

ALAMEDA COUNTY WATER DISTRICT

MEMORANDUM

DATE: May 9, 2011
TO: Board of Directors
FROM: Walt Wadlow
SUBJECT: STAFF REPORT, ACTION CALENDAR ITEMS FOR May 19, 2011

6.1* RESOLUTION HONORING JON ALLSUP UPON HIS RETIREMENT FROM DISTRICT SERVICE

SUMMARY: Jon Allsup will be retiring from the District on July 5, 2011 after nearly 17 years of service with the District.

RECOMMENDATION: By motion, adopt a resolution honoring Jon Allsup and expressing appreciation for nearly 17 years of service.

DISCUSSION: Jon started with the District as a Microcomputer Coordinator on August 15, 1994 and was subsequently promoted to the Network Administrator position in June of 2000. In this role, Jon was responsible for the maintenance, operation and security of the District's computer systems and network environment. Over the last several years, Jon has played an instrumental role in upgrading and maintaining the District's network environment as well as enhancing the network and SCADA systems security.

Jon will be remembered for his dedication to the District, and for his knowledge and experience. He will be missed by his many friends at the District.

6.2* AUTHORIZATION OF PURCHASE ORDER FOR REPLACEMENT COMPUTERS

SUMMARY: The District has established a program for the orderly replacement of personal computers as they reach the end of their useful life. Based upon the amount of time that personal computers are used on a daily basis at the District, the average useful life of a personal computer is approximately four years, after which time they become inadequate to run the District's software applications and begin to experience operating problems. Sufficient funds are budgeted for this expenditure.

RECOMMENDATION: By motion, authorize purchase order to Dell Computer Corporation in an amount not to exceed \$101,800 including applicable tax and shipping costs, for the purchase of replacement personal computers for the FY 2010/11.

DISCUSSION: Over the past ten years, the District has standardized on Dell Computers for its personal computing needs. Dell was selected over other computer manufacturers due to its high product quality and performance, excellent service support, and low price. The computers are purchased directly from the government sales representative of the manufacturer, Dell Computer Corporation. The District also has the ability to purchase Dell Computers through the State of

California, utilizing a California Multiple Annual Schedule (CMAS) or a Western State Contracting Alliance (WSCA) contract. The prices offered directly from Dell Computer Corporation are lower than either of the state contract prices. The FY 2010/11 budget includes funding for the purchase of 46 replacement computers, which will replace computers that are between three and five years old.

6.3* AUTHORIZATION OF PURCHASE ORDER FOR EMAIL SYSTEM MIGRATION SERVICES

SUMMARY: The recently completed Information Technology Master Plan (ITMP) identified the need to adopt software and hardware standards and simplify network architecture. Recommendations include migration from IBM Lotus Domino/Notes email environment to a Microsoft Exchange/Outlook 2010 environment. The IT consulting firm of Lilien, LLC was selected to provide the migration services. There is adequate funding in the budget to implement this migration.

RECOMMENDATION: By motion, 1) authorize a purchase order to Lilien, LLC in the amount not to exceed \$34,240 to provide services for migration of the District's email and messaging system and; 2) authorize the General Manager to enter into a services agreement with Lilien, LLC.

DISCUSSION: The District currently operates different hardware and software platforms. This migration will allow the District to standardize its computing platform and reduce complexity and cost in its IT environment.

The District issued a Request for Proposal (RFP) to provide implementation services related to migration from IBM Lotus Domino/Notes to Microsoft Exchange/Outlook. The RFP was sent to 10 different vendors and IT consulting firms that have experience in providing the appropriate hardware, software and implementation services. The District received two (2) written proposals for the RFP, one of which was considered non-responsive as it did not meet the proposal delivery deadline. The responsive proposal was evaluated by IT staff per selection criteria that included expertise and experience in providing email migration and implementation services, project approach and professional services, and the proposed cost. IT staff invited the responsive proposer, Lilien, LLC for an onsite interview.

Based on selection criteria, interview and reference checks, Lilien, LLC was found to be qualified for providing implementation services that would meet the needs of the District. Total cost of email system implementation and migration services is not to exceed \$34,240.

6.4* AUTHORIZATION OF PURCHASE ORDER FOR MICROSOFT OFFICE UPGRADE

SUMMARY: The District has established a program for the periodic upgrade of its office productivity software, Microsoft Office, to take advantage of features and functionalities available as part of new releases. The average upgrade cycle for Microsoft Office is every four years. Sufficient funds are budgeted for this expenditure.

RECOMMENDATION: By motion, authorize a purchase order to Dell Computers for an upgrade of Microsoft Office to the 2010 version. The total cost of this purchase order is not to exceed \$70,000.

DISCUSSION: The District has standardized on Microsoft Office as its office productivity software because of its features and functionalities. Microsoft frequently releases new versions of Microsoft Office that include fixes and additional functional improvements. To take advantage of the new features, stay current with software releases, and provide uniformity for the software version used throughout the enterprise, the District periodically upgrades the Microsoft Office suite. The software is purchased from vendors participating in Microsoft Select Volume Licensing program which allows the District to lower its cost for Microsoft products. The year, the lowest bid from the current list was participating vendors was submitted by Dell Computers.

6.5* RESOLUTION TO APPROVE AN AMENDMENT TO THE SOUTHERN ALAMEDA COUNTY GEOGRAPHIC INFORMATION SYSTEM AUTHORITY JOINT POWERS AGREEMENT

SUMMARY: By letter dated February 8, 2010, the City of Union City submitted a request to withdraw from the Southern Alameda County Geographic Information System Authority (SACGISA) effective February 8, 2011.

RECOMMENDATION: By motion adopt a resolution to approve an amendment to the Joint Powers Agreement modifying the cost allocations for the remaining Southern Alameda County Geographic Information System Authority members and to take any other implementing actions.

DISCUSSION: The Southern Alameda County Geographic Information System Authority (SACGISA) is a joint powers authority established by a Joint Powers Agreement (JPA) in 2000, to share the cost, development, and maintenance of GIS data and applications that serve the tri-cities and utility districts. At the time of its formation, the SACGISA was comprised of five members: the cities of Fremont, Newark, and Union City; Alameda County Water District (ACWD); and Union Sanitary District (USD). The SACGISA is governed by a Board of Directors consisting of an elected official from each agency and meets once a year in May.

Union City submitted a request to withdraw from the SACGISA, by a letter dated February 8, 2010. On May 19, 2010, the SACGISA Board directed staff to draft a withdrawal agreement, pursuant to the terms of the JPA.

Union City and SACGISA have reached an agreement on the terms of withdrawal. The terms include agreeing that Union City will be considered withdrawn from the JPA, effective February 8, 2011, and will no longer have representation on the SACGISA Board or have access to the GIS applications or shared data as of that date. The withdrawal agreement states that Union City's financial obligation will be adjusted for the FY 2010/11 expenses. Union City has paid in full all costs owed under the JPA. The withdrawal agreement also states that Union City is still bound by restrictions on the sale and disposition of the GIS data as described in the JPA.

An amendment to the JPA is needed to reapportion the costs of the SACGISA, previously paid by Union City, among the four remaining members and requires formal action of each legislative

body of the members. The amendment modifies the cost allocations in accordance with the terms and conditions in the JPA. Union City's share of costs averaged less than \$10,000 per year and will be distributed among the remaining four members.

6.6* AUTHORIZATION OF PURCHASE ORDER FOR COMMERCIAL LABORATORY SERVICES

SUMMARY: The existing contract with MWH Laboratories (MWH) to provide commercial laboratory services will expire at the end of June 2011. Invitations to submit proposals for laboratory services for FY 2011/12 were sent to 22 firms and six responded. The firms were evaluated and MWH was the firm with the highest ranking for this work. There is adequate funding in the budget for this expenditure.

RECOMMENDATION: By motion, authorize a purchase order for commercial laboratory services to MWH Laboratories for an amount not to exceed \$132,000 for FY 2011/12 at the unit prices quoted.

DISCUSSION: Commercial laboratory support is necessary to sustain District operational and regulatory compliance monitoring programs. The District routinely employs commercial laboratories for chemical, radiological and bacteriological analyses for which either the District Water Quality Laboratory is not certified or it is not cost-effective for the District to perform in-house.

Twenty-two commercial laboratories were invited to submit proposals in March 2011. Six proposals were received and then evaluated based on the responses to questions covering customer service, multiple or redundant instrumentation inventory, electronic reporting compatibility and supplemental capabilities. The supplemental capabilities desired by the District include UCMR3 (Unregulated Contaminant Monitor Rule 3) and Chromium VI analyses. MWH had the highest overall score (184.5 out of a possible 200 points) and had the highest ranking in each category. The estimated total cost of the commercial laboratory services is \$132,000 and includes a \$20,000 (18%) contingency for possible additional analyses required from projects not currently scheduled and for unplanned incidents. The contract includes provisions for up to four annual extensions if the services have been satisfactory and in compliance with the contract.

6.7* RESOLUTION ACCEPTING COMPLETION OF THE 2011 POTABLE WATER STORAGE FACILITY CLEANING

SUMMARY: The contract for cleaning and inspection of Canyon Heights Tank and Alameda Reservoir was awarded to Liquivision Technology, Inc. on February 10, 2011 in the amount of \$55,380. The work was satisfactorily completed on time and there were no change orders.

RECOMMENDATION: By motion, adopt a resolution accepting the completion of the contract for the 2011 Potable Water Storage Facility Cleaning, Job 6439.1.

DISCUSSION: The scope of work consisted of cleaning to remove accumulated sediment and inspections of the tank coating and reservoir liner. Canyon Heights Tank cleaning and inspection began on February 28, 2011 and was completed three working days later on March 3,

2011. Alameda Reservoir cleaning and inspection began on March 7, 2011 and was completed 13 working days later on March 24, 2011. The final completion date for the contract was April 21, 2011, after the removal of all equipment from the two sites and receipt of both the final inspection report and DVD video of the cleaning and inspection operations.

Inspection of the interior coating of the Canyon Heights Tank indicated some corrosion has occurred under the roof shell. At Alameda Reservoir, there were three areas identified at the base of support columns where hypalon liner patches need reattachment. None of these deficiencies are deemed to pose an imminent risk of leakage or structural failure. Staff has begun developing a plan to take appropriate repair and maintenance action in a timely manner. A full replacement of the liner is included in the Capital Improvement Program and is scheduled to take place within the next five years.

6.8* RESOLUTION AUTHORIZING GENERAL MANAGER TO ENTER INTO A SECOND AMENDED MEMORANDUM OF UNDERSTANDING REGARDING ALAMEDA CREEK FLOWS STUDIES AND AUTHORIZATION OF AMENDED PURCHASE ORDERS FOR CONSULTANT SERVICES

SUMMARY: The consulting firm McBain and Trush, Inc. (McBain and Trush) and the Center for Ecosystem Management and Restoration (CEMAR) have been retained by ACWD on behalf of the Alameda Creek Fisheries Workgroup (“Workgroup”) to conduct flow studies to support Alameda Creek steelhead restoration efforts. At the request of ACWD staff and the Workgroup, McBain and Trush and CEMAR have submitted proposals to continue with these fishery flow studies and supporting services. A second amendment to the Workgroup’s Memorandum of Understanding Regarding Alameda Creek Flows Studies (MOU) will be required to update the cost-sharing provision for these studies. Under the proposed approach, ACWD will continue to administer the consultants’ contracts on behalf of the Workgroup. The total combined cost of these consultant services is estimated to be \$88,425 and ACWD’s share of these costs will be \$12,983. There are sufficient funds in the FY 2010/11 budget for these expenditures.

RECOMMENDATION: By motion, 1) adopt a resolution authorizing the General Manager to enter into a second amended Memorandum of Understanding with the Alameda Creek Fisheries Workgroup for cost-sharing for the Alameda Creek fisheries flow studies; 2) authorize an amended Purchase Order to McBain and Trush in an amount not to exceed \$61,425 for consulting services for the Alameda Creek Flow Studies; 3) authorize an amended Purchase Order to CEMAR in an amount not to exceed \$27,000 for flow studies and Workgroup supporting services; and 4) authorize the General Manager to execute services agreements with McBain and Trush and CEMAR for the proposed services.

DISCUSSION: In 2006, ACWD, together with the other stakeholders in the Alameda Creek Fisheries Workgroup, entered into a MOU for conducting baseline flow studies. The goal of these studies is to develop information to estimate the range of flows (timing, location and quantity) needed in the watershed to support a steelhead fishery. McBain and Trush was selected by the Workgroup to conduct these studies, and ACWD has agreed to administer the contract with McBain and Trush. Under a cost-sharing provision in the MOU, the flow studies have been funded by ACWD, San Francisco Public Utilities Commission, Zone 7 Water Agency, PG&E, Alameda County Flood Control and Water Conservation District and the State Coastal

Conservancy (collectively, “funding partners”). The MOU was amended in 2009 to provide for additional funds for the second phase of the studies. To date, the funding partners have collectively committed to \$450,000 towards the flow studies. ACWD’s share of these costs has been approximately \$70,000.

The flow studies conducted to date have focused on data collection, habitat mapping, and evaluation of hydrologic and water quality conditions. In March of 2011, McBain and Trush submitted a proposal to continue with the flow studies, with the focus on integrating the analyses and data collected to date to estimate flow-habitat relationships under a variety of flow conditions. The total estimated cost for this work is approximately \$88,425, which includes \$61,425 for McBain and Trush to conduct the studies, and \$27,000 for CEMAR to provide supporting services (i.e. Workgroup facilitation, web-site maintenance, Alameda Creek web-cam maintenance, and documentation of studies/efforts completed to date).

The Workgroup is proposing a second amendment to the MOU to provide for additional funding of up to \$81,000 to continue with the flow studies. Under the proposed second amendment, the following agencies agree to provide additional funding in the following amounts: Alameda County Water District, \$18,000; Pacific Gas and Electric Company, \$9,000; Alameda County Flood Control and Water Conservation District, \$18,000; San Francisco Public Utilities Commission, \$18,000; and Zone 7 Water Agency, \$18,000. The State Coastal Conservancy will also be contributing \$30,000 from funds that were committed to under the first amendment to the MOU. With \$81,000 of new funding under the second amendment to the MOU and \$30,000 from the State Coastal Conservancy, a total of \$111,000 will be available for the flow studies. Funds not expended under the proposed contracts with McBain and Trush and CEMAR will be used for contingencies, or for future studies as approved by the Workgroup.

6.9* AUTHORIZATION OF PURCHASE ORDER FOR ENGINEERING SERVICES FOR THE WTP NO. 2 POWER FACILITY TURBINE UPGRADES PROJECT

SUMMARY: The hydroelectric power facility at Water Treatment Plant No. 2 (WTP No. 2) was placed into operation in 1993. Maintenance costs have been significant and a major equipment failure could require the District to purchase all of the power required to operate the two surface-water treatment plants from PG&E at significant cost. Therefore, a comprehensive evaluation of the mechanical and electrical equipment is appropriate at this time. There is adequate funding in the budget for this expenditure.

RECOMMENDATION: By motion, 1) authorize a purchase order to Christensen Associates, Inc. for engineering services in an amount not to exceed \$178,891 for the Water Treatment Plant No. 2 Power Facility Turbine Upgrades Project; and 2) authorize the General Manager to execute a professional services agreement with Christensen Associates, Inc. for this work, Job 6454.

DISCUSSION: The District’s hydroelectric power facility at WTP No. 2 utilizes six hydroelectric turbine generator units that are capable of generating a total of 1.25 megawatts of electrical energy from the hydraulic head available from the delivery of water from South Bay Aqueduct. The electrical energy produced is consumed both on-site and at the Mission San Jose Water Treatment Plant. On average, the District saves \$500,000 each year when compared to purchasing power from Pacific Gas & Electric.

Winding failures, due to thermal degradation, excessive bearing wear, voltage imbalances, and possibly harmonics, have adversely affected the reliable operation of the units. A comprehensive mechanical and electrical evaluation of the equipment is needed to improve operational efficiency and equipment reliability, and reduce annual maintenance costs.

Five consultants were invited to submit proposals for the engineering study and two proposals were received. The other three consultants indicated that they did not have the resources available to commit to the project at this time.

Based on a comprehensive evaluation of the proposals, Christensen Associates, Inc. was the highest ranked firm determined to have the qualifications, staff, and proposed approach that meets the District's needs. The scope of the engineering study includes: 1) evaluation of the turbine generator equipment, including bearings, cooling, harmonics, shutoff valves, etc., 2) analysis of historical operating and maintenance data, 3) performance of field tests to determine turbine generator efficiency and other critical operating characteristics, 4) performance of hydraulic transient analysis of the supply pipeline, and 5) preparation of a report with conclusions and recommendations based on a comprehensive evaluation of potential equipment modifications. Christensen Associates, Inc.'s estimated cost, based on a time and expense basis for the work, is \$178,891. Staff has reviewed the costs and has determined that they are fair and reasonable.

6.10* AUTHORIZATION OF PURCHASE ORDER FOR ENGINEERING SERVICES FOR THE PERALTA-TYSON WELLFIELD GENERATOR INSTALLATION PROJECT

SUMMARY: An emergency power generation facility at the Peralta-Tyson (PT) Wellfield is required to maintain adequate production to meet projected system demands during either an extended regional power outage or a loss of imported water supplies. Engineering services are required for the preliminary design of the generator installation. There is adequate funding in the budget for this expenditure.

RECOMMENDATION: By motion, 1) authorize a purchase order to Gordon-Prill, Inc. for engineering services in an amount not to exceed \$98,806 for the Peralta-Tyson Wellfield Generator Installation Project; and 2) authorize the General Manager to execute a professional services agreement with Gordon-Prill, Inc. for this work, Job 6480.

DISCUSSION: The installation of the emergency power generation facility at the PT Wellfield is included in the Capital Improvement Program. However, the project has been significantly reduced in scope to meet the revised emergency water demand criteria that was recommended in the recently completed Engineering Report. This project was reviewed with the Engineering and Capital Projects Committee on April 21, 2011.

Five qualified consultants were invited to submit proposals and five proposals were received. Based on a comprehensive evaluation of the proposals, Gordon-Prill, Inc. was the highest ranked firm determined to have the qualifications, staff, and proposed approach that meets the District's needs. References were checked and it was confirmed that Gordon-Prill, Inc. has the necessary experience and has satisfactorily performed similar work. The scope of services includes performing field verification of existing conditions, performing a topographic survey, and

preparing a basis of design report, preliminary design drawings and bid documents for purchase of the engine generator set. Gordon-Prill's estimated cost, based on a time-and-expense basis, is \$98,806. Staff has reviewed the costs and has determined that they are fair and reasonable.

6.11 RESOLUTION AWARDING CONTRACT FOR THE HEADQUARTERS RENOVATION PROJECT

SUMMARY: The Headquarters Renovation Project includes renovations to the Human Resources (HR) area, the former Water Quality Lab, portions of the Operations Department area and upgrades to service counters and restrooms to meet the Americans with Disabilities Act requirements. Eight pre-qualified general contractors were invited to submit bids and four (4) bid proposals were received and opened. There is adequate funding in the budget for this expenditure.

RECOMMENDATION: By motion, 1) relieve John Plane Construction, Inc. of its bid due to a material mistake in filling out its bid; and 2) adopt a resolution to award the contract for the Headquarters Renovation Project to James R. Griffin, Inc. in an amount of \$1,799,693, which is the total of unit and lump sum price items for the base bid (Schedule A), Job 6484.

DISCUSSION: On April 12, 2011, the District received and opened four (4) bids. All bids were checked arithmetically and for compliance with bidding requirements. Two bids contained arithmetic errors which did not change the order of the bids. The bid totals for comparison ranged from a low of \$1,663,727 to a high of \$1,922,459. The engineer's estimate for the work was \$1,971,659. The total, for purposes of comparison, included the base bid (Schedule A) with a contingency item for extended overhead (Schedule B). A bid summary is attached.

John Plane Construction, Inc. (JPC) submitted the apparent lowest bid. However, on April 14, 2011, two days following the bid opening date, JPC submitted a letter requesting the withdrawal of its bid due to a mathematical error in the calculations used to fill out the bid which made the bid materially different from what was intended.

California Public Contract Code Section 5101 allows the District to consent to relieve a bidder of a bid because of mistake. The District must prepare a report to document the facts establishing the existence of each element required by Section 5103. This staff report shall serve as the written report. District staff, working with Legal Counsel, reviewed the information submitted by JPC in support of its request to withdraw its bid and determined that JPC's request satisfies the legal requirements.

Specifically, the bid and supporting documents were reviewed and it was determined that a mistake was made. JPC gave the District written notice of the mistake within five (5) working days after the opening of the bids and specified in the notice in detail how the mistake occurred. JPC's mistake made the bid materially different than it intended. JPC stated that its mistake omitted \$84,600 from its bid price, which represents a difference of approximately 5% of the bid. Lastly, the mistake was made in filling out the bid and not due to error in judgment or to carelessness in inspecting the site of work, or in reading the plans and specifications. JPC submitted their bid sheet which they used to prepare the bid form for the project showing

amounts, subtotals, and the total. Based on this information, staff confirmed that the final JPC bid did not include all the calculations in the spread sheet used to complete the bid.

District staff informed JPC in a letter dated April 22, 2011, of the staff recommendation to the Board to relieve JPC of its bid and to award the project to the second low bidder.

James R. Griffin, Inc. (JRG), of Fremont, California submitted the second lowest bid. JRG's bid was checked and did not contain any errors. JRG also submitted a statement with its cost proposal that there have been no changes to the experience and financial information previously provided in its prequalification application. As part of the pre-qualification process, staff reviewed JRG's information submitted with its prequalification application, checked references, and confirmed that JRG had the necessary qualifications and experience to perform the work. This firm has been in the contracting business under its present name for 42 years doing work similar to that required by the contract documents.

6.12 AUTHORIZATION OF PURCHASE ORDER AMENDMENT FOR ENGINEERING SERVICES FOR HEADQUARTERS RENOVATION PROJECT

SUMMARY: Construction of the Headquarters Renovation Project was advertised for bids in February 2011. Engineering support services from the project designer will be required during construction. There is adequate funding in the budget for this expenditure.

RECOMMENDATION: By motion, authorize a purchase order amendment to Noll & Tam Architects for additional engineering services in a total amount not to exceed \$125,052 for the Headquarters Renovation Project, Jobs 6113 and 6484.

DISCUSSION: Noll & Tam Architects (Noll & Tam) has satisfactorily performed architectural design and construction-related design support services for the various phases of renovation work at the District's Headquarters Building. Additional services were required to accommodate and integrate recently identified computer network improvements into the bid documents. Additionally, construction-related design support services will be required during construction.

Replacement of the Headquarters data cabling system, presently under design by Smith, Fause & McDonald Inc. of San Francisco, California, is planned for accomplishment later this year, as a separate project, in accordance with the newly completed Information Technology Master Plan. At staff's request, Noll & Tam prepared an addendum to the contract bid documents for \$8,159. An addendum to update the contract bid documents was required to ensure compatibility with the future new data cabling system.

Noll & Tam also submitted a cost proposal, based upon an estimated level of effort, in the amount of \$116,893 for construction-related design support services. The proposed scope of work includes reviewing contractor submittals, responding to requests for information from the contractor, preparing design modifications or clarifications as appropriate, attending project meetings, and completing project record drawings.

Staff has reviewed Noll & Tam's request for incorporating the new cabling system into the Headquarters Renovation Project design and proposal for construction-related design support

services and finds the level of effort and cost to be appropriate for the project. The total construction-related design support will be performed and paid for on a time-and-expense basis as requested by the District.

6.13 AUTHORIZATION OF PURCHASE ORDER FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE HEADQUARTERS RENOVATION PROJECT

SUMMARY: The construction of the Headquarters Renovation Project is scheduled to begin in June 2011 and the work is anticipated to be completed in 9 months. At staff's request, The Covello Group, Inc. (The Covello Group) of Walnut Creek, California submitted a proposal for construction management (CM) services. There is adequate funding in the budget for this expenditure.

RECOMMENDATION: By motion, 1) authorize a purchase order to The Covello Group, Inc. for construction management services for the Headquarters Renovation Project in an amount not to exceed \$162,000; and 2) authorize the General Manager to execute a professional services agreement with The Covello Group, Inc. for this work, Job 6484.

DISCUSSION: The renovation work at Headquarters will present temporary inconveniences and disruptions to the daily work routine of District employees. A construction manager with a proven track record in sensitive environments will help ensure the health and safety of the Headquarters Building occupants during construction. The Covello Group has demonstrated its ability to successfully maintain the well-being of District employees during the renovation of the District's lobby which was completed in 2005. Accordingly, staff requested a proposal from the Covello Group to provide construction management services for the Headquarters Renovation Project. The proposed scope of CM services includes general and specialty inspection, construction oversight, and coordination of construction work. Administrative duties include preparing daily reports, addressing requests for information from the Contractor, processing change orders, resolving claims, facilitating meetings, and performing document control. Services will be performed on a time and expense basis as requested by the District. The Covello Group submitted a cost proposal of \$162,000 for their work. Staff has reviewed the proposal and finds the scope of work and estimated level of effort appropriate for this project.

8.1 RESOLUTION DECLARING MONTH OF MAY AS WATER AWARENESS MONTH

SUMMARY: The Governor of California has proclaimed the month of May as Water Awareness Month. For the past 21 years, the District has been a campaign sponsor of Water Awareness Month, which focuses on educating Californians about the importance of water in all facets of their lives by encouraging involvement in water awareness activities on both a local and regional level.

RECOMMENDATION: By motion, adopt a resolution proclaiming the month of May as Water Awareness Month.

DISCUSSION: The campaign headquarters sponsors statewide activities, such as distributing public service announcements to radio and television stations in California, providing water

awareness materials to public libraries and providing water information to legislators. The theme of the campaign continues to emphasize conservation and water quality, as well as other aspects about water in the environment, agriculture, and industry. Local service area activities related to Water Awareness Month will include: presentation of the school Water Conservation Poster and Slogan Contest awards; newspaper display ads stressing the Water Awareness Month campaign theme that will run through the month; and distribution of Water Conservation Calendars to teachers in the ACWD service area.

9. CALTRANS ROUTE 84 NILES CANYON SAFETY IMPROVEMENT PROJECTS

SUMMARY: Caltrans currently has three safety improvement projects scheduled for Route 84 through Niles Canyon, each at different stages of development. The “Niles 1” project includes Route 84 curve realignment and widening between Rosewarnes Underpass (UP) and Farwell UP. Niles 1 is currently in the construction phase. The “Niles 2” project includes shoulder widening between the Alameda Creek Bridge (east of Palomares Road) and I-680. The Niles 2 project is still in the environmental review stage, with the comment period on the Draft Environmental Impact Report/Environmental Assessment (EIR/EA) for the project expected to be reopened in the near future for an additional 45-day review period. The “Niles 3” project includes replacement of the Alameda Creek Bridge (#33-36) just east of Palomares Road. This project is still in the environmental scoping phase, with draft environmental documents scheduled to be available in Fall 2011. ACWD has provided input to Caltrans on these projects at various stages in the form of comment letters, as detailed in the discussion below.

RECOMMENDATION: Hear a presentation from Caltrans staff on the Niles Canyon projects and provide direction to District staff, as appropriate.

DISCUSSION: The following paragraphs detail ACWD’s comments and activities related to Caltrans’ Niles Canyon Safety Improvement Projects (Niles 1, 2 and 3).

Niles 1- Route 84 curve realignment & widening between Rosewarnes UP and Farwell UP

ACWD commented on the Initial Study/Negative Declaration (IS/ND) for this project in July 2005. In summary, ACWD’s comments requested that Caltrans: (1) provide for passage and protection of water quality for ACWD’s South Bay Aqueduct (SBA) releases that are conveyed in Alameda Creek; (2) include petroleum products and surfactants in the list of pollutants in the IS/ND document since new pavement will add them to stormwater runoff; and (3) use Permanent Design Pollution Prevention Best Management Practices (BMPs) including outlet protection and velocity dissipation devices, as well as Permanent Treatment BMPs, including bio-filtration strips and swales. In the finalized IS/ND in June 2006, Caltrans provided responses to ACWD’s comments. Caltrans’ responses to these comments are summarized below:

- (1) ACWD’s comment was noted, and passage of water would be addressed in the design phase and water quality concerns would be addressed in the “Storm Water Data Report.”
- (2) Petroleum products and surfactants were added to the list of pollutants.
- (3) Permanent Design Pollution Prevention BMPs were identified as standard practice, where feasible, to prevent scour and minimize erosion at inlets & outlets. The response also noted that Permanent Treatment BMPs would be further evaluated during the design

phase and implemented to the maximum extent practicable, but that physical site constraints minimize the types of BMPs that can be implemented.

In July 2010, Caltrans invited ACWD to comment on the construction plans for the Niles 1 project. At that time, requested that Caltrans: (1) provide for the passage ACWD's SBA releases and protection of water quality in Alameda Creek; and (2) employ the highest level of BMPs for water quality protection at the construction site and allow ACWD the opportunity to review and comment on the Stormwater Pollution Prevention Plan for the project. In January 2011, Caltrans invited ACWD to attend their pre-construction meeting with the project contractor. In addition to coordination on contract matters at this meeting, Caltrans reviewed with the contractor and other attendees many of the stormwater and pollution control requirements, and in particular the requirements for approval of a Stormwater Pollution Prevention Plan and all appropriate stormwater and environmental permits being in place prior to starting construction. At this meeting, ACWD staff highlighted the use of Alameda Creek as a downstream drinking water source, explained the use of Alameda Creek to convey SBA imports throughout the year, again requested the opportunity to review the project SWPPP when it becomes available, and offered to provide contact information for any emergencies that could involve water quality impacts to Alameda Creek. Caltrans staff was receptive to this input and interested in coordinating on these items.

Pre-construction tree removal in Niles Canyon for this project began in late February 2011, and construction is scheduled to begin in Spring 2011.

Niles 2 - Shoulder widening between the Alameda Creek Bridge (east of Palomares Road) and I-680

ACWD submitted comments in December 2009 on the Notice of Preparation (NOP) of a Draft EIR for the Niles 2 project. At that time, ACWD requested (in summary) that Caltrans consider the following issues in the preparation of the project EIR:

- (1) Passage of ACWD's South Bay Aqueduct (SBA) releases need to be conveyed in Alameda Creek during construction;
- (2) Protection of water quality and use of Best Management Practices (BMPs) during construction;
- (3) Protection of water quality through the use of the highest level of engineering controls and BMPs for permanent stormwater management from the roadway, which could provide an environmental benefit; ACWD offered to work with Caltrans during the planning phase to discuss possibilities;
- (4) Concerns regarding past detrimental uses of the Sims Park area, and ACWD's support for limiting public access to the site, minimizing maintenance, and using the site to provide environmental benefits to ensure water quality and habitat in Alameda Creek is protected in this location;
- (5) Concerns that given the use of existing informal shoulders for illegal parking and dumping, permanent shoulders may exacerbate illegal parking, dumping and access issues that could, in turn, present more threats to water quality and poaching of steelhead in the future;

- (6) Concerns with potentially significant impacts of retaining walls on Alameda Creek flow and habitat;
- (7) ACWD would be willing to provide feedback during EIR preparation on project components that could impact water quality or supply; given the importance of Alameda Creek to ACWD's customers and watershed steelhead restoration efforts, any impacts could be significant and would need to be fully mitigated.

A Draft Environmental Impact Report/Environmental Assessment (EIR/EA) was released in June 2010 and modified in August 2010 that addressed some, but not all, of ACWD's comments on the NOP. Following review of the EIR/EA documents, ACWD submitted comments in August and October 2010 regarding the following issues:

- (1) Corrections or updates to ACWD facility information were needed;
- (2) Request to include description of ACWD's recharge of Alameda Creek water to potable supply in the Water Quality & Stormwater Runoff section;
- (3) Request for the opportunity to review the Stormwater Pollution Protection Program (SWPPP), and for Caltrans to emphasize BMPs to minimize water quality impacts and implement permanent stormwater runoff improvements;
- (4) Request for 24-hour notification plan for hazardous materials spills or other pollution events to be set up and include ACWD;
- (5) Passage of ACWD's SBA releases during the construction season, as well as implementation of a notification system so project crews are made aware of releases;
- (6) Requirement for obtaining drilling permits from ACWD for any subsurface drilling activities within the service area;
- (7) ACWD's interest in the current special truck ban, which prohibits trucks from transporting hazardous materials/waste through the Canyon due to the adjacent drinking water source, remaining in perpetuity regardless of the safety improvements made to Route 84.

In April 2011, Caltrans indicated that they will be re-opening the comment period for the Niles 2 project for an additional 45 days. Some initial areas have been identified in which ACWD staff plans to make further comments during this period to advocate for water supply, water quality, and fisheries interests. Although a more thorough review of the documents is still underway, these areas include:

- Hydrology – Evaluate impacts to stream geomorphology below ordinary high water mark; clarify which sections of roadway include work within 100-year floodplain and ordinary high water mark areas and identify localized impacts to stream geomorphology and hydrology.
- Water Quality & Stormwater Runoff – Describe ACWD's up- and downstream groundwater recharge facilities and operations and evaluate as high-risk; further evaluate impacts of and alternatives to the project's increase in impervious area; further evaluate impacts of road widening on trash and debris runoff to the creek; include evaluation of wildland fire risks during construction and describe appropriate fire prevention activities and BMPs.

- Hazardous Waste/Materials – Include BMPs for handling of lead and asbestos if encountered during construction, as well as a notification plan that includes ACWD.
- Biological Resources – Address the use of Niles Canyon by steelhead for both migration and habitat since steelhead will have access to Niles Canyon during the construction period following completion of the RD1/BART Weir Fish Ladder Project; conduct a Section 7 consultation with the National Marine Fisheries Service prior to completing the CEQA process so that accommodations for steelhead can be made during the design phase; evaluate impacts on steelhead & lamprey habitat, in particular in the areas between the low flow channel and ordinary high water mark; commit to mitigation for all fisheries impacts.
- Construction impacts – Commit to allowing ACWD staff road access for water supply operational purposes during road closures; commit to a 24-hour hazardous waste/water quality incident notification system/procedure that includes ACWD; evaluate possible impacts to ACWD’s groundwater recharge operations.
- Cumulative impacts – Evaluate possible “cumulatively considerable” impacts on biological resources given that “less than significant” impacts were identified for all categories (rather than “no impacts”); revise analysis of cumulative impacts to include the significant number of construction projects that will be occurring concurrently and in the future in the Sunol Valley, including but not limited to the Calaveras Dam Replacement Project, which is also scheduled to begin this spring; consider consolidating Niles 2 and Niles 3 projects into one evaluation to avoid the appearance of piecemealing.
- Other – Include an analysis of the impacts of widening road shoulders on illegal parking in the Canyon and the associated impacts on water quality (from illegal dumping, inappropriate public access, etc.) and steelhead (poaching) that could result from increased public access; commit to coordinating with ACWD and providing updates on projects plans and construction activities on a regular basis.

In addition to soliciting ACWD’s input at various stages of the environmental review process for the Niles 2 project, Caltrans has agreed to provide an overview presentation on all of the Niles Canyon Route 84 projects for the Board’s consideration on May 19.

Niles 3 – Alameda Creek Bridge Replacement

This project includes replacement of Alameda Creek Bridge (#33-36) and is still in the planning stages. Environmental documents are scheduled to be available for review in Fall 2011. ACWD responded to a utility verification request for this project and granted Caltrans a Permit to Enter on ACWD’s property in Niles Canyon in Fall 2010 in order to access the area and drill borings, with the requirement that appropriate environmental and drilling permits were in place prior to any work. Along with the response to the utility verification request, ACWD provided a copy of the December 2009 comment letter on the Niles 2 project Notice of Preparation and asked that the same concerns be addressed for this project as well.

Attachments

cc: Executive Staff