



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, September 23, 2021

- 1. Agendawww.montsan.org/2021-09-23-board-of-directors-meeting
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MINUTES

For the Regular Meeting of the Board on:

September 9, 2021

1. CALL TO ORDER

The Governing Board of the Montecito Sanitary District convened a regular meeting at 2:00 pm on Thursday, September 9, 2021 using Zoom teleconferencing in accordance with the State Executive Order No. N-29-20 issued on March 17, 2020.

ATTENDANCE

Board Members Present:

President Dorinne Lee Johnson, Vice President Woody Barrett, Treasurer Don Eversoll, Director Gary Fuller, and Director Dana Newquist

Board Members Absent:

Also Present and Participating:

Brad Rahrer, P.E., MSD General Manager
Carrie Poytress, P.E. MSD Engineering Manager
Cameron Goodman, MSD General Counsel, Price Postel & Parma
Rico Larroude, MSD Collections & Maintenance Supervisor
Betsy Byrne, MSD Clerk of the Board & District Administrator
Carole Rollins, MSD Laboratory & Pretreatment Manager
Jeff Kerns
Tyler
Ken
Nick Turner

2. PUBLIC COMMENT

ON MOTION by Director Barrett, Second by Director Fuller, the Board voted that all comments be limited to three (3) minutes. Clarification: Discussion shall be held to 3 minutes total per person on an item unless it is a presentation, staff will institute a clock or timing method as a reminder.

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

3. APPROVAL OF MINUTES

ON MOTION by Director Eversoll, Second by Director Barrett, the Board voted to approve the Minutes from Board Meetings held on August 26, 2021 and September 2, 2021; with an addition to the August 26th minutes that link to the location on the MSD website where there

is a copy of the presentation slides related to the Highway 101 Sewer Main Relocation Project.

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

4. APPROVAL OF PAYABLES

ON MOTION by Director Newquist, Second by Director Fuller, the Board voted to approve the District payables for checks dated August 17, 2021 through August 30, 2021.

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

5. OLD BUSINESS

A. HIGHWAY 192 SEWER MANHOLE ADJUSTMENTS

ON MOTION by Director Newquist, Second by Director Fuller, the Board voted to approve a change order allowance of 10% for expenditures up to \$18,550 for changes to the existing contract with Tierra Contracting due to scope and schedule changes for the Caltrans Highway 192 Paving Project.

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

B. HIGHWAY 101 SEWER MAIN RELOCATION

The Board heard a report of the ad-hoc committee related to the project.

ON MOTION by Director Fuller, Second by Director Barrett, the Board voted to authorize General Manager Rahrer to begin negotiating with MNS Engineers; and to select alternative alignment three (3) in which the flow will be routed solely to Posilipo Lift Station (LS#4) to limit the scope of work.

The Board received Public Comment from Tyler Hunt, P.E., QSD of MNS:
I put together the proposal, I've been with MNS for 20 years. We are very qualified to do this work, a few things I wanted to note: there was a three week period to put together our proposal. It took every minute of that time because of the intricacies of the project. Putting together a proposal like that is considerable time and expense investment for us, it's part of our business, it's what we do, just wanted you to be aware of what went into putting that together. As [GM] Brad noted, the nexus with the bridge will help us a lot; if we refine the scope to that one alignment [alignment 3] it will take the costs down a lot. We will also be able to reuse a significant portion of what Flowers [& Associates] has already done, and the work already done for the bridge which should reduce geotechnical and reduce risk when we get to solid-casing under the road. If this does go out to RFP,

we do not intend to propose again. If you chose to do a parallel track, I don't think we'd be interested in negotiating at that point, we've already invested so much in this, we really can't afford to invest any more time. Our business is very very busy right now. We'd love to do the work, and work with the district, but we can't put any more [business development] time in this. But if given the opportunity, we would be happy to negotiate and come to an agreement on scope and fee.

Director Barrett asked Tyler: can you give us a timeline?

Tyler: we can get going on the negotiations right away. We already have our proposal, we can cut and slice things out. Prior to the next board meeting in 2 weeks (9/23/21), you would have something to decide upon. We tailored our schedule to meet the Caltrans requirements of 65% by the end of December. If need be, we'll throw more bodies at it and get that done to meet the schedule. [] we are reasonably comfortable that we can meet the schedule.

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

C. KIMLEY-HORN GRANT RESEARCH CONTRACT

Tony Wong was not present at the meeting; Director Johnson struck the item from the agenda.

6. NEW BUSINESS

A. RENEWING A PURCHASE ORDER FOR MANHOLE MONITORS

ON MOTION by Director Barrett, Second by Director Fuller, the Board voted to authorize the General Manager to issue a purchase order to Hadronex/SmartCover Systems for the 30 'smart' manhole monitoring covers the district owns and maintains, and to authorize the General Manager to renew the purchase order annually.

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

B. KIMLEY-HORN INVOICES

Director Johnson moved the item from the agenda to the Finance Committee meeting on September 14, 2021 at 2:00pm.

C. SEWER LATERAL REBATE PROGRAM DISCONTINUATION

ON MOTION by Director Newquist, Second by Director Fuller, the Board voted that completed applications for the sewer lateral rebate received by December 31, 2021 will be honored/reimbursed. And directed staff to publish an article in the Montecito Journal to notify rate payers.

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

D. DISTRICT CONNECTION FEES

ON MOTION by Director Eversoll, Second by Director Barrett, the Board voted to adjust the \$8,400 connection fee down to \$1,000.

Original second by Director Fuller was retracted.

General Manager Rahrer advised the Board that the District is required to follow California Proposition 218 which requires a certain amount of noticing prior to setting and changing of rates.

Note by Director Barrett to consult with legal counsel and the rate change does not go into effect until the Board has heard from Legal Counsel on the legality of the rate change.

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

General Counsel Cameron Goodman: a motion was made and passed to change the connection fee from \$8,400 to \$1,000 and the Board needs to be informed by staff and legal counsel of whether and how this can be enacted.

7. COMMITTEE REPORTS

See item

8. DISTRICT OPERATIONS AND MAINTENANCE

A. INFORMATION ITEMS

General Manager Bradley Rahrer P.E., provided informational, nonactionable updates regarding matters before the District.

- i. MWD & Carollo have signed 3-party agreement for the Enhanced Recycled Water Feasibility Study.
- ii. The Roofing Project Bid on August 31, 2021; only received one Bid and it was incomplete...MSD will re-bid the project. We are in the process of contacting more roofing companies to make them aware of re-bidding.
- iii. Electrical rehabilitation project, final review of specifications & plans. We will go out to Bid next week. Will advertise in the Santa Barbara News Press, it will be a 5-6 week bidding window beginning middle of October.
- iv. Grant Research: will hold updates for next meeting.
- v. Engineering Manager Poytress has submitted her resignation with the District, her last day will be September 24, 2021. The Directors thanked her for her contributions to the District.

B. AGREEMENTS TO BE SIGNED

None

C. OPERATIONS AND MAINTENANCE REPORTS

9. ITEMS FOR THE NEXT AGENDA

ON MOTION by Director Johnson, Second by Director Barrett, the Board voted to form an Ad-Hoc Committee consisting of Directors Eversoll and Newquist for the topic of Consolidation; to be reported back to the Board in October 2021.

The Board President originally appointed Directors Eversoll and Barrett, and upon discussion and advice from Counsel, the members of the ad-hoc committee were selected as Directors Eversoll and Newquist so that there is no overlap in committee members with standing committees, to avoid any potential Brown Act violation by serial meeting.

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

The next regular Board meeting will be on September 23, 2021 at 2:00 pm, agenda items may include but not limited to:

- i) Discussing the bid results for the Lilac/Oak Grove Sewer Main Extension Project; and
- ii) Hearing from General Counsel regarding an Ordinance to collect construction costs on the County Tax Roll.
- iii) Hearing a report from the Finance Committee of their meeting on September 14, 2021.
- iv) Hearing a report from the Ad-Hoc Committee (Directors Johnson & Newquist) on Board Policies & Procedures Manual.

10. ADJOURNMENT

The meeting adjourned at 4:52 pm ON MOTION by Director Newquist, second by Director Eversoll.

These minutes were presented for approval at the Board Meeting on September 23, 2021.

Dorinne Lee Johnson, President

Ellwood T. Barrett II, Vice President

Dana Newquist, Secretary

Donald M. Eversoll, Treasurer

Gary Fuller, Director



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BOARD LIST OF PAYABLES

<u>CHECK DATE</u>	<u>SUMMARY & TYPE</u>	<u>BATCH TOTAL</u>
09/10/2021	ACCOUNTS PAYABLE	44,220.03
09/10/2021	CAPITAL IMPROVEMENT PROJECTS	100,575.00
09/09/2021	PAYROLL	88,568.13
	TOTAL	\$ 233,363.16

Approved for Payment:

Date: September 23, 2021

Amount: \$ 233,363.16

_____,

General Manager

_____,

Treasurer

_____,

Director

Check History Report
Sorted By Check Number
Activity From: 9/10/2021 to 9/10/2021
MONTECITO SANITARY DISTRICT (MSD)

Bank Code: B (OPERATING CASH)

Check Number	Check Date	Name	Check Amount	Description
026871	9/10/2021	ACME ANALYTICAL SOLUTIONS	1,903.43	Analyzer Chemicals
026872	9/10/2021	BIG GREEN CLEANING COMPANY	1,784.00	Janitorial Services-September
026873	9/10/2021	ELIZABETH BYRNE	90.00	Reimbursement of Microsoft Teams June-August
026874	9/10/2021	CANON FINANCIAL SERVICES INC	272.61	Canon Copier Lease Payment-September
026875	9/10/2021	COMPUVISION COMMUNICATIONS	896.88	IT Services-August
026876	9/10/2021	CONSOLIDATED OVERHEAD DOOR	458.00	Repairs to Electrical Gate
026877	9/10/2021	CROMER INC.	1,450.74	Forklift Lease Payment July-August
026878	9/10/2021	CALIFORNIA WATER ENVIRONMENT	192.00	Annual Membership Dues-Rahrer
026879	9/10/2021	DOCU PRODUCTS	85.00	Copier Maintenance Agreement-September
026880	9/10/2021	ENGEL & GRAY, INC	5,559.34	Bilsoids Hauling-August
026881	9/10/2021	FASTENAL COMPANY	327.11	Plant Maintenance Materials
026882	9/10/2021	FELIX, MARCO	339.06	Travel Expense Reimbursement for Tri-State Seminar
026883	9/10/2021	FRONTIER	376.75	Phone Service for Operations/Collections, Lift Station 5
026884	9/10/2021	GRAINGER	851.77	Extension Pole, Board Room Lights, Antenna Cable Wires
026885	9/10/2021	LARRY'S AUTO PARTS	179.58	Parts for By-Pass Pump
026886	9/10/2021	MCCORMIX CORP	883.74	Vehicle Fuel 08/15-008/31/21
026887	9/10/2021	MCMaster-CARR SUPPLY COMPANY	489.52	Cable Cutters, Anchor Bolts, Miter Saw, Board Room Parts
026888	9/10/2021	NASTT	290.00	Annual Membership Dues-Rahrer
026889	9/10/2021	O'CONNOR PEST CONTROL	4,446.00	Annual Pest/Rodent/Gopher Control at WWTP & L/S's
026890	9/10/2021	OILFIELD ENVIRONMENTAL & COMPLIANCE	116.00	Outside Lab Analyses
026891	9/10/2021	PAYCHEX OF NEW YORK, LLC	301.70	Payroll Services-August
026892	9/10/2021	LUIS RIZO	268.32	Travel Expense Reimbursement for Tri-State Seminar
026893	9/10/2021	SAFEGUARD BUSINESS SYSTEMS	259.90	A/P & MSD Logo Mailing Envelopes
026894	9/10/2021	SANTA BARBARA NEWS-PRESS	912.50	Lilac/Oak Grove Sewer Ext & Roof Replacement Publication
026895	9/10/2021	SOUTHERN CALIFORNIA EDISON CO	13,813.20	Electric Service-August
026896	9/10/2021	SHERWIN-WILLIAMS CO.	406.19	Painting Supplies for Board Room Remodel
026897	9/10/2021	SMARDAN-HATCHER COMPANY	212.79	Plant Maintenance Materials
026898	9/10/2021	STREAMLINE	310.00	Website Domain Management-September
026899	9/10/2021	UNION BANK	812.65	Credit Card Pymt-Face Masks, Lab Water, Staff Luncheon
026900	9/10/2021	UNION BANK	609.89	Credit Card Pymt-Fedex Shipping, County Permit Fees
026901	9/10/2021	UNIVAR SOLUTIONS	5,073.95	Plant Chemicals
026902	9/10/2021	UNDERGROUND SERVICE ALERT	247.41	112 Dig Alert Tickets-August
Bank B Total:			<u>44,220.03</u>	
Report Total:			<u><u>44,220.03</u></u>	

CIP Check History Report
Sorted By Check Number
Activity From: 9/10/2021 to 9/10/2021
MONTECITO SANITARY DISTRICT (MSD)

Check Number	Check Date	Name	Check Amount	Description
001296	9/10/2021	ESPA AIR INC.	13,275.00	CIP No. 14 - AV and HVAC installation in Board Room and Maintenance Bldg.
001297	9/10/2021	TIERRA CONTRACTING INC.	87,300.00	CIP No. 2 - Riven Rock Sewer Main Extension Progress Payment of \$2,250 CIP No. 9 - East Valley Road, Hwy 192 Sewer Manhole Adjustment Progress Payment of \$85,050
Bank G Total:			<u>100,575.00</u>	
Report Total:			<u><u>100,575.00</u></u>	

ORDINANCE NO. 19

AN ORDINANCE OF THE GOVERNING BOARD OF THE MONTECITO SANITARY DISTRICT ELECTING TO HAVE CONNECTION FEES AND INSPECTION FEES AND PROPORTIONATE SHARE OF SEWER MAIN EXTENSION COSTS COLLECTED ON THE COUNTY TAX ROLL

WHEREAS, Section 6520.5 of the Health and Safety Code authorizes the Montecito Sanitary District (“District”) to prescribe, revise and collect fees, tolls, rates, rental or other charges for services and facilities furnished by the District in connection with the District’s sanitation or sewerage systems; and

WHEREAS, Section 5474 of the Health and Safety Code provides that the District may, by ordinance approved by two-thirds (2/3) vote of its Governing Board (“Board”), fix fees or charges for the privilege of connecting to District sanitation or sewerage facilities and improvements constructed by the District pursuant to Section 5463 and 5464 of the Health and Safety Code, and to fix the time or times at which the fees or charges shall become due, to provide for the payment of the fees or charges prior to connection or in installments over a period of not to exceed thirty (30) years, to provide the rate of interest, not to exceed twelve percent (12%) per annum, to be charged on the unpaid balance of the fees or charges, and to provide that the amount of the fees or charges and the interest thereon shall constitute a lien against the respective lots or parcels of land to which the facilities are connected at the time and in the manner specified in Sections 5473.5 and 5473.8 of the Health and Safety Code; and

WHEREAS, Section 5473 of the Health and Safety Code provides that the District may, by ordinance approved by two-thirds (2/3) vote of its Board, elect to have such charges collected on the tax roll of the County of Santa Barbara in the same manner, by the same persons and at the same time as together with and not separately from, the District’s general taxes; and

WHEREAS, the Board has determined that more property owners within the District may choose to participate in sewer main extension projects if such owners are allowed to re-pay their proportionate share of construction costs and/or septic-to-sewer conversion fees over time, to be collected on the tax roll of the County of Santa Barbara in the same manner as the District’s general taxes.

NOW THEREFORE, BE IT ORDAINED THAT:

1. The District may, at its discretion, allow an owner of property within the District to elect to have such owner’s (a) proportionate share of the costs associated with the construction of a District sewer main extension project to serve such owner’s property, and/or (b) connection fees for a septic-to-sewer conversion as listed in the District’s then-current Establishing Fee Schedule Resolution for residential sewer connections (including inspection fees), to be collected on the tax roll of the County of Santa Barbara in the same manner, by the same persons, and at the same time as, together with and not separately from, the District’s general taxes, payable in ten (10), twenty (20), or thirty (30) equal annual installments with interest thereon at the rate set forth in Section 2 below, which amounts shall constitute a lien against the subject property at the time and in the manner specified in Sections 5473.5 and 5473.8 of the Health & Safety Code.

2. Interest on any amounts charged to a property owner pursuant to Section 1 above shall be calculated annually by applying an annual average of the prior four quarters of interest received on

District funds held within the County Treasury to the remaining balance for each equal annual installment, which rate shall not in any event exceed twelve percent (12%) per annum or the maximum amount then permitted by law.

3. In the event a property owner elects to have the fees, charges and interest set forth in Sections 1 and 2 above collected on the tax roll of the County of Santa Barbara and constitute a lien on the owner’s property, the District shall comply with the requirements set forth in Sections 5473 through 5747.10, as applicable.

4. Any lien established pursuant to this Ordinance must be paid in full when the subject property is sold, conveyed, assigned or otherwise transferred to any party other than the owner of record at the time the lien was established.

5. Anything herein to the contrary notwithstanding, any remaining balance due on amounts charged to a property owner pursuant to Sections 1 and 2 above may be paid in full in cash at any time, at the option of the property owner.

6. The procedures established by this Ordinance shall continue in effect until this Ordinance is revoked.

7. Immediately following adoption, the Clerk shall cause this Ordinance to be published one time in a newspaper of general circulation within the District.

PASSED AND ADOPTED by the Governing Board of Montecito Sanitary District on this 23rd day of September, 2021, to become effective upon expiration of the week of publication, by the following vote:

- AYES:
- NAYS:
- ABSTAIN:
- ABSENT:

Dorinne Lee Johnson
 President of the Governing Board of the
 MONTECITO SANITARY DISTRICT

(Seal)



ATTEST:

Dana Newquist
 Secretary of the Governing Board of the
 MONTECITO SANITARY DISTRICT



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MONTECITO SANITARY DISTRICT STAFF REPORT

DATE: Thursday, September 23, 2021
TO: Board of Directors
FROM: Carrie Poytress, Engineering Manager
SUBJECT: Enhanced Recycled Water Feasibility Study

RECOMMENDATION: STAFF RECOMMENDS THAT THE BOARD

1. Discuss the optional task in the Carollo Enhanced Recycled Water Feasibility Study contract as it relates to the operation of the recycled water pilot facility.

DISCUSSION:

Background – The Montecito Water District (MWD) is working towards further evaluating Montecito’s alternatives for the use of recycled water within the community. The currently proposed Enhanced Recycled Water Feasibility Study (Study) scope of work further refines the analysis of MWD’s 2018 Recycled Water Feasibility Plan and expand on potential potable reuse projects, including possible regional partnerships with the City of Santa Barbara or Carpinteria Valley Water District. In order to better understand the wastewater quality and facilities needed to support a reliable recycled water project, the Study includes an evaluation of Montecito Sanitary District treatment facilities.

District staff worked with MWD staff and Carollo Engineers (Carollo) to refine the proposed scope of work and cost estimate. Both MWD and MSD Board of Directors approved a 50%/50% cost share for the scope of work, including an optional task for Carollo to review the testing results and provide recommendations of potential operational modifications to the Montecito Sanitary District’s recycled water pilot facility. The schedule for the approved scope of work is estimated to take 12 months to complete.

The recycled water pilot plant presents an opportunity for a lower cost full scale recycled water project, one that potentially would not require oil and grease pretreatment by either primary dissolved air filtration, tertiary dissolved air filtration, or a membrane bioreactor. The pilot project was evaluating the UF performance, oil and grease reduction across the bag filtration, and RO operational performance due to the feed water quality at Montecito

wastewater treatment plant. However, the pilot project was idled on May 25, 2021 before the testing for the oil and grease reduction across the bag filter started and before the RO operational performance was optimized. Carollo has recommended reactivating the pilot project and studying it for at least six months in order to gather enough data for their analysis. Since the pilot project is idled, the optional task within the scope of work cannot be accomplished. If MWD and MSD want to direct Carollo to perform the optional task, the MSD Board would need to authorize MSD staff to restart the recycled water pilot project.

The Board President's authorization (signature) on the three-party contract with MWD and Carollo does not authorize MSD Staff to re-start the Pilot Recycled Water Project. Further Board Action would be required for MSD Staff to re-start the Pilot Recycled Water Project in order to perform the optional task of the Contract.

Previous Related Action –

- August 5, 2021 – Carollo Engineers presented the scope of services including the optional task for the membrane demonstration support. The Board approved and authorized the Board President to execute a contract with the Montecito Water District and Carollo Engineers for the Enhanced Recycled Water Feasibility Study in an amount not to exceed \$220,000.
- August 3, 2021 – At the MSD Finance Committee meeting staff presented the cost breakdown of the study, and the Committee's analysis was that the District has the funds in the Recycled Water Fund to finance 50% of the contract.
- July 27, 2021 – The MWD Board of Directors authorized MWD Staff to prepare and execute a contract with Carollo Engineers and sharing the cost of the Study 50/50 with MSD.
- July 21, 2021 – The MWD/MSD Joint Strategic Planning Committee discussed the proposed scope of services and cost sharing between the two districts. The Committee members were supportive of moving forward with a contract with Carollo Engineers and equal cost sharing between MSD and MWD for all elements of the scope of work, including the optional recycled water pilot system support task.
- July 15, 2021 – Carollo Engineers presented the Enhanced Recycled Water Feasibility Study scope of work to the Strategic Planning Committee.
- May 25, 2021 – The Board voted to idle the recycled water pilot project and not incur any further costs with Carollo or otherwise on the recycled water pilot project.

Fiscal Impact – The approved contract amounts for the Study's full scope of work is \$439,861, of which \$19,749 would go towards the optional task for Carollo to provide technical support for the Recycled Water Pilot Plant should the District begin operating the pilot plant again. The Districts will be billed on a time-and-materials basis not to exceed \$439,861. Note that the total cost to the District would decrease significantly if any alternatives were determined to be infeasible in the early stages of the project. With a total cost of \$439,861 and a 50% cost share with MWD, the District's portion of the contract will be \$219,930.

MWD and MSD are working collaboratively to apply for grant funding from the State Water Resources Control Board (SWRCB) to offset the cost of this Study. MSD staff have participated in conversations with state representatives recently about the possibility of funding for the proposed enhanced recycled water feasibility study and it is likely the additional scope, or at least a portion of it, would be considered for additional grant funding by the State's Water Recycling Funding Program. The state planning grants now match up to 50% of a \$300,000 study, or up to \$150,000.

OTHER STAKEHOLDERS INVOLVED: Montecito Water District

ATTACHMENTS: None



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MONTECITO SANITARY DISTRICT

STAFF REPORT

DATE: September 23, 2021

TO: Board of Directors

FROM: Carrie Poytress, Engineering Manager

SUBJECT: Highway 101 Sewer Main Relocation Contract

SUMMARY: The contract with Flowers & Associates was terminated and the District requires a new contract for design services with a different consultant to relocate a sewer main to comply with Caltrans requirements for the Caltrans Highway 101 HOV Lanes project – Phase 4D.

RECOMMENDATION: STAFF RECOMMENDS THAT THE BOARD:

1. Awarding a contract with MNS Engineers, Inc. for \$194,127; and
2. Authorizing the General Manager to approve extra services of 10% of the contract for expenditures up to \$19,412 for any necessary changes in the scope of work.

DISCUSSION:

Background - Under direction of the Interim General Manager, Tony Wong, District staff issued a request for proposal (RFP) for the sewer main crossing relocation on March 12, 2021. Staff received three proposals on April 2, 2021 from Flowers & Associates, Stantec Consulting, and MNS Engineers. On April 8, 2021 the Board authorized staff to negotiate a contract with Flowers & Associates who was ranked by the Interim General Manager as the most qualified firm for engineering design services. On May 27, 2021 the Board awarded the design services contract to Flowers & Associates. On June 14, 2021, Brad Rahrer started at the District as the new permanent General Manager. On August 10, 2021 District Counsel transmitted a memo to the MSD Board of Directors regarding the conflict of interest between the General Manager and Flowers & Associates per Government Code Section 1090 and the Political Reform Act. District Counsel recommended terminating the contract with Flowers & Associates upon 30 days' notice. On September 2, 2021, the Board directed Staff to terminate the contract with Flowers & Associates and therefore the District does not currently have a design contract to relocate the 12" sewer main underneath Highway 101.

Fiscal Impact – For work through August 31, 2021, MSD has paid Flowers & Associates \$48,325.50. September has not been invoiced yet, but invoices are expected to be submitted to the District within the first few weeks of October.

Previous Related Action –

- September 9, 2021 – The Board authorized the General Manager to negotiate with MNS Engineers and selected Alignment 3 to limit the scope of work.
- September 2, 2021 – The Board terminated the contract with Flowers & Associates
- August 26, 2021 – District Counsel reported that there are no legal limitations to using the Miramar lift station for flows other than the Miramar resort. During closed session the Board discussed the conflict of interest between the General Manager and Flowers & Associates and the associated memo written by District Counsel.
- July 22, 2021 – The Board directed Counsel to investigate any legal limitations on the future use of the Miramar lift station.
- May 27, 2021 – The Board authorized a contract with Flowers & Associates
- April 2, 2021 – Received three proposals
- March 12, 2021 – RFP Issued

Goals and Objectives – To meet the Caltrans requirement to relocate the existing sewer main to avoid interference with the proposed Oak Creek Bridge widening.

Environmental Determination – Categorically exempt by CEQA.

Analysis – Justifications – After the Board meeting on August 26, 2021 Engineering Manager, Carrie Poytress reached out to both Stantec and MNS Engineers for an updated proposal to complete the remaining work if the Flowers & Associates contract was terminated by the Board. Stantec responded that they are not in a position to propose on this work at this time. MNS Engineers agreed to prepare a revised proposal to finalize a design for a new sewer main crossing to resolve the conflict with Caltrans new bridge design. With the Board direction to limit the scope of work to Alignment 3 which would continue to route the flow solely to Posilipo Lift Station, the scope and hours for the new proposed contract was able to be reduced from the initial scope of services and level of effort MNS Engineers initially proposed. In addition, the selection of Alignment 3 and the consultant is more likely able to meet the Caltrans submittal schedule. Furthermore, MNS Engineers are also designing the proposed Highway 101 roadway, utilizing MNS Engineers to complete the design will allow the project utilize information from the roadway design and better meet the Caltrans schedule.

OTHER DEPARTMENTS INVOLVED: Collections

ATTACHMENTS: MNS Proposal for Final Design of Alternative 3

September 15, 2021

Montecito Sanitary District
Attention: Bradley Rahrer, PE, General Manager
1042 Monte Cristo Lane
Santa Barbara, CA 93108

SUBJECT: Proposal to Provide Engineering Consulting Services for the Highway 101 Sewer Main Crossing Relocation

Dear Mr. Rahrer,

MNS Engineers, Inc., (MNS) appreciates the opportunity to submit this revised Scope and Fee Proposal to provide Consulting Engineering Services for the Highway 101 Sewer Main Crossing Relocation Project (Project) for the Montecito Sanitary District (District). MNS is excited about the opportunity to work with the District on this important project. The original firm selected to perform the consulting design services was determined by the District Board to be ineligible to continue the Project. The District has requested that MNS resubmit a revised scope of work adjusted based on work already completed by the previous consultant. Attached to this letter is a Scope of Work that has been revised from the original proposal to conform to the tasks requested in the District's email dated August 27, 2021 and discussion on August 31, 2021. It was revised further based on the Board's September 9th decision to focus the Project on Alternative 3. The total proposed fee for this Scope of Work is **\$194,127**. A spreadsheet detailing our fee for the revised the Scope of Work is included as an attachment. For any additional information regarding MNS or our subconsultant team members, please see our original proposal provided to the District on April 2, 2021.

Please contact Tyler Hunt, PE, QSD, Project Manager, at 805.592.2078 or thunt@mnsengineers.com or myself at 805.456.3500 with any questions you may have about our submittal. Thank you for your consideration.

Sincerely,
MNS Engineers, Inc.



James A. Salvito
President and CEO



Scope of Work

Based on our understanding of the District's needs, the requirements of the RFP, and discussions with the District, MNS has developed the following revised scope of services for the Project.

TASK 1: PROJECT MANAGEMENT

This task involves internal project management, Quality Assurance/Quality Control (QA/QC), and meetings throughout the duration of the project.

Task 1.1 Project Management

Project Manager, Tyler Hunt, PE, QSD, will be responsible for the coordination of the internal project team including subconsultants and overall administration of the contract for MNS. He will continuously monitor the Project schedule and budget to ensure milestones are met, sufficient time is allotted for quality control reviews, the Project budget is maintained, and the final product meets the expectations of the District.

Task 1.2 Quality Assurance/Quality Control

Each member of the engineering team will initiate reviews of their work on a consistent basis and adhere to the procedures and requirements set forth in the MNS QA/QC standards of practice. The MNS QA/QC Manager will perform an overall review of each deliverable for quality and discipline coordination.

Task 1.3 Meetings and Presentations

MNS will facilitate and lead meetings to move the Project forward and ensure the District is informed and in concurrence with the progress of the Project. MNS anticipates the following meetings over the Project duration:

- Project hand-off meeting and site visit with District staff
- Board presentations (up to two)
- Coordination meetings/conference calls with District staff (up to six)
- Draft Basis of Design (BOD) review meeting
- 60% design review meeting
- 90% design review meeting

Tyler will attend all meetings and conference calls with additional internal staff as appropriate. Representatives from our subconsultant team will also attend meetings as appropriate. For each meeting, MNS will prepare an agenda provided to the District at least two days prior to each meeting. Meeting minutes will be provided in a draft format to the District and other meeting attendees for consensus prior to issuance of final meeting minutes. Meeting minutes will be prepared and distributed within five business days of each meeting.

We assume all meetings will take place at the District's office or by either phone call or video conference.

During the design phase, MNS may be asked to present the Project status to the District board. MNS will create a Powerpoint presentation and present the Project status at up to two board meetings.

Deliverables: Meeting agendas and minutes, monthly invoices, board presentations (2), and weekly status emails



TASK 2 EXISTING INFORMATION AND PRELIMINARY DESIGN

MNS will evaluate the background and site investigation work completed by the previous consultant and conduct additional investigations specific for Alternative 3. This task also includes preliminary design work necessary to develop a basis of design.

Task 2.1 Existing Documents and Utility Investigation

A portion of the work under this task was completed by a previous consultant. MNS will review the information gathered and provided by the previous consultant to determine if any additional investigation is required. As part of the handoff meeting, MNS assumes we will be provided with all previous studies, title reports, Geographic Information System (GIS) information, usage information, and record drawings of the facilities. Once obtained, MNS will review the information to verify relevant provided items are included in the current Project base map.

MNS assumes that the previous consultant obtained utility information for the Alternative 3 area at Posilipo Lane and will provide the information to MNS. This scope of work does not include any additional utility research.

Task 2.2 Permitting Research

MNS assumes all work was completed by the previous consultant. MNS assumes all research will be provided by the previous consultant and no additional work will be required by MNS.

Task 2.3 Topographic Survey and Boundary Survey

MNS will perform additional survey required for Alternative No. 3 and prepare the base map for Project design. We have been working with survey control and CADD maps for the Highway 101 HOV project and will utilize this data whenever appropriate.

Project Survey Control Network

MNS will establish a local survey control network for the project using Caltrans control monuments on the datums currently being used for the Highway 101 HOV project. We will set strategic control monuments to be used for the various surveying tasks. A static GPS survey will be performed to adjust the network and a survey control report prepared for the Project.

Aerial Survey

MNS will use the aerial topographic base map as prepared by Caltrans for the 101 HOV project. The ortho-photo from that project will also be incorporated.

Supplemental Ground Surveys

Ground surveys will be performed to locate utilities, adjacent trees, and other essential features for Alternatives 3. The ground surveys will extend along North Jameson Lane from the east edge of the Oak Creek Bridge to 150' east of the bridge. Ground surveys along South Jameson Road will extend 150' south along Posilipo Lane, the Highway 101 on-ramp, and N Jameson Lane to the east edge of the Oak Creek bridge.

Right of Way and Property Boundaries

Highway 101 and Jameson Lane N and S right of way from the base mapping as provided by Caltrans for the 101 HOV project will be utilized. Supplemental boundary control will be performed in the Posilipo Lane area.

Task 2.4 Geotechnical Study Review



A geotechnical study was completed by the previous consultant. MNS assumes the geotechnical report will be provided to us by the District. MNS will review the report and determine if additional information or borings are required to advance the design. MNS will research previous projects in the area to determine if there is geotechnical information available to help advance the design and mitigate risk.

Additional geotechnical work is not included in this scope of work.

Task 2.5 Trenchless Construction Analysis

MNS subconsultant, Staheli Trenchless Consultants (Staheli), will support Project development related to trenchless construction as follows:

Evaluation of Geotechnical Conditions – Staheli will review available geotechnical data and geological reports related to the trenchless installation and incorporate information into the technical feasibility and design assessment. Staheli will perform a site visit to observe the existing area.

Technical Feasibility Assessment - Staheli will review the feasibility of using trenchless methods for installation of the pipeline across State Route 101. This will include evaluation of risks and mitigation methods to be implemented during design and construction. Staheli will determine a recommended installation technique to be used for the installation.

Technical Feasibility Memo - Staheli will develop a Trenchless Technology Feasibility Memorandum documenting the the feasibility assessment. The TM will accompany the Project BOD Technical Memorandum as an appendix.

Risk Identification and Quantification Matrix - Staheli will develop a risk register which identifies the potential project risks for the available technologies. The matrix will include estimated cost and probability of occurrence and an assessment of relative risk cost for each technology. The risk register will also include identification of potential risk mitigation measures to be implemented during design and construction. The matrix will be included in the BOD Technical Memorandum

Task 2.6 Draft BOD

A draft BOD Technical Memorandum (BOD) will be provided as a predesign document to summarize existing information and describe the recommended project. The BOD will be a comprehensive document based on the following assumed outline:

1. Project Overview
2. Background Information
 - a. Existing Utility Research
 - b. Geotechnical Findings
 - c. Topographic Survey
 - d. Property Boundaries, Easements, and Right-of-Ways (R/W)
3. Design and Construction Criteria
 - a. Flow Analysis



- b. Trenchless Construction Evaluation
 - c. Pipe Sizing
 - d. Construction Materials
4. Maintaining Service During Construction
 5. Permitting
 6. Recommended Preliminary Design
 7. Construction Schedule
 8. Construction Cost Opinion

Appendix A – Trenchless Construction Assessment TM

Appendix B – Geotechnical Report

Following submittal of the draft BOD, we will schedule a workshop to review the draft BOD with the District, as discussed in Task 1.3.

Task 2.7 Final BOD

Following the review of the draft BOD by the District and receipt of all comments, MNS will revise the BOD to incorporate comments as appropriate. We will provide one bound hard copy and a copy in Adobe PDF of the final version of the BOD to the District. The final BOD will be stamped and signed by a Professional Civil Engineer, registered in California. A comment response form will be submitted with the final BOD to document the District's comments, and how each comment was addressed in the final document.

Deliverables: Draft and Final BOD and Draft Comment/Response Form

TASK 3 FINAL DESIGN SERVICES

Following finalization of the BOD, MNS will initiate development of the contract documents. Contract documents will be initially developed to the 65% design level.

MNS will prepare and submit Plans, Specifications, and Cost Opinion (PS&Es) at the 65%, 90%, and Final design levels. Following each submittal, MNS will lead a design review meeting with District staff to discuss District comments and gain a consensus on design decisions to advance the design to the next level.

For budgeting, we have assumed the Project will be based on construction of a trenchless Caltrans crossing, and abandonment of existing sewer (Alternative 3). MNS will also provide a single set of traffic control plans for permitting. From our understanding of the Project, the area of disturbance is less than one acre; as a result, a SWPPP will not be required.

Task 3.1 65% PS&E

MNS will prepare detailed drawings for the Project clearly defining the work to be completed. Drawings will be prepared in the latest version of AutoCAD Civil 3D. Plan and Profile (P&P) drawings will be prepared with a horizontal scale of 1-inch equals 20-feet, with the vertical scales on profiles being drawn at a scale of 1-inch equals 4 feet. The following shows the anticipated sheet list for the Project (* = included in 65% to Caltrans).



Sheet	Sheet No.	Description
1*	G-1	Title Sheet, Vicinity Map, Location Map, and Sheet Index
2*	G-2	General and Civil Notes, Symbols, Abbreviations, and Legends
3*	G-3	Survey Data, Control Points, Contractor Access and Laydown Area
4	C-1	Construction Phasing Plan
5*	C-2	12-inch Sewer Abandonment and Demolition Plan and Details
6*	C-3	Force Main Abandonment Plan and Details
7*	C-4	Highway 101 Crossing Plan & Profile STA 0+00 to 2+00
8*	C-5	Highway 101 Crossing Sections and Details
9*	C-6	Trenchless Construction Details
10*	C-7	Trenchless Construction Details
11*	C-8	Trenchless Construction Details
12	C-9	Sewer Details
13	C-10	Civil Details
14	C-11	Stormwater Best Management Practice (BMP) Plan and Details
15*	TC-1	Traffic Control Plan
16*	TC-2	Traffic Control Details

The 65% contract documents will include a list of technical specifications covering the construction requirements identified in the BOD.

The cost opinion will be advanced to an Association for the Advancement of Cost Engineering (AACE) Class 2.

Task 3.2 90% PS&E

Following the 65% design review meeting, MNS will incorporate the District's and Caltrans comments and revise the 65% PS&E documents for the 90% design submittal. Technical specifications will be developed in the CSI format along with front end contract documents based on the District provided boiler plate format. We will provide documents to the District electronically in PDF format. Following submittal of the 90% design, MNS will lead a design review meeting with District staff to discuss District comments and move the Project forward.

Task 3.3 Final PS&E

Following the 90% design review meeting, MNS will incorporate the District's comments to finalize the PS&E documents. We will provide bid documents to the District electronically. The cost opinion will be finalized to an AACE Class 1 level and a final construction schedule provided.

The Final Plans and Specifications will be stamped and signed by Professional Engineers registered in the State of California in their respective disciplines.

Deliverables: 65% PS&E, 65% Comments Response Form, 90% PS&E, 90% Comments Response Form, Final PS&E, stamped, signed, and ready for bid, and Final Construction Schedule.

TASK 4 PROJECT PERMITTING

MNS will support the District to obtain permits and approvals from Caltrans and the County of Santa Barbara (County) for construction of the sewer.



Per our understanding, Caltrans has been notified of the Project and a schedule has been established. Our Project schedule is tied to the dates previously established for Caltrans review of the construction documents. The MNS team’s knowledge of Caltrans process will be beneficial to the District to meet the target schedule. MNS will provide exhibits and plans required for the District to submit a permit application package to Caltrans.

MNS will provide exhibits and plans required for the District to submit a permit application to the County.

This proposal does not include any additional environmental permits or approvals. Permit fees are the responsibility of the District.

Deliverables: Exhibits and Plans for Caltrans Encroachment Permit Application and County of Santa Barbara Encroachment Permit Application

TASK 5 BID PHASE SERVICES

MNS will support the District during bidding as described in the following subtasks:

Task 5.1 Pre-Bid Meeting

The MNS Project Manager will attend the pre-bid meeting. We will review the District’s agenda and provide input on discussion topics.

Task 5.2 Requests for Clarification and Addenda

MNS will review and respond to Requests for Clarification (RFCs) forwarded by the District. We assume four RFCs will be forwarded by District during the Project advertisement period. Reasonable changes to the contract documents as a result of an RFC response will be prepared by MNS and submitted to District.

MNS will prepare up to two addenda as deemed appropriate or necessary to modify and clarify the intent of the contract documents. We assume the District will distribute addenda to plan holders.

Task 5.3 Conformed Documents

MNS will prepare conformed plans and specifications based on addenda and RFC responses issued during the bid period.

Deliverables: Responses to RFCs (up to four), Contract Addenda (up to two), Conformed Documents

Schedule

MNS will work with the District to complete the Project on a timeline commensurate with District goals. A tentative schedule is presented below.

Milestone	Target Date
Design NTP	October 1, 2021
Topographic Survey	November 4, 2021
Draft BOD	November 15, 2021
District Review	Two Weeks



Milestone	Target Date
Final BOD	December 6, 2021
65 percent Design Submittal	December 29, 2021
District Review	Two Weeks
90 percent Design Submittal	February 21, 2022
District Review	Two Weeks
Final Design Submittal	March 28, 2022

Assumptions

1. The District will provide MNS with the CAD drawings including Civil 3-D features intact completed by the previous consultant.
2. District will limit review times to a maximum of two weeks to maintain schedule and meet milestone dates.
3. Positive location of underground utilities is not required as part of design.
4. No in-person meetings will be required to obtain the permits identified in the scope of work.
5. Additional geotechnical work is not required.
6. All permit application fees will be paid by the District





		PM	ENGINEERING				SURVEYING				DESIGN SUPPORT & CONSTRUCTABILITY		ADMIN SUPPORT	Staheli (Trenchless)						SUBCONSULTANTS											
		Lead Engineer (Hunt)	Principal Traffic Engineer - (Kowalewski)	Lead Engineer (Panofsky)	Senior Project Engineer	Project Engineer	Principal Surveyor	Associate Project Surveyor	Party Chief	Chain Person	Construction Manager	CADD Manager	Administrative Analyst	Principal	Senior Engineer	Project Engineer	Administrative Support	Total Resource Hours	Total Hours/Rates	Subconsultant Participation	Staheli (Trenchless)	Total Subconsultant Costs	Reimbursable Expenses	MNS Engineers	Staheli (Trenchless)	Reimbursable Expense Costs	Summary	Total MNS Resource Costs	Total Subconsultant Costs & All Reimbursable Expenses With 15% Markup	Total	
2019 Rate		\$215	\$235	\$215	\$185	\$170	\$235	\$150	\$155	\$135	\$250	\$150	\$110	\$295	\$185	\$165	\$105														
1 – Project Management, QA/QC, and Meetings	Task 1																														
1.1 Project Management	Task 1.1	40										2		10			10	62	\$12,820	Task 1.1	\$4,000	\$4,000					Task 1.1	\$8,820	\$4,600	\$13,420	
1.2 QA/QC	Task 1.2		12															12	\$2,580	Task 1.2	\$0	\$0					Task 0	\$2,580	\$0	\$2,580	
1.3 Meetings and Presentations	Task 1.3	18			18									10	10			46	\$8,780	Task 1.3	\$1,850	\$1,850	\$150		\$150		Task 0	\$6,930	\$2,300	\$9,230	
	Task 1 Subtotal	58	0	12	0	18	0	0	0	0	0	2		10	10	0	10	120	\$24,180		\$5,850	\$5,850	\$150	\$0	\$150		Task 1 Subtotal			\$25,230	
2 – Existing Information and Preliminary Design	Task 2																														
2.1 Existing Documents and Utility Investigation	Task 2.1	4				12												16	\$2,900	Task 2.1	\$0	\$0					Task 2.1	\$2,900	\$0	\$2,900	
2.2 Permitting Research (not included)	Task 2.2																	0	\$0	Task 2.2	\$0	\$0					Task 2.2	\$0	\$0	\$0	
2.3 Topographic Survey and Boundary Survey	Task 2.3						16	24	20	20								80	\$13,160	Task 2.3	\$0	\$0					Task 2.3	\$13,160	\$0	\$13,160	
2.4 Geotechnical Study Review	Task 2.4	2	1			4												7	\$1,345	Task 2.4	\$0	\$0					Task 2.4	\$1,345	\$0	\$1,345	
2.5 Trenchless Construction Analysis	Task 2.5	6			2									12	52	28	2	102	\$19,650	Task 2.5	\$17,990	\$17,990		\$600	\$600		Task 2.5	\$1,660	\$21,379	\$23,039	
2.6 Draft BOD	Task 2.6	16			16	38												70	\$12,860	Task 2.6	\$0	\$0					Task 2.6	\$12,860	\$0	\$12,860	
2.7 Final BOD	Task 2.7	6			4	12												22	\$4,070	Task 2.7	\$0	\$0					Task 2.7	\$4,070	\$0	\$4,070	
	Task 2 Subtotal	34	1	0	22	66	16	24	20	20	0	0	0	12	52	28	2	297	\$3,985		\$17,990	\$17,990	\$0	\$600	\$600		Task 2 Subtotal			\$57,374	
3 – Final Design Services	Task 3																														
3.1 65% PS&E	Task 3.1	20	2		20	54								6	62	30		198	\$36,440	Task 3.1	\$18,190	\$18,190	\$100	\$200	\$300		Task 3.1	\$18,250	\$21,264	\$39,514	
3.2 90% PS&E	Task 3.2	24	2		20	76								6	26	16		180	\$33,770	Task 3.2	\$9,220	\$9,220	\$100	\$200	\$300		Task 3.2	\$24,550	\$10,948	\$35,498	
3.3 Final PS&E	Task 3.3	10	2		10	24								4	24	14		88	\$16,480	Task 3.3	\$7,930	\$7,930	\$100	\$200	\$300		Task 3.3	\$8,550	\$9,465	\$18,015	
	Task 3 Subtotal	54	6	0	50	154	0	0	0	0	8	6	0	16	112	60	0	466	\$86,690		\$35,340	\$35,340	\$300	\$600	\$900		Task 3 Subtotal			\$93,026	
4 – Project Permitting	Task 4																														
4.1 Project Permitting	Task 4.1	6	8		12	20								1	8	4		59	\$11,225	Task 4.1	\$2,435	\$2,435					Task 4.1	\$8,790	\$2,800	\$11,590	
	Task 4 Subtotal	6	8	0	12	20	0	0	0	0	0	0	0	1	8	4	0	59	\$11,225		\$2,435	\$2,435	\$0	\$0	\$0		Task 4 Subtotal			\$11,590	
5 – Bid Phase Services	Task 5																														
5.1 Prebid Meeting	Task 5.1	2				2												4	\$770	Task 5.1	\$0	\$0					Task 5.1	\$770	\$0	\$770	
5.2 RFCs and Addenda	Task 5.2	2			4	8									10			24	\$4,380	Task 5.2	\$1,850	\$1,850					Task 5.2	\$2,530	\$2,128	\$4,658	
5.3 Conformed Documents	Task 5.3	2			2	4												8	\$1,480	Task 5.3	\$0	\$0					Task 5.3	\$1,480	\$0	\$1,480	
	Task 5 Subtotal	6	0	0	6	14	0	0	0	0	0	0	0	0	10	0	0	36	\$6,630		\$1,850	\$1,850	\$0	\$0	\$0		Task 5 Subtotal			\$6,908	
Subtotal	Hours	158	15	12	90	272	16	24	20	20	8	6	2	39	192	92	12	978	182,710	Subtotal	\$63,465	\$63,465	\$450	\$1,200	\$1,650	Grand Total	\$119,245	\$74,882	\$194,127		
	Cost	\$33,970	\$3,525	\$2,580	\$16,650	\$46,240	\$3,760	\$3,600	\$3,100	\$2,700	\$2,000	\$900	\$220	\$11,505	\$35,520	\$15,180	\$1,260														



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: September 23, 2021

TO: Board of Directors

FROM: Carrie Poytress, Engineering Manager

SUBJECT: Lilac and Oak Grove Sewer Main Extension Project

SUMMARY: The project includes installing 3,822 linear feet of 8-inch diameter PVC sewer main to serve 22 properties along Lilac Drive, Oak Grove Drive, and East Valley Road.

RECOMMENDATION: Board Discussion only; no action needed by the Board at this time.

Fiscal Impact:

<u>Project Costs</u>	<u>Schedule A</u> Lilac Drive and East Valley Road only	<u>Schedule B</u> Oak Grove Drive and East Valley Road only	<u>Schedule C</u> Lilac Drive, Oak Grove Drive, and East Valley Road
Design Survey	\$ 13,817.25	\$ 13,817.25	\$ 13,817.25
Construction Costs- Tierra Contracting	\$ 1,597,675.00	\$ 701,770.00	\$ 2,036,855.00
Construction Change Order Allowance	\$ 159,767.50	\$ 70,177.00	\$ 203,685.50
Construction Inspection	\$ 48,561.72	\$ 22,277.67	\$ 59,824.00
County Cape Seal Requirement*	\$ 42,430.00	\$ 20,960.00	\$ 63,400.00
Total Project Costs	\$ 1,862,251.47	\$ 829,001.92	\$ 2,377,581.75
Total Properties	16	11	22
Cost per Property	\$ 116,390.72	\$ 75,363.81	\$ 108,071.90

*The County has already granted this project an exemption from their grind and repave requirement and in lieu of such requirements, the District will pay \$1 per square foot of County roadway area into a County fund to construct a lower cost cape seal.

Previous Related Action – On February 11, 2021 the Board directed staff to advertise for bids. On March 4, 2021 staff submitted the project to Caltrans for review to start the Caltrans Encroachment Permit process. Staff advertised the project on March 23, 2021 and March 28, 2021. On April 13, 2021 staff received bids from Cedro Construction, Tierra Contracting, and Lash Construction; Cedro Construction was the apparent lowest bidder. On April 20, 2021, staff received a letter from Cedro Construction requesting relief from the bid based upon a material mistake pursuant to criteria set forth in Public Contract Code 5103. On May 27, 2021 the Board discussed the bids and formed an ad-hoc committee to further discuss this project. On July 8, 2021 the ad-hoc committee reported to the Board and the Board voted to direct staff to reject all bids and secure new bids based on engineering from staff for Lilac & Oak Grove project combined, for Lilac by itself, and for Oak Grove by itself.

Public Notice – As part of the sewer main extension project, letters will be sent to the property owners served by the project with the total project costs asking for the owners to sign either the Agreement or Deferral form. The number of Agreements received determines how much the District will be reimbursed once the construction is completed.

Goals and Objectives – To serve properties currently utilizing septic systems.

Environmental Determination – Categorically exempt by CEQA.

Analysis – Justifications: After Board Direction at the July 8, 2021 meeting, Staff revised the plans and specifications. The bid schedules were separated by areas: Schedule A for Lilac Drive and East Valley Road only, Schedule B for Oak Grove Drive and East Valley Road only, and Schedule C for the entire project. The separate bid schedules allow the Board to award the full project or only a portion of the project based on the property owner participation. Staff reduced the depth of the sewer to try to reduce the trenching costs. However prior to rebidding the project, the District received the Caltrans permit for the work within East Valley Road that the lane impacted by the construction work is required to be grinded and repaved which would increase the cost of the project. With the increase in prevailing wage costs in July, increase in material costs, increase paving requirements, the overall cost of the total project increased despite the decrease in trenching costs.

On September 2, 2021 Tierra Contracting and Cedro Construction submitted bids for the re-bid project. On September 7, 2021 the District received a bid protest letter via email from Tierra Contracting and the hard copy letter was received on September 9, 2021, wherein Tierra Contracting protested Cedro Construction's bid for the project on the grounds that Cedro Construction's participation in the bid violates California Public Contract Code Section 5105. The California Public Contract Code Section 5105 states, "A bidder who claims a mistake or who forfeits his or her bid security shall be prohibited from participating in further bidding on the project on which the mistake was claimed or security forfeited." After careful analysis of the subject project, District Legal Counsel determined that, for the purposes of Section 5105, the project that was re-bid is the same project as the one Cedro originally bid on and then claimed a mistake; therefore, Cedro Construction's bid was rejected on the basis that participating in the re-bid violates California Public Contract Code Section 5105. Therefore, Tierra Contracting is the only responsible bidder and the bid price offered by Tierra was used in the estimated project cost for each option.

Staff will mail letters with the agreement and deferred participation form for the property owners to decide if they want to participate in the project. Staff will present the number of participating properties and their location to the Board at a meeting in late October for the Board to decide to award a portion of the project, the entire project, or reject all bids.

OTHER DEPARTMENTS INVOLVED: Collections

ATTACHMENTS: None

RESOLUTION NO. 2021-934

**RESOLUTION OF THE GOVERNING BOARD
OF THE MONTECITO SANITARY DISTRICT
DESIGNATING AN AUTHORIZED REPRESENTATIVE FOR
STATE WATER RESOURCES CONTROL BOARD
FINANCIAL ASSISTANCE**

WHEREAS the Montecito Sanitary District (District) wishes to pursue State Water Resource Control Board (SWRCB) financial assistance through the Water Recycling Funding Program for the planning of a recycled water project within the District service area; and

WHEREAS the SWRCB requires the District to pass a resolution identifying an Authorized Representative and to submit the resolution with the application for financial assistance.

NOW, THEREFORE, BE IT RESOLVED:

1. That the General Manager (the “Authorized Representative) or his/her designee is hereby authorized and directed to sign and file, for and on behalf of the District, a Financial Assistance Application for a grant agreement from the State Water Resources Control Board for the planning of the Potable Reuse Facilities Plan (the Study).
2. This Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.
3. The Authorized Representative, or his/her designee, is designated to represent the District in carrying out the District’s responsibilities under the grant agreement, including certifying disbursement requests on behalf of the District and compliance with applicable state and federal laws.

PASSED AND ADOPTED by the Governing Board of the MONTECITO SANITARY DISTRICT on the 23rd day of September 2021 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Dorinne Lee Johnson, President of the
Governing Board of the
MONTECITO SANITARY DISTRICT

ATTEST:

Elizabeth A. Byrne, Clerk to the
Governing Board of the
MONTECITO SANITARY DISTRICT



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A Public Service Agency

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MONTECITO SANITARY DISTRICT STAFF REPORT

DATE: Thursday, September 23, 2021

TO: Board of Directors

FROM: Carrie Poytress, Engineering Manager

SUBJECT: Fernald Point Emergency Sewer Main Replacement

RECOMMENDATION: STAFF RECOMMENDS THAT

1. Authorize the General Manager to issue an emergency purchase order to Beador Construction Company, Inc. in the amount of \$21,911 for replacing approximately 70 feet of sewer main.
2. Approve a change order allowance of 15% for expenditures up to \$3,287 for changes to the purchase order with Beador due to unforeseen changes in scope.

DISCUSSION:

Background – The County of Santa Barbara (County) is currently replacing the Fernald Point Bridge at Picay Creek and making channel modifications. Montecito Sanitary District Staff coordinated with County engineering staff through the design process and provided the County with a record drawing for the sewer main showing that it was installed inside a 16-inch steel casing in 1966. The County proceeded with designing the new bridge footings around the District’s 8” VCP sewer main so that impacts to the District sewer main was minimized.

While construction on the bridge began earlier this summer, the County’s construction management team contacted District staff on September 1, 2021 to coordinate protection of the sewer main while the County’s Contractor, Beador Construction Company (Beador) is constructing the foundation for the new bridge. District staff discovered during their site visit on September 8, 2021 that the exposed section of the sewer main did not match the record drawings. Because only a small portion of the sewer main was exposed during the initial site visit, District operations staff inspected the full sewer main using the closed-circuit television camera to check the condition of the buried section and plan out how to mitigate the impacts of the incorrect record drawing. The inspection determined that in addition to the fact that the sewer main was not inside of a 16-inch steel casing,

approximately 54 feet of the sewer main is cast iron pipe, encased in concrete.

On September 16, 2021, District staff met on site with the County construction management team to review the plan for protecting the sewer main while the contractor is working in the vicinity. While on site, the County notified the District that the concrete encasement around the pipe will have to be removed in order to set the channel at the correct location, and the process of removing the concrete was not included in the Contractors schedule.

Beador has indicated that the changed conditions will cause delays to the schedule, so the County and District have been working on a mutually beneficial solution to minimize the impacts to the project's schedule. In order to minimize such delays that the District might be responsible for the cost of, MSD staff and the County discussed allowing the contractor to replace approximately 70 feet of the 8" sewer main. Beador has provided a proposal for expediting the work by replacing the impacted sewer main instead of carefully working around the sewer main to prevent damage which may have scheduling impacts. The District would provide the pipe material, couplings, and bypassing to expedite the replacement work.

Fiscal Impact – To minimize the delays as a result of the inaccurate record drawing, the County construction manager requested a quote from Beador. Beador's estimate for \$21,910.15 includes work necessary to remove and replace the exposed and encased sewer main with a new PVC sewer main, with the exception of bypass and providing the pipe and coupling materials. The construction is on-going and while the scope of work may not change, in the event additional work is necessary, Staff is requesting approval of a 15% change order allowance for other additional work necessary to prevent further delays.

There are sufficient funds in the District's Capital Improvement Program under Scheduled and Emergency Replacements to fund the emergency purchase order.

Previous Related Action – N/A

Goals and Objectives – To minimize the delays and resolve the conflict with the County's design as a result of discrepancies in field conditions discovered during construction and the District's record drawings from 1966.

Analysis – Justifications – Requesting that another contractor or District staff performing the work may cause additional delays to the project and may not result in a cost-savings to the District. Additionally, staff recommends not attempting to coordinate a second contractor within the County's contractor's work site due to delays and contracting issues. Therefore, staff supports the proposal from the County's contractor, Beador, and recommends directing them to perform the work.

OTHER STAKEHOLDERS INVOLVED: County of Santa Barbara

ATTACHMENTS: None



Montecito Sanitary District

1042 Monte Cristo Lane
Santa Barbara, CA 93108

A Public Service Agency

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MINUTES

For the Special Meeting of
the Finance Committee on:
September 14, 2021

1. CALL TO ORDER/ROLL CALL

The special meeting of the Finance Committee commenced at 2:00 p.m. on September 14, 2021.

ATTENDANCE

Present: Directors Don Eversoll and Woody Barrett
Absent: None
Also Present: Brad Rahrer, P.E.MSD General Manager
Betsy Byrne, District Administrator
Dorinne Lee Johnson
Resident
Guest

2. PUBLIC COMMENT

No members of the public addressed the Committee.

3. OLD BUSINESS

None.

4. NEW BUSINESS

A. COP/BOND REFINANCE

The Committee received information related to the current COP Bond Indenture limitations on prepayment prior to 2027, and learned that staff will meet with municipal advisors to learn more on possible refinancing.

The Committee discussed receiving Continuing Disclosure Training and requested training scheduled at 2:00 pm on a future date before the next Finance Committee Meeting on October 19, 2021.

The Committee reviewed the previous 2017 refinance of the bond, and benefits to that reissuance and directed staff to research the specifics of the original bond issuance and details of the refinance for a future Committee meeting discussion.

B. KIMLEY-HORN INVOICES

The Committee discussed the two invoices in question and directed Staff to acquire additional detail from Kimley-Horn in order to pay the invoiced amounts not in question, and would bring the items in question to a future Board meeting.

C. PAYABLES FOR CHECK DATE SEPTEMBER 10, 2021

The Committee discussed Accounts Payable for payment date of September 10, 2021.

5. ITEMS FOR THE NEXT AGENDA

The Finance Committee will meet between September 14, 2021 and October 19, 2021 to receive Continuing Disclosure training from Cyrus Torabi of Stradling Yocca Carlson & Rauth.

The next regular Finance Committee meeting will be on October 19, 2021 at 2:00 pm.

- i) Receiving an update of research related to refinancing the District's bond.
- ii) Review unaudited quarterly financial statements period end September 30, 2021.
- iii) Certifying the quarterly investment statement for period end September 30, 2021.
- iv) Collections Staff time spent on servicing Miramar Lift Station
- v) Review Admin and Board Room Roof Replacement contract amount/bids received
- vi) Review expenditures on existing Board Room renovation
- vii) Review annual expenditures for District's CCTV and Condition Assessment Program.

6. ADJOURNMENT

The meeting adjourned at 3:29pm



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MANAGER'S REPORT

For the Regular Board Meeting of

September 23, 2021

8. DISTRICT OPERATIONS AND MAINTENANCE

A. Information Items

General Manager Brad Rahrer, P.E. will provide informational, nonactionable, updates regarding matters before the District.

B. Agreements to be Signed

None

C. Operations and Maintenance Reports

For the period of August 30, 2021 through September 12, 2021

WASTEWATER TREATMENT PLANT STATISTICS FOR DURATION: 14 DAYS

Flows	7.181 MG	0.512 MGD avg
Hypochlorite used	2,406 Gal	171 Gallons day, avg
Bisulfite used	1,118 Gal	80 Gallons day, avg.
Effluent T.S.S.		4.5 mg/L avg
Effluent CBOD ₅		3.7 mg/L avg
BAC-T		< 2.0 MPN/100mL median
Rainfall	0.00 inches	

SLUDGE DISPOSAL - LOAD AND DISPOSAL BY ENGEL & GRAY

<u>Load Date</u>	<u>Total Haul in pounds</u>	<u>Total haul in Tons</u>
8/31/2021	34,580	17.29
9/9/2021	34,162	17.08
<u>Totals:</u>	<u>68,742</u>	<u>34.37 Tons</u>

PLANT OPERATIONS

- No violation of the NPDES permit during this reporting period.
- Operated the belt press for a total of 12 hours.
- Miguel Villanueva tested and obtained Wastewater Treatment Plant Operator Grade 2 certification.

PLANT MAINTENANCE

- Performed routine inspections and maintenance of District Buildings and Equipment.
- Worked on Boardroom remodel project.

COLLECTIONS

- No public sewer system overflows this reporting period.
- No private sewer system overflows this reporting period.
- Linear Feet Cleaned: 1,778 ft., 0.33 Miles
- Linear Feet Inspected: 2,995 ft., 0.56 Miles
- 9/7/2021 Director Eversoll toured all five of the District Collection System Lift Stations.
- 9/1/2021 Afterhours power fail alarms at Bonnymede & Eucalyptus Lift Stations.
- 9/1/2021 through 9/3/2021 Collection staff prepared and by-passed sewer mainline on Brooktree Road for County of Santa Barbara storm drain repair project. Beador Construction performed spot repair on sewer mainline L207-5.

LABORATORY

During this 14-day period the Laboratory Manager and Operators assigned to the Laboratory performed the following activities:

- Collected 80 samples
- Ran 125 tests plus 34 duplicate tests for NPDES permit compliance and process control
- Performed 18 calibrations on laboratory equipment and 318 quality control checks
- Sent 3 samples to our contract lab for NPDES-required monthly testing (Oil & Grease, ammonia, and total organic carbon)