewer Main Extensions	\$ 70,000
Recycled Water	-
Total	<u>\$ 4,980,500</u>



Montecito Sanitary District

1042 Monte Cristo Lane
Santa Barbara, CA 93108

A Public Service Agency

Phone: (805) 969-4200
www.montsan.org

MONTECITO SANITARY DISTRICT STAFF REPORT

DATE: Thursday, June 9, 2022
TO: Board of Directors
FROM: Bradley Rahrer, General Manager
PREPARED BY: Rico Larroude, Operations and Maintenance Manager
SUBJECT: Clarifier Scum Trough Replacement
RECOMMENDATION: That the Board of Directors:

1. Authorize the General Manager to issue a purchase order to Jim Myers & Sons, Inc. in the amount of \$96,144 for the purchase of materials necessary for the replacement of the four clarifier scum troughs.

DISCUSSION

Background – The skimmer troughs are part of the final clarification process and critical to ensuring the District meets all National Pollution Discharge Elimination System (NPDES) permit limits. The skimmer troughs remove any flotables, such as scum, grease, and rags in the effluent before reaching the ocean outfall.

The existing skimmer troughs were installed in 1982 and have functioned properly, however, due to corrosion, all skimmer troughs have reached the end of their useful life. Staff has been planning for replacement of the whole scum trough system including piping, bearing, wall sleeves and supports prior to failure so as to prevent a permit violation.

Staff is planning to purchase the replacement materials and equipment to replace in kind to match the specifications to the existing units. The complexity of the replacement work will necessitate the use of a contractor and operations staff will assist the contractor during the replacement of each skimmer. Replacing the units requires each clarifier basin to be taken out of service, one at a time, so that the treatment process remains stable and the District can meet permit requirements during replacement.

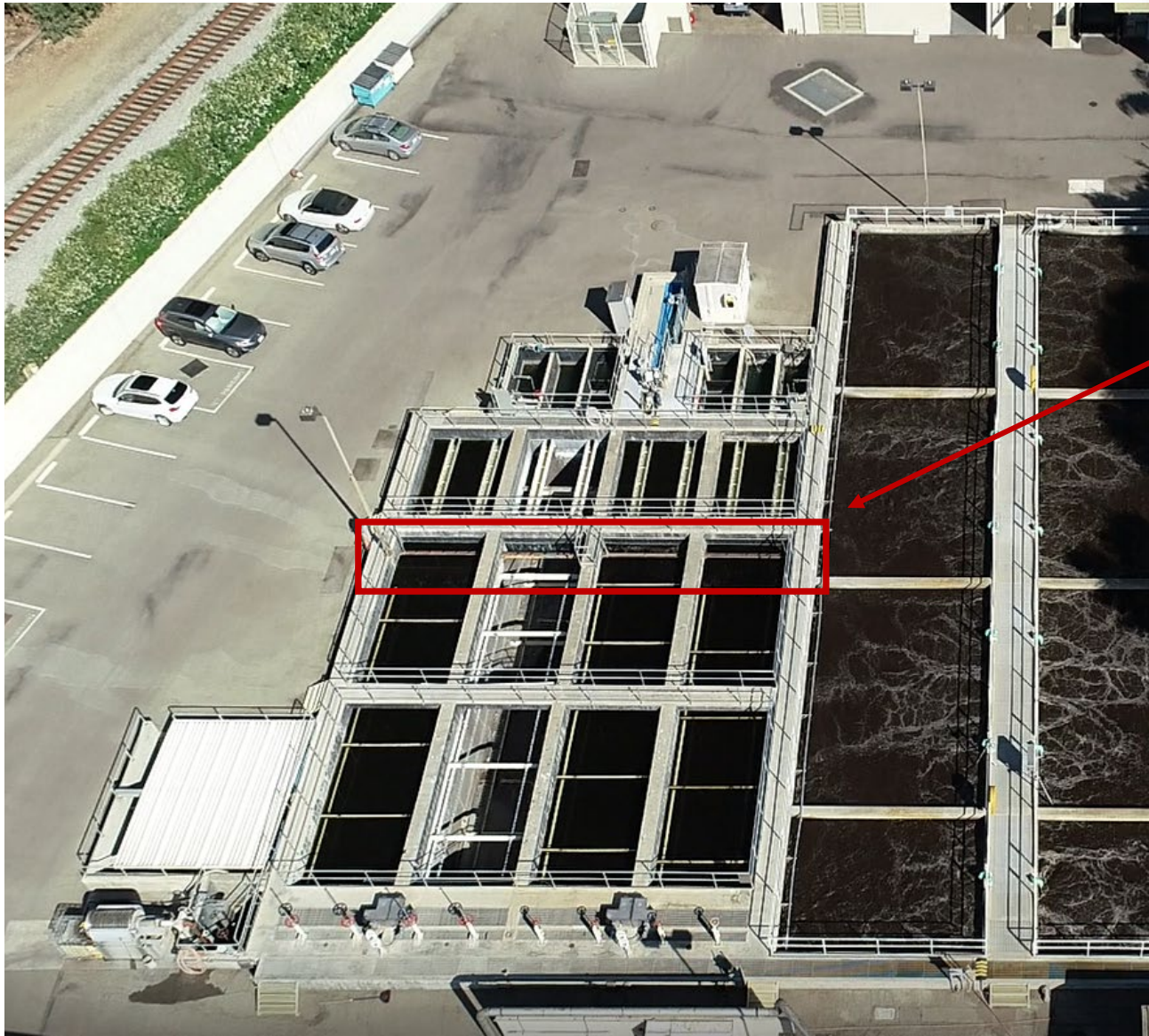
Fiscal Impact – Staff included the cost for the replacement of the equipment in the Fiscal Year 2021-2022 annual budget under Capital Improvement Projects. The current Fiscal Year Capital Improvement Program Budget has sufficient funds to cover the cost of the clarifier scum troughs material purchase. The cost for contractor installation is included in the Fiscal Year 2022-23 budget.

Analysis – Justifications: – Due to staff workload issues, the work was not completed in Fiscal Year 2021-2022 as originally planned. Based on inflation and rising material costs, specifically stainless steel, Staff is recommending procuring the equipment as soon as possible and then lining up a contractor to begin the replacements early next fiscal year.

Since Jim Myers & Sons was the original manufacturer of the clarifier scum trough system at the treatment plant, they are sole provider of the equipment; therefore, Staff recommends replacing the system in kind and waiving the competitive bidding process. Changing the system and competitively bidding this equipment could possibly require structural modifications of the clarifier tanks and increase operational downtime of the clarifier while the skimmer trough is replaced which will most likely add to the cost and complexity of the project..

DEPARTMENTS INVOLVED: Treatment Operations

ATTACHMENTS: Photo of Clarifier Skimmer Trough
Quotation from Jim Myers & Sons dated June 1, 2022



Clarifier Scum Trough (4)

Corrosion



Secondary Treatment Process



J I M M Y E R S & S O N S , I N C .

P.O. Box 38778, Charlotte, North Carolina 28278

Phone: 704-554-8397, Fax: 704-554-9113, www.jmsequipment.com

June 1, 2022

**Subject: Montecito, CA (Montecito Sanitary District)
JMS Budgetary Proposal – JMS Delta-SKIMMERS (Rotating Scum Pipe Systems)**

Based on the information provided, we are pleased to provide the following budgetary Proposal to replace the existing scum pipe systems.

JMS Delta-SKIMMERS (Rotating Scum Pipe Systems):

Our proposal includes providing a total of four (4) identical, 8” diameter x 11’-6” long, rotating scum pipe systems complete. Each scum pipe system shall be operated by a manual lever arm. Each scum pipe shall be manufactured from 0.25” thick, T-316 stainless steel pipe with 60° slotted openings, shall meet 0.25” max deflection criteria, and shall rotate min 75 degrees in both directions. Systems will be assembled to the furthest extent possible.

- Each pipe shall have one (1) open end bearing assembly and one (1) closed end bearing
- Note end bearing assemblies are water lubricated and do not require grease
- INCLUDES:
 - Freight to jobsite
 - Standard one (1) year warranty
 - Submittals
 - Field service (ONE trip, 1 day on-site)
- EXCLUDES:
 - PE calcs and stamp
 - Intermediate supports (note - they are not required to meet deflection criteria)

Each scum pipe system includes:

- 8” diameter, T-304 stainless steel slotted scum pipes
- Two (2) T-316 stainless steel JMS end bearing supports with UHMW bearing, packing seals, adjustable retainer ring, min ½” thick wall plate and Ensolite closed cell wall gasket
- T-316 stainless steel lever arm, 2” diameter
- All required T-316 stainless steel hardware and anchors for the end supports
- (2) Wall Sleeves

TOTAL PRICE96,144.00
(Pricing honored through 6-15-2022)

If you have any questions concerning this Proposal please contact our Representative, MISCO, Steve Wallace, at (949) 540-5806.

Thanks for your consideration. We look forward to the opportunity to work this project through to completion with you.

Regards,
Troy Rives
JMS Technical Sales Manager



J I M M Y E R S & S O N S , I N C .

P.O. Box 38778, Charlotte, North Carolina 28278

Phone: 704-554-8397, Fax: 704-554-9113, www.jmsequipment.com

JMS Standard Agreement for Purchase - Terms and Conditions

These Terms and Conditions apply to the sale of the equipment as set forth in the Project Scope and are attached and made part of the applicable Purchase Order issued by the Buyer. These Terms and Conditions are intended to take precedence over the Buyer's conflicting Terms and Conditions or verbal communication. Any purchase is conditional on Buyer's acceptance of these Terms and Conditions, or amendment, variation of, or addition to these Terms and Conditions as accepted in writing by JMS.

1. Pricing: Product pricing is subject to the Terms and Conditions, including delivery schedule, as defined in this document. Seller reserves the right to modify pricing to accommodate other situations and requests. Pricing is exclusive of taxes and duties, and finished product storage.
2. Spare Parts: No spare parts are included.
3. Field Service: One (1) trip two (2) days of field service is included
4. Exclusions: Any and all taxes including sales, use, gross receipts, or similar taxes imposed by federal, state or local authorities
Installation and field assembly
Any items required for system completion not listed on the Scope of Supply are considered exclusions
5. Submittal/Delivery: Pricing is quoted DAP (Delivery at Place) which includes shipping to the job site. Approval submittals will require approximately 8-10 weeks after receipt of the fully executed purchase order. Submittal approval must occur within 60 calendar days from the initial submittal date or lead time may change based on manufacturer's production schedule. Submittals beyond two re-submittals will require a change order.

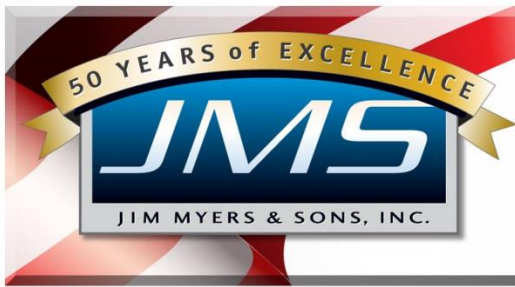
Delivery of equipment will require approximately 20-24 weeks after receipt of fully approved submittals. The projected shipment date is approximate and subject to change. Seller will not be responsible for delays caused by events beyond their control including, but not limited to, delays caused by missing or inaccurate data, changes in the Scope of the project, extended approval of the Submittals by the Buyer or their agent, or Force Majeure events as defined below. Large quantities of equipment (i.e.: multiple phases or basins) may require staged shipments with the first shipment arriving as noted above and subsequent shipments staged to accommodate the project installation schedule as JMS manufacturing will allow. Staged shipment schedules must be agreed upon before execution of the purchase order.

6. Payment Terms: JMS payment terms are defined as follows:
20% after submittals are sent or provided to buyer
75% after shipment, or offer to ship (any delays in shipment will require payment for stored materials)
5% after field service startup, substantial completion, beneficial use, whichever is earliest (not to exceed 90 days after the first delivery, no open-ended retainage is accepted)
ALL PAYMENTS ARE NET 30, NO RETAINAGE

7. Warranty: All JMS equipment and/or materials are of high quality and are manufactured in conformity with the best commercial practices. We guarantee all equipment/ materials, manufactured or supplied by us, to be free from defects in material and workmanship at the time of start-up for a period of one (1) year, not to exceed eighteen (18) months from date of shipment. We will furnish without charge, but will not install, replacements for such parts/materials as we find to be defective.

This guarantee shall not apply to any equipment which has been improperly handled or stored, improperly lubricated, subjected to misuse or neglect, misapplied with reference to the engineer's specifications, altered or tampered with, or damaged by corrective work performed without our specific written consent. No allowances will be made for such corrective work done without such consent. Deterioration by chemical action, improper maintenance, or normal wear does not constitute defects and are therefore not covered by this warranty. Consumable items are not covered by this warranty. All warranty claims must be submitted within ten (10) calendar days of discovery of defects or it shall be deemed waived. The foregoing is in lieu of all other warranties, whether expressed or implied.

8. Validity: All pricing is based on the stainless steel surcharge per the date of this quotation. Prices are valid for 30 days from the date of this quotation. See note below in section 13.
9. Time is of the Essence: Seller will not accept "time is of the essence" replacing it with "time is critical".
10. Limitation of Liability: Seller's aggregate liability to the Purchaser for any and all claims will be capped commensurate with the value of the project prior to acceptance of the Buyer's Purchase Agreement. Seller will not be liable for indirect, punitive, special, incidental, consequential or similar damages, regardless of reason.



11. Termination: If the Purchase Agreement is terminated for convenience by the Buyer, the Buyer will compensate the Seller for work performed before notice of termination, and any other expenses reasonably or necessarily incurred in connection with termination.
12. Force Majeure: Seller is not liable for failure to fulfill its obligations for any accepted order or delays in delivery due to causes beyond the Seller's reasonable control including but not limited to acts of God, acts of Purchaser, natural or artificial disaster, riot, war, strike, delay by carrier, acts or omissions of other parties, changes in law, material shortage, fire, strikes, floods and the like which shall be considered Force Majeure excusing the Seller from performance, and barring any remedies for non-performance.
13. Unforeseen Price/Time Escalations: During the daily course of business, JMS absorbs normal trade supply chain fluctuations. However, in the event that between the time that pricing is extended, and the purchase of materials used for any project, there is enacted by any governmental entity a tariff or other charge that impacts the cost or timing to obtain materials beyond normal fluctuation, JMS reserves the right to increase the price and/or timing of products delivered to the purchaser to include all or a portion of this tariff or other charges. See Appendix A for details on price escalation process.

Appendix A:

METHOD TO ADJUST PRICE (INCREASE OR DECREASE)

Due to the volatility of current global markets, the equipment price at the time of bid is subject to adjustments per fluctuations of stainless-steel surcharge, base price, and material adders.

Price adjustment is based on stainless steel weight as provided by the equipment manufacturer.

The web address for the referenced stainless steel surcharge prices is as follows:
https://www.northamericanstainless.com/NAS_App/Surcharge1?language=E&type=F

Any base price increases and/or adders from the North American Stainless Steel website shall be included in the price adjustment (i.e. – among others, fuel surcharges is considered an adder in this scenario). <https://www.northamericanstainless.com/news/>

Example calculations:

North American Stainless Flat Products Alloy Surcharge		
https://www.northamericanstainless.com/NAS_App/Surcharge1?language=E&type=F		
Month	Grade	Total
February 2022 (Baseline)	316/316L	\$1.7341/lbs
September 2022 (Material Receipt)	316/316L	\$1.8000/lbs
The delta between these two numbers =		\$0.0659/lbs

Update surcharge based on month material is received and per the website.

Mills change base price by adjusting discount points throughout the year based on market conditions made up of numerous variables. (A reduction of 1 discount point equals \$0.0233/lbs.) "Use -1" (An addition of 1 discount point equals -\$0.0233/lbs.) "Use 1"			\$0.0233
Month	Grade	Discount Point	Total
February 2022 (Baseline)	316/316L	NA	\$2.3300/lbs
Feb 2022 to Sept 2022 (Change + or -)	316/316L	-1.0000	\$0.0233/lbs
Base Price Material Adders	316/316L	0.0300	\$0.0300/lbs
Total Base Price Adjustments =			\$0.0533/lbs

Total change in surcharge, base price, and adders for the project equals:		\$0.1192/lbs
Total Pounds	250,000-lbs	\$29,800