

TO: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

FROM: PETER V. SEVCIK, P.E. *P.V.S.*
DIRECTOR OF ENGINEERING
& OPERATIONS

DATE: SEPTEMBER 4, 2014

**AGENDA ITEM
E-4
SEPTEMBER 10, 2014**

**AUTHORIZE CHANGE ORDER FOR
STANDPIPE TANK MODIFICATION AND REHABILITATION PROJECT**

ITEM

Authorize change order for Standpipe Tank Modification and Rehabilitation Project in the amount of \$20,056.06 [RECOMMEND AUTHORIZE STAFF TO ISSUE CHANGE ORDER IN THE AMOUNT OF \$20,056.06 TO CROSNO CONSTRUCTION, INC. FOR THE STANDPIPE TANK MODIFICATION AND REHABILITATION PROJECT].

BACKGROUND

The Standpipe Tank Modification and Rehabilitation Project involved the installation of a new inlet to improve mixing within the tank and minimize the potential for water quality problems as well as recoating of the interior of the tank. The Board authorized a construction contract in the amount of \$263,350, plus a \$25,000 contingency, with Crosno Construction, Inc. for the project. While construction of the project was successfully completed, several issues came up during the project that resulted in Change Orders in the total amount of \$18,087.29 to the District, which were resolved within the previously Board authorized contingency amount. The contractor expended a considerable amount of additional effort to remove a build-up of material on the inside upper portion of the tank before the new coating could be applied and submitted a final change order in the amount of \$20,056.06. The work was performed on a time and materials basis and was verified by the District's construction manager. Total construction cost for the project including the final change order is \$301,493.35.

FISCAL IMPACT

Project Cost Summary	
Construction Contract – Crosno	\$301,493.35
Construction Management – Cannon	\$70,281.00
Total Project Cost	\$371,774.35
Budgeted Project Cost	\$400,000.00

STRATEGIC PLAN

Goal 2 – FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT – Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

RECOMMENDATION

Staff recommends that the Board, by motion and roll call vote, approve a change order in the amount of \$20,056.06 to Crosno Construction, Inc. for the Standpipe Tank Modification and Rehabilitation Project.

ATTACHMENTS – N/A

TO: MICHAEL S. LEBRUN
GENERAL MANAGER

M.S.L.

FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF ENGINEERING
& OPERATIONS

P.V.S.

**AGENDA ITEM
E-5
SEPTEMBER 10, 2014**

DATE: SEPTEMBER 4, 2014

**APPROVE BUDGET AMENDMENT FOR CONSTRUCTION
MANAGEMENT SERVICES WITH CANNON FOR
STANDPIPE TANK MODIFICATION AND REHABILITATION PROJECT**

ITEM

Approve budget amendment for construction management services with Cannon for Standpipe Tank Modification and Rehabilitation Project in the amount of \$10,690 [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE BUDGET AMENDMENT WITH CANNON IN THE AMOUNT OF \$10,690].

BACKGROUND

The Standpipe Tank Modification and Rehabilitation Project involved the installation of a new inlet to improve mixing within the tank and minimize the potential for water quality problems as well as recoating of the interior of the tank. The Board authorized a Task Order in the amount of \$59,591 with Cannon to provide construction management services for the project. While construction of the project was successfully completed, Cannon and their coating inspection sub-consultant expended more effort than originally planned related to the interior recoating portion of the project. The attached proposal outlines the additional services provided at a cost of \$10,690, for a total construction management cost of \$70,281.

FISCAL IMPACT

Project Cost Summary	
Construction Contract – Crosno	\$301,493.35
Construction Management – Cannon	\$70,281.00
Total Project Cost	\$371,774.35
Budgeted Project Cost	\$400,000.00

STRATEGIC PLAN

Goal 2 – FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT – Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

RECOMMENDATION

Staff recommends that the Board, by motion and roll call vote, approve a budget amendment in the amount of \$10,690 for construction management services with Cannon for the Standpipe Tank Modification and Rehabilitation Project.

ATTACHMENTS

- A. Cannon proposal dated August 13, 2014

September 10, 2014

ITEM E-5

ATTACHMENT A



ADDITIONAL SERVICES AGREEMENT

Project Client: Nipomo Community Services District Date: August 13, 2014
Project Name: Standpipe Construction Support Project Number: 081006.02

Description of Additional Services and/or Materials:

The original proposal assumed 320 hours construction inspection services for tank rehabilitation under Task 3. The additional services requested is for three additional weeks of construction management and inspection services due to contractor's extended work and schedule. Services include:

- Prime coat inspection
- Finish coat(s) inspection
- Final Inspection, including dry film thickness testing and holiday detection
- Disinfection/Hydrostatic Testing observance
- Claims Resolution assistance
- Daily Inspection Activity Reports

Additional Fee:

Harper & Associates	\$7,890
Cannon Corporation	\$2,800
<u>Total</u>	<u>\$10,690</u>

Reimbursable expenses are included in this additional service agreement.

Authorization:

In witness whereof, the parties hereto have caused this agreement consisting of the Request for Additional Services, and the original signed agreement and any other necessary and applicable documents to be executed of the date and year first above written.

Any additions and/or corrections to this agreement will be addressed in a separate agreement.

Nipomo Community Services District Cannon

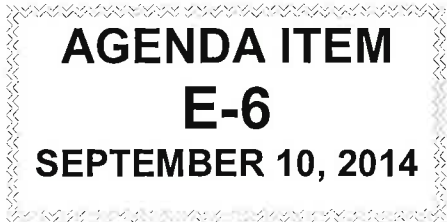
Peter Sevcik, PE
District Engineer
Date _____

Larry Kraemer, PE
Director, Public Infrastructure
Date _____

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

DATE: SEPTEMBER 5, 2014



CONSIDER CALIFORNIA URBAN WATER CONSERVATION COUNCIL PROPOSED BYLAW CHANGES

ITEM

Consider proposed changes to CUWCC bylaws and vote District Ballot [RECOMMEND CONSIDER CHANGES AND VOTE DISTRICT BALLOT]

BACKGROUND

The District is a member of CA Urban Water Conservation Council. The Council is proposing changes to their bylaws as outlined in the attached August 18, 2014 correspondence.

FISCAL IMPACT

Negligible staff time preparing materials

STRATEGIC PLAN

Goal 7. COMMUNICATION. Use public outreach to communicate effectively with the public to obtain their input and build understanding and support for the District.

7.1 Develop and implement a complete outreach plan and timeline with specific goals and budget each year.

7.2 Maintain productive communication and relationships with key stakeholders, such as city, County, State and Federal legislators, service clubs, etc. As appropriate, plan and assign for this role.

RECOMMENDATION

Consider information and vote District ballot. Direct staff to return ballot no later than 5 P.M. Tuesday September 16, 2014.

ATTACHMENTS

- A. August 18, 2014 CUWCC Ballot Information

September 10, 2014

ITEM E-6

ATTACHMENT A

August 18, 2014

Mr. Michael LeBrun
Nipomo Community Services District
PO Box 326
Nipomo, CA 93444



716 10th Street
Suite 200
Sacramento
California 95814

Phone
916/ 552-5885
Fax
916/ 552-5877

www.cuwcc.org

Dear Mr. LeBrun:

Enclosed you will find a ballot for the proposed changes to the Bylaws from the body of the Memorandum of Understanding Regarding Water Conservation in California (MOU) Exhibit 5.

In 2013, the California Urban Water Conservation Council's (CUWCC) Board of Directors established a Bylaws Committee to review the MOU Bylaws. The goals of the Committee were to:

- Ensure the Bylaws were in full compliance with California non-profit corporation law; and
- Ensure the Council maintains its current structure; improve clarity and consistency; and
- Identify benefits of Full Membership.

Since then, the Council has engaged with outside counsel to ensure compliance with California law. The Bylaws Committee proposed a variety of changes that outside counsel recommended in order to achieve full compliance.

The first set of proposed changes clarifies key definitions as defined in Section 1.05. The changes eliminate ambiguity throughout the Bylaws by eliminating the terms "member" or "members" when unmodified, and add additional definitions to further clarify the distinctions between "Signatory" members, "Voting" members, and "Full members."

The second set of proposed changes in Section 7 assure legal compliance. These include the elimination of proxy voting by Council Directors, and the elimination of 'non-voting' Directors. The proposed definition changes directly address these issues while maintaining the Council's current structure.

The third set of proposed changes clarifies Council Membership "Privileges and Benefits"; ensuring current Group 1 and Group 2 Signatory Members continue to receive voting rights when applicable.

The actual language for the proposed changes can be found on the CUWCC website. From the home page choose the link to the MOU revision proposal:

<http://www.cuwcc.org/News/Member-News/mou-revision-proposal-61275>

On behalf of the Board of Directors, which voted unanimously to support this ballot measure, I encourage you to vote yes.

Sincerely,

A handwritten signature in black ink that reads "Fiona Sanchez". The signature is written in a cursive, flowing style.

Fiona Sanchez
Chair

Organization Name

Primary Contact Signature

Primary Contact Print

California Urban Water Conservation Council MOU Revision Ballot September 2014

Ballot Process

- Fax or mail in vote deadline: 5:00 pm, Tuesday, September 16, 2014. Fax to 916-552-5877 or mail to Council Office, 716 10th St., Suite 200, Sacramento, CA 95814
- Ballots not received by mail or fax may be submitted in person during the September 17 Plenary, at the West Sacramento Galleria City Hall, 1110 West Capitol Ave, West Sacramento, CA
- The summary paragraph below is for purpose of the ballot. The actual language for the proposed changes can be found on the Council website. From the home page choose the links to the Bylaws revisions proposals. On that page, you can also find memoranda from Council staff and the Bylaws Committee supporting the recommendations adopted by the Board.
- Changes in Bylaws require simple majorities of both Group 1 and Group 2.
- The vote below is on the entire package of proposed changes, not on individual elements.

Proposed Changes – MOU Exhibit 5: Bylaws

1. In current Article 1, Section 1.05 –
 - Modify all uses of the term “member” or “members” to one of the following three terms: 1) Signatory; 2) Voting; or 3) Full. In addition, eliminate the terms “Council member(s)” (with one exception) and “Signatory Organization.”
 - To further clarify the distinctions between “Signatory” members, “Voting” members, and “Full members, add the terms “Applicant,” “Council Privileges and Benefits,” and “Group 1 Signatory Member,” “Group 2 Signatory Member,” and “Group 3 Signatory Member.”
 - Delete entirely the current definition of “Board of Directors.”
 - Revise the definition of “Voting Member” to include only those Group 1 and Group 2 members who have paid their annual assessments at the time a vote is taken at a Plenary Meeting.
2. In current Article VII, Section 7.12 –
 - Eliminate proxy voting by Board members.
3. In current Article VII, Section 7.02(a) –
 - Convert the non-voting “ex officio” Board members (Reclamation; DWR; and immediate past president) into non-voting “Special Advisors to the Board.”
 - Convert the non-voting Group 3 Board members into non-voting “Special Advisors to the Board.”
 - Clarify the Council’s Secretary/Treasurer is not a voting member of the Board
4. In current Section 10.01 –
 - Create a Group 3 Members Committee to nominate, for Board approval, both the Group 3 Special Advisors to the Board and the Council’s Secretary/Treasurer.
5. Throughout the Bylaws –
 - Make all changes necessary to conform the remaining bylaws to the changes noted above.

Yes

No

Please note: If the Proposal is adopted by the membership, the page numbers of revised MOU will be updated as necessary.