

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER *MIS for*
DATE: JULY 8, 2022



PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-1) QUARTERLY DISTRICT ENGINEER'S REPORT TO THE BOARD [RECOMMEND RECEIVE AND FILE]

- C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS.
Receive Announcements and Reports from Directors

- C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

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TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS *BVS*
GENERAL MANAGER *fov*
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: JULY 8, 2022

AGENDA ITEM
C-1
JULY 13, 2022

QUARTERLY DISTRICT ENGINEER'S REPORT TO THE BOARD

ITEM

Engineering and Operations update for April through June 2022. [RECOMMEND RECEIVE AND FILE]

BACKGROUND

Director of Engineering and Operations, Peter Sevcik will overview his update (Attachment A) and discuss District projects for the April through June 2022 period.

RECOMMENDATION

Staff recommends that your Honorable Board receive the update.

ATTACHMENTS

- A. Engineering and Operations Update for April through June 2022.

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JULY 13, 2022

ITEM C-1

ATTACHMENT A

Engineering and Operations Update – April 2022 to June 2022



Peter V. Sevcik, P.E.
Director of Engineering and Operations
Nipomo Community Services District
July 13, 2022

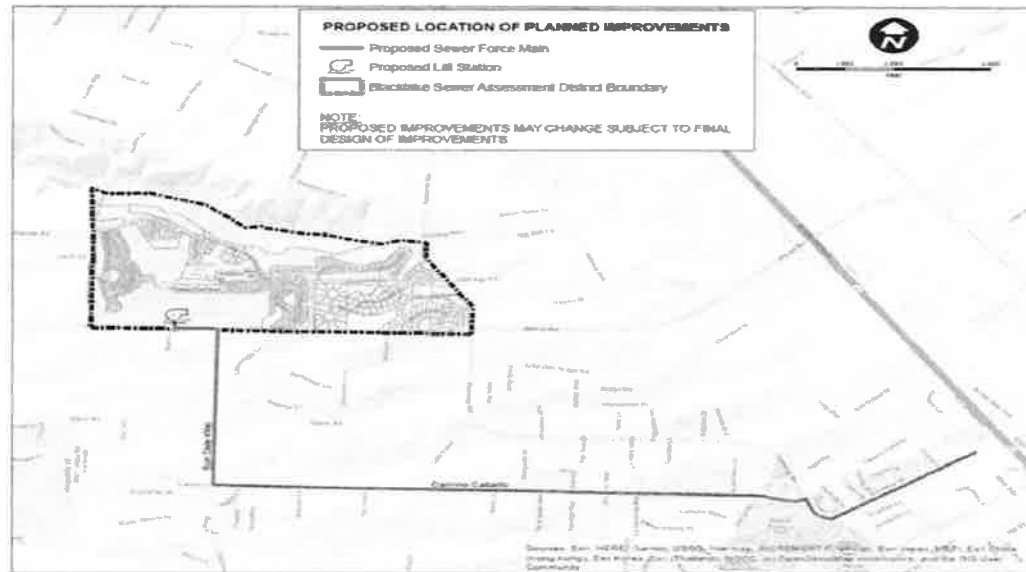
Projects in Construction

Nipomo Palms Lift Station Replacement

- Contract cost – \$918,368
- Notice to Proceed Issued – 5/17/2021
- Revised project completion date – 11/2022
- Pump delivery delayed
- Construction in progress



Blacklake Sewer System Consolidation Project



- Construction of lift station and force main to pump wastewater to Southland Wastewater Treatment Facility
- Decommission existing Blacklake Water Reclamation Facility



Blacklake Sewer System Consolidation Project

Major Task Status

- Southland WWTF and Blacklake WRF permitting in progress
 - Report of Waste Discharge for Blacklake WRF submitted to RWQCB
 - Report of Waste Discharge for Southland WWTF pending revision prior to submittal to RWQCB
- Lift station and force main design
 - Lift station and force main split into two bid packages
 - 100% force main design to be completed by 9/2022
 - 100% lift station design to be completed by 1/2023
- CEQA
 - Public Draft Mitigated Negative Declaration (MND) pending
 - California Red Legged Frog Habitat Conservation Plan (HCP) in progress

Blacklake Sewer System Consolidation Project

Schedule Milestones	Original	Revised Force Main	Revised Lift Station
Design Completion	12/2021	9/2022	1/2023
Construction Permitting Completion	12/2021	9/2022	1/2023
Board Authorization to Pre-Qualify	1/2022	7/2022	2/2023
Board Authorization to Bid	3/2022	9/2022	4/2023
Board Construction Contract Award	6/2022	12/2022	7/2023
Construction Completion	3/2024	9/2023	7/2024

Blacklake Sewer System Consolidation Project

Cost Summary as of 6/30/2022

Item	Description	Project Budget Costs	Actual Costs to Date	% Budget Actual Costs to Date
1	Blacklake Lift Station	\$ 605,550	\$ -	0.0%
2	Force Main	\$ 5,162,350	\$ -	0.0%
3	WRF Demolition	\$ 915,400	\$ -	0.0%
4	Construction Total	\$ 6,683,300	\$ -	0.0%
5	Permitting (CEQA)	\$ 116,240	\$ 50,368.77	43.3%
6	Engineering Design	\$ 871,800	\$ 563,349.39	64.6%
7	Construction Management and Inspection	\$ 871,800	\$ -	0.0%
8	Contingency	\$ 1,743,600	\$ -	0.0%
9	Total Project Cost	\$ 10,286,740	\$ 613,718.16	6.0%



Other Projects in Design

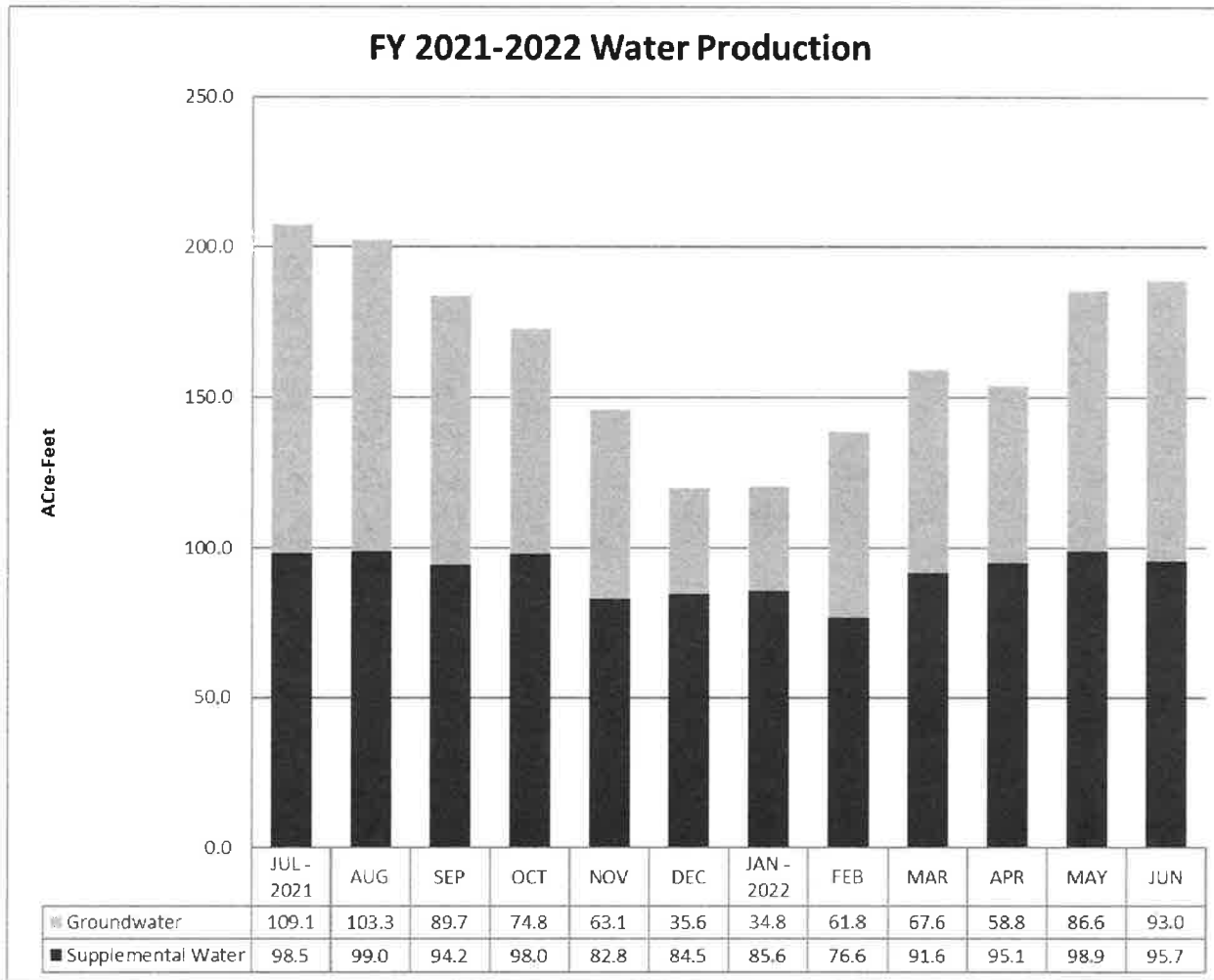
- **Branch Street Watermain Replacement**
 - Bidding of project pending
- **Eureka Well #2 Pump and Controls**
 - Contractor pre-qualification in progress
 - 100% design pending
- **Woodgreen Lift Station**
 - 90% design in progress



Other Projects in Design

- Frontage Road Trunk Sewer Replacement
 - Preliminary design initiated
- District Office Generator
 - Generator shipment delayed
- Foothill Tank Land Acquisition
 - Preparation of Mitigated Negative Declaration (MND) in progress

Operations – Water System



Supplemental Water	1100.4 AF
Groundwater	878.1 AF
FY 21-22 Total Production To Date	1978.5 AF



Operations – Water System

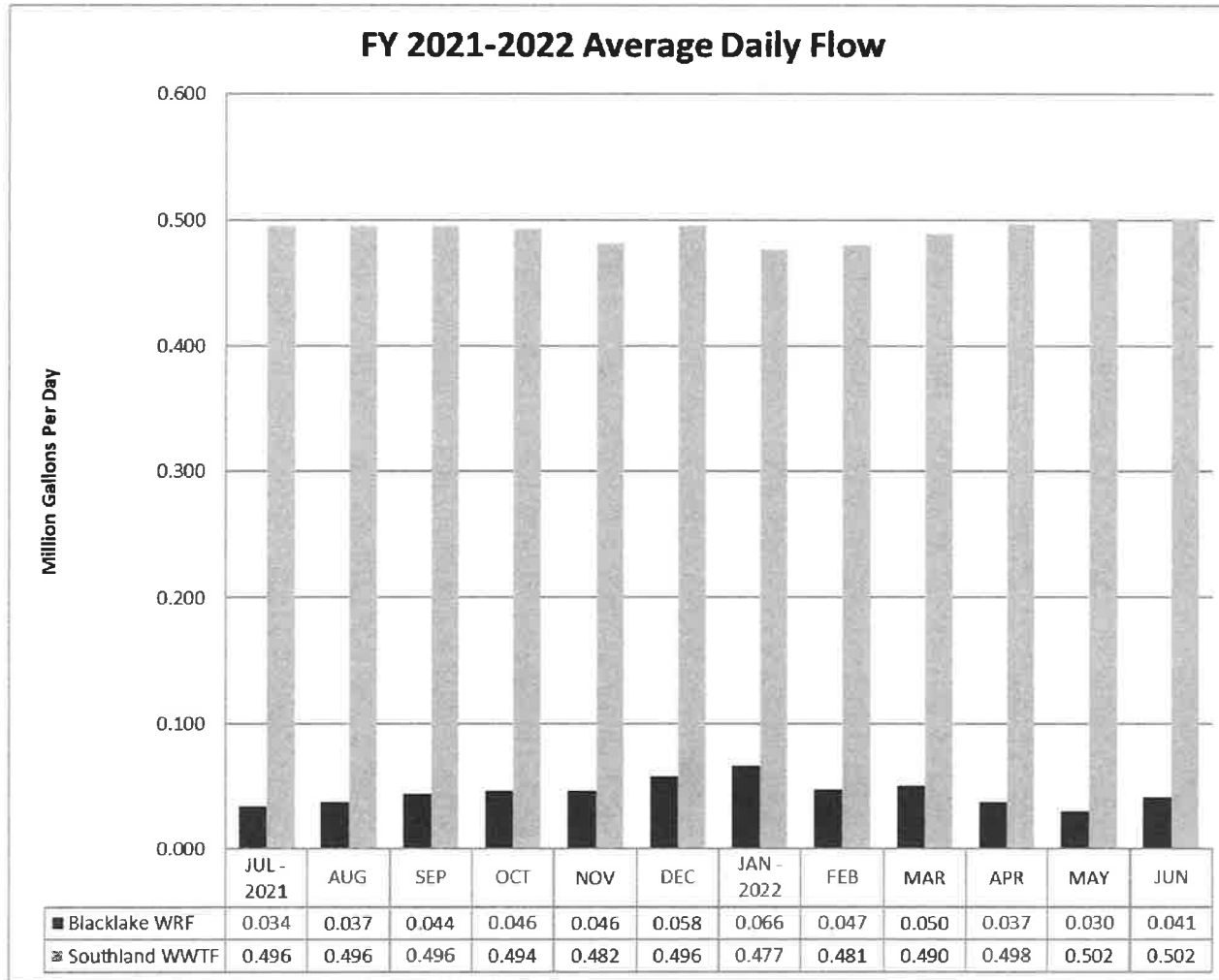
- **Regulatory**

- State Water Resources Control Board Division of Drinking Water
 - Submitted routine monthly coliform, quarterly raw water coliform, quarterly nitrate, quarterly disinfection byproducts
 - Submitted annual Water System Report

- **Other Water Operations**

- Hired new Water Operator 1
- Completed installation of second AMI radio system
- Replaced two 4 inch water meters
- Completed annual tank cathodic protection system inspections

Operations – Wastewater



Blacklake WRF	15.5 MG
Southland WWTF	179.8 MG
FY 21-22 Total Wastewater Flow Treated To Date	195.3 MG or 599 AF



Operations – Wastewater System

- **Regulatory**

- State Water Resources Control Board
 - Routine monthly and quarterly reports submitted

- **Other Wastewater Operations**

- New SCADA tower completed and SCADA radio antennas installed on new tower
- Did not renew ELAP certification for in-house lab
- Replaced Pump #2 at Tefft Street Lift Station



Engineering and Operations

Questions

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER *MVS for*
DATE: JULY 8, 2022



CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Administrative Items. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda**

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JUNE 22, 2022, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]
- D-3) CONSIDER ADOPTING A RESOLUTION TO ESTABLISH PRE-QUALIFICATION
POLICY AND APPEALS PROCEDURE FOR BLACKLAKE SEWER SYSTEM
CONSOLIDATION PROJECT FORCE MAIN [RECOMMEND ADOPT RESOLUTION
ESTABLISHING PRE-QUALIFICATION AND APPEALS POLICY FOR BLACKLAKE
SEWER SYSTEM CONSOLIDATION PROJECT FORCE MAIN]

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TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER *MIS for*

FROM: LISA BOGNUDA *LLE for*
FINANCE DIRECTOR

DATE: JULY 8, 2022

AGENDA ITEM
D-1(A)
JULY 13, 2022

WARRANTS

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$479,800.19
HAND WRITTEN CHECKS	NONE
VOIDED CHECKS	NONE

Item D-1(A) Warrants JULY 13, 2022

Nipomo Community Services District

By Payment Number

Payment Dates 07/13/2022 - 07/13/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 8540				
Abalone Coast Analytical, Inc.	Lab tests	5832	07/13/2022	7,616.70
Payment 8540 Total:				<u>7,616.70</u>
Payment: 8541				
Alexander's Contract Services,	Meter reading	202206270012	07/13/2022	5,553.92
Payment 8541 Total:				<u>5,553.92</u>
Payment: 8542				
Amazon Capital Services, Inc.	Aluminum tape	1LQC-7Q44-3QHV	07/13/2022	17.15
Payment 8542 Total:				<u>17.15</u>
Payment: 8543				
Applied Technology Group, Inc.	SCADA Tower set up	INV0000024589	07/13/2022	9,338.52
Payment 8543 Total:				<u>9,338.52</u>
Payment: 8544				
Bognuda, Lisa	Mileage-SLO County Recorder JUNE 2022		07/13/2022	30.67
Payment 8544 Total:				<u>30.67</u>
Payment: 8545				
Brenntag Pacific, Inc.	Sodium Hypochlorite	BPI253372	07/13/2022	570.27
Payment 8545 Total:				<u>570.27</u>
Payment: 8546				
California Electric Supply	Operating supplies	7826-1059217	07/13/2022	170.92
Payment 8546 Total:				<u>170.92</u>
Payment: 8547				
Calleja, Derek	Reimbursement- WW Grade III WW Grade III Test 2022		07/13/2022	173.65
Payment 8547 Total:				<u>173.65</u>
Payment: 8548				
Clever Ducks	Computer expense	32728	07/13/2022	3,918.62
Clever Ducks	Computer expense-	32720	07/13/2022	1,303.57
Payment 8548 Total:				<u>5,222.19</u>
Payment: 8549				
DataProse, LLC	Postage bills	DP2202158B	07/13/2022	1,872.43
DataProse, LLC	Mail bills	DP2202158A	07/13/2022	532.58
Payment 8549 Total:				<u>2,405.01</u>
Payment: 8550				
Electricraft, Inc.	Electrical pump repair	17533	07/13/2022	364.50
Payment 8550 Total:				<u>364.50</u>
Payment: 8551				
Excel Personnel Services, Inc.	Employment agency	3984706	07/13/2022	527.00
Excel Personnel Services, Inc.	Employment agency	3989210	07/13/2022	500.65
Payment 8551 Total:				<u>1,027.65</u>
Payment: 8552				
Famcon Pipe and Supply, Inc.	Hydrants and parts	S100078429.001	07/13/2022	8,864.21
Payment 8552 Total:				<u>8,864.21</u>
Payment: 8553				
FGL Environmental	Lab tests	281739A	07/13/2022	70.00
FGL Environmental	Lab tests	281796A	07/13/2022	30.00
FGL Environmental	Lab tests	281770A	07/13/2022	60.00
FGL Environmental	Lab tests	281803A	07/13/2022	30.00
FGL Environmental	Lab tests	281723A	07/13/2022	30.00
Payment 8553 Total:				<u>220.00</u>

Item D-1(A) Warrants JULY 13, 2022

Payment Dates: 07/13/2022 - 07/13/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 8554				
GLM Landscape Management	Landscape maintenance	CI-443	07/13/2022	922.90
Payment 8554 Total:				922.90
Payment: 8555				
Home Depot Credit Services	Operating supplies	JUNE 2022	07/13/2022	535.71
Payment 8555 Total:				535.71
Payment: 8556				
Iglesias, Mario	Cell phone reimbursement	June 2022	07/13/2022	65.00
Payment 8556 Total:				65.00
Payment: 8557				
Miner's Ace Hardware	Supplies	JUNE 2022	07/13/2022	733.03
Payment 8557 Total:				733.03
Payment: 8558				
Mission Uniform Service	Uniforms	517029099	07/13/2022	181.05
Mission Uniform Service	Uniforms	517287491	07/13/2022	229.92
Payment 8558 Total:				410.97
Payment: 8559				
Municipal Maintenance	Operating supplies	0169283-IN	07/13/2022	40.85
Payment 8559 Total:				40.85
Payment: 8560				
Newton Geo-Hydrology	Litigation Support	June 2022	07/13/2022	5,642.50
Payment 8560 Total:				5,642.50
Payment: 8561				
Nipomo Community Services	Water	JUNE 2022	07/13/2022	704.64
Payment 8561 Total:				704.64
Payment: 8562				
Nunley & Associates, Inc.	Southland WWTF O&M	100920	07/13/2022	522.73
Nunley & Associates, Inc.	Dana Reseve Water & Sewer	100872	07/13/2022	3,280.55
Nunley & Associates, Inc.	GIS Services May & June	100927	07/13/2022	77.25
Nunley & Associates, Inc.	Frontage Road Trunk Sewer	100921	07/13/2022	12,569.88
Nunley & Associates, Inc.	Southland WWTF Influent LS	101003	07/13/2022	211.15
Nunley & Associates, Inc.	Frontage Road Comm	100902	07/13/2022	19,401.50
Nunley & Associates, Inc.	135 E Branch St Improvements	100904	07/13/2022	471.63
Payment 8562 Total:				36,534.69
Payment: 8563				
Office Depot	Office supplies	251072222001	07/13/2022	82.35
Office Depot	Office supplies	249335886001	07/13/2022	128.85
Office Depot	Office supplies	247377879001	07/13/2022	105.08
Payment 8563 Total:				316.28
Payment: 8564				
Perry's Electric Motors &	Pump repair	26123	07/13/2022	1,087.13
Payment 8564 Total:				1,087.13
Payment: 8565				
Polydyne, Inc.	Clarifloc	1653276	07/13/2022	3,296.91
Payment 8565 Total:				3,296.91
Payment: 8566				
R. Baker, Inc.	4" meter replaced	6-21-22 4002022 BLUME	07/13/2022	19,229.09
Payment 8566 Total:				19,229.09
Payment: 8567				
ReadyRefresh by Nestle	Distilled water	02F0900023136	07/13/2022	55.46
Payment 8567 Total:				55.46
Payment: 8568				
Richards, Watson & Gershon	Water Rights Adjudication	237748	07/13/2022	4,572.50
Richards, Watson & Gershon	General Legal Services	237747	07/13/2022	6,817.50
Richards, Watson & Gershon	Dana Reserve Specific Plan	237749	07/13/2022	996.50
Richards, Watson & Gershon	Acquisition of Dana Foothill	237751	07/13/2022	59.00

Item D-1(A) Warrants JULY 13, 2022

Payment Dates: 07/13/2022 - 07/13/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Richards, Watson & Gershon	Eureka Well Site Acquisition	237750	07/13/2022	1,186.57
Payment 8568 Total:				13,632.07
Payment: 8569				
Sharon L. Vine	Washer rebate	JUNE2022	07/13/2022	75.00
Payment 8569 Total:				75.00
Payment: 8570				
Simplot Grower Solutions	CAN 17	780152484	07/13/2022	759.69
Simplot Grower Solutions	CAN 17	780152149	07/13/2022	816.49
Payment 8570 Total:				1,576.18
Payment: 8571				
SoCalGas	Heat - shop/office	JUNE2022A	07/13/2022	17.89
SoCalGas	Heat - shop/office	JUNE2022B	07/13/2022	25.47
Payment 8571 Total:				43.36
Payment: 8572				
South County Sanitary Services,	Solid Waste Tax Liens	June 2022	07/13/2022	157.16
Payment 8572 Total:				157.16
Payment: 8573				
Tyler Technologies, Inc.	Utility Billing Services	025-384896	07/13/2022	422.50
Payment 8573 Total:				422.50
Payment: 8574				
US Bank National Association	Education and Training	JUNE2022I	07/13/2022	767.53
US Bank National Association	Credit	JUNE2022K	07/13/2022	-281.30
US Bank National Association	Employment Ads	JUNE2022F	07/13/2022	25.00
US Bank National Association	Software Subscription	JUNE2022C	07/13/2022	24.00
US Bank National Association	Safety Meeting	JUNE2022G	07/13/2022	324.78
US Bank National Association	Travel and Meals	JUNE2022B	07/13/2022	258.12
US Bank National Association	Subscriptions	JUNE2022H	07/13/2022	756.94
US Bank National Association	Storage Unit	JUNE2022D	07/13/2022	238.50
US Bank National Association	Office supplies	JUNE2022J	07/13/2022	84.75
US Bank National Association	Zoom	JUNE2022E	07/13/2022	14.99
US Bank National Association	Board Mtg Supplies and	JUNE2022A	07/13/2022	73.49
Payment 8574 Total:				2,286.80
Payment: 8575				
USA Bluebook	Credit Memo	023704	07/13/2022	-134.96
USA Bluebook	CHEMKEY	021929	07/13/2022	2,238.92
USA Bluebook	Mesh connector	022946	07/13/2022	43.92
USA Bluebook	Hach ph buffer and pipet tips	950893	07/13/2022	562.05
Payment 8575 Total:				2,709.93
Payment: 8576				
Verizon Wireless	Cell service	9909505429	07/13/2022	782.89
Payment 8576 Total:				782.89
Payment: 8577				
Wallace Group	FOG Program	56480	07/13/2022	226.50
Payment 8577 Total:				226.50
Payment: 8578				
Allweather Landscape	LMD	44362	07/13/2022	325.00
Payment 8578 Total:				325.00
Payment: 8579				
American Water Works	Standards update/subscription	7002019491	07/13/2022	875.00
Payment 8579 Total:				875.00
Payment: 8580				
Bank of New York Mellon Trust	Bond Administration-COP	252-2481765	07/13/2022	1,500.00
Bank of New York Mellon Trust	Bond Administration-COP	252-2481772	07/13/2022	1,690.00
Payment 8580 Total:				3,190.00

Item D-1(A) Warrants JULY 13, 2022

Payment Dates: 07/13/2022 - 07/13/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 8581				
CivicPlus LLC	Code book web hosting	231736	07/13/2022	225.00
Payment 8581 Total:				225.00
Payment: 8582				
DataProse, LLC	Newsletter	3P63427	07/13/2022	532.43
Payment 8582 Total:				532.43
Payment: 8583				
Environmental Systems Research, ArcGIS Service License		94249365	07/13/2022	875.00
Environmental Systems Research, ArcGIS Service 22-23		94249366	07/13/2022	10,000.00
Payment 8583 Total:				10,875.00
Payment: 8584				
Great Western Alarm and	Alarm monitoring service	220602062101	07/13/2022	70.00
Great Western Alarm and	Alarm monitoring service	220600640101	07/13/2022	37.00
Great Western Alarm and	Alarm monitoring service	220602107101	07/13/2022	70.00
Payment 8584 Total:				177.00
Payment: 8585				
NexTraq	GPS subscription	JULY2022	07/13/2022	447.20
Payment 8585 Total:				447.20
Payment: 8586				
Santa Maria Ford Lincoln	Oil Change/Maintenance F150 217791		07/13/2022	566.19
Payment 8586 Total:				566.19
Payment: 8587				
SLO County Public Works	Annual Encroachment Permit FY 22-23		07/13/2022	2,525.00
Payment 8587 Total:				2,525.00
Payment: 8588				
Special District Risk Management Insurance Premiums 7-1-22 to 72192			07/13/2022	285,523.15
Special District Risk Management Workers Comp Premium 7-1- 71740			07/13/2022	39,924.31
Payment 8588 Total:				325,447.46
Payment: 8589				
Tyler Technologies, Inc.	Software maintenance-Reader 025-383615		07/13/2022	1,000.00
Payment 8589 Total:				1,000.00
Payment: 8590				
Waste Connections	Trash collection-Southland	7736414U120	07/13/2022	235.38
Waste Connections	Trash collection- Old Town	7736064U120	07/13/2022	266.40
Waste Connections	Trash collection-Office	7735201U120	07/13/2022	50.22
Payment 8590 Total:				552.00

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TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS *PVS for*
GENERAL MANAGER

FROM: LISA BOGNUDA *JLEA*
FINANCE DIRECTOR

DATE: JULY 8, 2022

AGENDA ITEM
D-1(B)
JULY 13, 2022

WARRANTS – BLACKLAKE ASSESSMENT DISTRICT 2020-1

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$945.00
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Item D-1(B) Warrants JULY 13, 2022

Nipomo Community Services District

By Payment Number

Payment Dates 07/13/2022 - 07/13/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 61				
Richards, Watson & Gershon	BL Consolidation Project	237747A	07/13/2022	945.00
			Payment 61 Total:	<u>945.00</u>

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS *BVS for*
GENERAL MANAGER
DATE: JULY 8, 2022



**APPROVE JUNE 22, 2022
REGULAR BOARD MEETING MINUTES**

ITEM

Approve action minutes from previous Board meetings. [RECOMMEND APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board Meeting action.

RECOMMENDATION

Approve Minutes

ATTACHMENT

- A. June 22, 2022 draft Regular Board Meeting Minutes

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JULY 13, 2022

ITEM D-2

ATTACHMENT A

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NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MINUTES

JUNE 22, 2022 AT 9:00 A.M.

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

ED EBY, **PRESIDENT**
RICHARD MALVAROSE, **VICE PRESIDENT**
DAN ALLEN GADDIS, **DIRECTOR**
DAN WOODSON, **DIRECTOR**
CRAIG ARMSTRONG, **DIRECTOR**

PRINCIPAL STAFF

MARIO IGLESIAS, **GENERAL MANAGER**
LISA BOGNUDA, **FINANCE DIRECTOR**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**
CRAIG STEELE, **GENERAL COUNSEL**

Mission Statement:

Provide our customers with reliable, quality, and cost-effective services now and in the future.

A. CALL TO ORDER AND FLAG SALUTE

President Eby called the Regular Meeting of June 22, 2022, to order at 9:00 a.m. and led the flag salute.

B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Directors were present.

Jim Wejrowski, Blacklake resident, asked if there could be updates on the Blacklake Consolidation project at Board meetings.

C. PRESENTATIONS AND REPORTS

- C-1) WATER CONSERVATION EFFORTS - EAGLE AERIAL SOFTWARE PRESENTATION [RECOMMEND RECEIVE AND FILE]

Mario Iglesias, General Manager, presented the item and answered questions from the Board.

- C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS.

Receive Announcements and Reports from Directors

Director Eby

- June 10, attended Board Officers' meeting.*

- C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board approved receiving and filing presentations and reports.

Vote 5-0.

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Woodson, Gaddis, Malvarose, and Eby</i>	<i>None</i>	<i>None</i>

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JUNE 8, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

Mario Iglesias, General Manager, answered questions regarding the warrants.

Director Eby requested to pull item D-3 for further discussion.

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda items D-1 and D-2.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Gaddis, Woodson, Armstrong, Malvarose, and Eby</i>	<i>None</i>	<i>None</i>

- D-3) CONSIDER AUTHORIZING THE GENERAL MANAGER TO ENTER NIPOMO COMMUNITY SERVICES DISTRICT INTO A DIRECT PAYMENT AGREEMENT WITH HORNE LLP, FOR PAYMENTS RECEIVED UNDER THE LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM [RECOMMEND AUTHORIZE GENERAL MANAGER TO SIGN DIRECT PAYMENT AGREEMENT]

Mario Iglesias, General Manager, presented the item and answered questions from the Board.

There were no public comments.

Upon the motion of Director Woodson and seconded, the Board approved the Consent Agenda item D-3.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Woodson, Armstrong, Gaddis, Malvarose, and Eby</i>	<i>None</i>	<i>None</i>

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER ADOPTING A RESOLUTION TO ESTABLISH PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR EUREKA WELL #2 PROJECT [RECOMMEND ADOPT RESOLUTION ESTABLISHING PRE-QUALIFICATION AND APPEALS POLICY FOR EUREKA WELL #2 PROJECT]

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

Peter Sevcik, Director of Engineering and Operations, presented the item and answered questions from the Board.

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Resolution. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Gaddis, Armstrong, Woodson, Malvarose, and Eby</i>	<i>None</i>	<i>None</i>

RESOLUTION NO. 2022-1634
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING A PRE-QUALIFICATION POLICY AND APPEALS
PROCEDURE FOR THE EUREKA WELL #2 PROJECT

- E-2) CONSIDER NOTICE OF AVAILABILITY FOR THE DANA RESERVE SPECIFIC PLAN DRAFT ENVIRONMENTAL IMPACT REPORT [RECOMMEND CONSIDER SCHEDULE AND DIRECT STAFF]

Craig Steele, General Counsel, presented the item and answered questions from the Board.

Staff answered questions from the Board.

Craig Steele, General Counsel, indicated that staff would review and comment on the Draft Environmental Impact Report ("DEIR") for the Dana Reserve project on behalf of the District, and requested that Board members who have comments on the Section of the Draft EIR relevant to NCSD supply those comments for consideration at the July 13, 2022 Board meeting. Board members who have comments on the DEIR generally are free to make those comments individually.

Pam Wilson, NCSD Resident, announced that she would like to hear the Board's comments at the July 13, 2022 meeting.

F. GENERAL MANAGER'S REPORT

Mario Iglesias, General Manager, presented the item and answered questions from the Board.

There were no public comments.

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Gaddis requested dates the General Manager would be away from NCSD on Travel to Europe. The General Manager reported those dates to be July 25 through August 7, 2022.

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced that there would be no closed session.

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION
PURSUANT TO GC §54956.9

- a. SMVWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214,
SIXTH APPELLATE COURT CASE NO. H032750, AND ALL
CONSOLIDATED CASES

ADJOURN MEETING

President Eby adjourned the meeting at 10:17 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 17 minutes
Closed Session	0 hour 0 minutes
TOTAL HOURS	1 hour 17 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS *BVS for*
GENERAL MANAGER
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: JULY 8, 2022

**AGENDA ITEM
D-3
JULY 13, 2022**

**CONSIDER ADOPTING A RESOLUTION TO ESTABLISH
PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR
BLACKLAKE SEWER SYSTEM CONSOLIDATION
PROJECT FORCE MAIN**

ITEM

Establish Pre-Qualification Policy and Appeals Procedure for the Blacklake Sewer System Consolidation Project Force Main [RECOMMEND ADOPT RESOLUTION ESTABLISHING PRE-QUALIFICATION AND APPEALS POLICY FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT FORCE MAIN].

BACKGROUND

The Nipomo Community Services District ("District") worked with the Blacklake community to create an assessment district to fund the proposed Blacklake Sewer System Consolidation Project ("Project"). The Project involves the construction of a sanitary sewer lift station and force main to convey raw wastewater from the Blacklake Sewer Service Area to the Town Sewer Service Area for treatment at the District's Southland Wastewater Treatment Facility and decommissioning of the existing Blacklake Water Reclamation Facility.

A necessary step to implement the Project is to complete an environmental review in compliance with the California Environmental Quality Act (CEQA). In December 2020, the Board authorized staff to execute a contract with SWCA to provide CEQA compliance services for the Project, including a Phase 1 Environmental Study Assessment related to hazardous material use/storage.

During the CEQA evaluation of the Project, SWCA discovered that there is potential habitat for California red-legged frog (CRLF) in the wastewater discharge pond located offsite and adjacent to the District's Blacklake Water Reclamation Facility, on property owned by the Blacklake Golf Course. CRLF is federally listed under the Endangered Species Act as a threatened species throughout its range in California. As a result, SWCA recommended that the District obtain an Incidental Take Permit (ITP) for CRLF under Section 10 of the Federal Endangered Species Act (FESA) for the Project. The need to obtain the Section 10 ITP was initially expected to delay construction completion of the overall Project for 12 to 16 months.

In order to mitigate some of the delay in constructing the Project, staff split the Project into two constructions projects – force main and lift station. The plan is for the construction of the force main to proceed as soon as the Initial Study/Mitigated Negative Declaration (IS/MND) is finalized and the lift station construction will begin once the Section 10 ITP is obtained. Staff expects to circulate the IS/MND in August 2022 so that the Board could consider approving the CEQA document and authorize bidding of the force main portion of the Project in September 2022.

The force main portion of the Project work involves, but is not limited to the construction of approximately 19,400 lineal feet of force main and 1600 lineal feet of gravity sewer line as well as associated appurtenances. Final design is currently underway and anticipated to be completed in September 2022.

The California Public Contract Code ("PCC") Section 20101 permits the District to pre-qualify contractors who wish to bid on the District's public works contracts, such as the Blacklake Sewer System Consolidation Project Force Main. PCC Section 20101 requires the District to establish pre-qualification policies and the method by which decisions regarding Contractor's qualifications may be appealed. Pre-Qualification of Contractors will help ensure that the Project is constructed by reputable, experienced, and qualified contractors.

FISCAL IMPACT

The estimated Project cost is \$10,300,000. Funding is provided from Nipomo Community Services District Assessment District No. 2020-1 (Blacklake Sewer Consolidation) bond proceeds.

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.

A.2 Develop a pathway to complete needed upgrades and replacements for the Blacklake wastewater treatment plant.

B.1 NCSD shall maintain long-range infrastructure management, upgrade and replacement planning.

Goal 4. FINANCE.

Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

B.1 Evaluate, plan for and maintain finances that are adequate for all needs, stable, and reliable over the long-term.

B.5 Maintain adequate rates to fund future capital replacements

RECOMMENDATION

By motion and roll call vote, adopt the attached resolution establishing the Pre-Qualification and Appeals Policy for the Blacklake Sewer System Consolidation Project Force Main.

ATTACHMENTS

- A. Resolution 2022-XXXX BL SEWER SYSTEM CONSOLIDATION PROJECT FORCE MAIN PRE-QUALIFICATION

JULY 13, 2022

ITEM D-3

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING A PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE
FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT
FORCE MAIN**

WHEREAS, California Public Contract Code (“PCC”) Section 20101 permits the Nipomo Community Services District (“District”) to pre-qualify contractors who wish to bid on public works contracts; and

WHEREAS, it is in the public interest for the District to adopt policies and procedures that will help ensure that the Blacklake Sewer System Consolidation Project Force Main (the “Project”) is constructed by reputable and qualified contractors at the best possible price; and

WHEREAS, it is in the public interest for the District to implement a program for pre-qualifying general contractors and selected subcontractors (“Contractors”) seeking to bid on the Project; and

WHEREAS, among other things, PCC Section 20101 requires the District to adopt an appeals procedure that will allow Contractors to appeal decisions regarding their qualifications to bid on the Project; and

WHEREAS, the District intends for this Resolution to establish pre-qualification policies and the method by which decisions regarding Contractor’s qualifications may be appealed; and

WHEREAS, the procedures adopted by this Resolution are intended to facilitate construction of the Project. Nothing herein, however, is intended, or should be interpreted, to compromise the District’s firm commitment to selecting responsible bidders for the Project.

NOW THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. EVALUATION OF CONTRACTORS REQUESTING PREQUALIFICATION

The Project Design Manager, Director of Engineering and Operations, and Project Construction Manager and/or their designees herein (“Contractor Evaluation Team”) will evaluate the information submitted by each Contractor to assess the Contractor’s capability and qualifications.

The Contractor Evaluation Team will evaluate the prequalification packages as follows:

(a) The Contractor Evaluation Team will determine which Contractors are responsive to the material terms and conditions of the invitation to submit pre-qualification packages. The Contractor Evaluation Team will then determine which of the responsive Contractors are technically, financially, and otherwise qualified and responsible to perform the Project satisfactorily and who have demonstrated the capacity to meet all other requirements of the Project.

(b) If a Contractor is found responsive and qualified based upon the information in its prequalification package, the Contractor Evaluation Team will conduct interviews with the project references provided by the Contractor. The Contractor Evaluation Team will not conduct

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FORCE MAIN

interviews with the project references provided by Contractors determined to be non-responsive or not qualified based on the information in their prequalification packages.

2. ESSENTIAL REQUIREMENTS

All contractors and subcontractors seeking pre-qualification must meet the essential requirements for pre-qualification in Part 1 of the "**Labor Commissioner's Model Questionnaire, March 2019, Public Works Pre-Qualification of Contractors**" ("Pre-qualification Questionnaire"), which is adopted by reference herein.

A. In addition to the essential requirements in Part 1 of the Pre-qualification Questionnaire, **general engineering contractors** must:

1. Have successfully completed at least three (3) contracts in the past six (6) years for construction of pressurized and gravity flow wastewater pipeline systems of similar type, complexity, and comparable value (at least \$3 million) to the Project and utilizing construction techniques similar to those of the Project. Reference projects must include: (1) earthwork including pipeline and structural excavations in public right-of-way requiring traffic control, (2) construction and installation of butt-fused High Density Polyethylene (HDPE) pipe systems, (3) installation of mechanical assemblies and vaults in the public right-of-way, (4) installation of fiber optic conduit and cable, (5) installation of fused HDPE pipe using trenchless techniques such as horizontal directional drilling, pipe-reaming, and pipe-bursting, (6) coordination with on-going wastewater collection and conveyance operations, (7) and, overall coordination with other agencies having jurisdiction over the project, general public within the public right-of-way, and private property owners adjacent to work zones.

2. Identify two or more prospective project managers and superintendents who are currently employed by contractor and have held similar positions on at least two wastewater pipeline projects of type, complexity and value similar to the Project in the past three (3) years, and

3. Provide general liability insurance covering Contractor and Subcontractors with policy limit of at least 5 million dollars per occurrence and 10 million dollars aggregate.

B. In addition to the essential requirements in Part 1 of the Pre-qualification Questionnaire, **pipeline subcontractors (C-34) using trenchless methods (horizontal directional drilling, pipe reaming, and pipe bursting)** must also:

1. Have successfully completed at least three (3) contracts in the past six (6) years for construction, installation and testing of wastewater pipeline projects specifically utilizing trenchless methods including horizontal directional drilling, pipe reaming, and pipe bursting of similar type, length, complexity, and comparable value similar to those included in this Project. List projects where contractor performed work valued at greater than \$100,000 and provide specifics including length of bore, soil type, diameter of pipe, pipe material, fusion equipment, drilling equipment capacity, guidance system, drilling fluid system, pipe rollers, and other necessary equipment.

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RESOLUTION NO. 2022-XXXX

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3. Provide general liability insurance covering Contractor and Subcontractors with policy limit of at least 5 million dollars per occurrence and 10 million dollars aggregate.

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(e) If any of the above deadlines falls on a holiday or weekend day, then the deadline will be the next business day.

The District will strictly enforce the time limits in connection with appeals of determination of Contractor pre-qualification, and the bid date will not be extended on account of any appeal of a determination that a contractor is not qualified to submit a bid for the contract to construct the Project.

If a prospective bidder does not appeal a denial of pre-qualification through the process described above, the District's Contractor Evaluation Team's decision on pre-qualification may be adopted without further proceedings. **Failure to appeal within the time set forth above shall be deemed a failure to exhaust administrative remedies and act as a bar to subsequent litigation or other claims procedures.**

4. AUTHORITY OF GENERAL MANAGER

The District General Manager is authorized to modify the Model Forms created by the Department of Industrial Relations for Pre-qualification of Contractors Seeking To Bid On Public Works Projects and to prepare Pre-qualification Packages consistent with this Resolution.

5. MISCELLANEOUS

(a) A Contractor's pre-qualification status will immediately terminate if (1) the contractor's contracting license is suspended or terminated for any reason by the California State Licensing Board; (2) the District determines, after the Contractor is given the opportunity to respond, that the Contractor's application contains information that is materially false; or (3) the Contractor's control over a public works contract, whether within the District's jurisdiction or otherwise, is terminated for cause.

(b) Failure of a Contractor to give District written notice of changes in the information previously provided in its Pre-qualification Package not less than ten (10) days before a bid opening will result in the Contractor being ineligible to bid on the Project.

(c) Nothing contained within this Resolution, or otherwise, will require the District to rate or consider Contractors who have submitted documents that are materially false, substantially incomplete, or are untimely. Any Contractor who submits such documents will be deemed to have waived its right to be considered for bidding on the Project.

(d) The District's General Manager in his sole discretion at any time during the pre-qualification process, even after receiving and scoring applications, may cancel the pre-qualification process. If the pre-qualification process is cancelled as provided herein, and the District wishes to proceed with the Project, then the normal competitive bidding rules will apply. The District shall not be liable for the cost of prospective contractor may have incurred by submitting an application for pre-qualification, and the submittal of a pre-qualification application is a waiver to claim any such cost or losses due to cancellation of the process.

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(e) Nothing contained in this Resolution is intended to delay or postpone the date for submitting and opening bids. Accordingly, to the extent practicable, the District's General Manager, or designee, will expedite the appeals process set forth here.

(f) This Resolution will remain effective until repealed or is superseded by subsequent Resolutions.

(g) This Resolution will take effect immediately upon adoption.

On the motion by Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

CONFLICTS:

The foregoing resolution is hereby adopted this 13th day of July 2022.

ED EBY
President, Board of Directors

ATTEST:

APPROVED AS TO FORM AND
LEGAL EFFECT:

MARIO IGLESIAS
General Manager and Secretary to the Board

CRAIG A. STEELE
District Legal Counsel