

4. Contd.

	District No. 2	Joint Administration	Technical Support	Joint Outfall System	Solid Waste System	Stormwater
Operations & Maintenance	\$ 30,384	\$6,590,246	\$5,347,504	\$24,201,835	\$11,282,281	<u>\$24,114</u>
Capital		<u>210,732</u>	<u>15,942</u>	27,870,559	2,472,964	
Allocated Expenses:						
Joint Administration				4,161,560	1,595,835	
Joint Outfall	<u>25,132,562</u>					
Technical Support				<u>4,447,588</u>	<u>258,093</u>	
Total Expenses:	<u>\$25,162,946</u>	<u>\$6,800,978</u>	<u>\$5,363,446</u>	<u>\$60,681,542</u>	<u>\$15,609,173</u>	<u>\$24,114</u>

5. Accept Contracts and Order Final Payments as Follows:

- (a) Contract No. 5519 with Insituform Technologies, LLC, for Construction of *Joint Outfall H Unit 2B Trunk Sewer Rehabilitation* (Project); Resulting in Total Contract Amount of \$1,658,090.21

Summary: This Project consisted of the rehabilitation of approximately 2,026 feet of existing 39- and 42-inch-diameter corroded concrete pipe and appurtenant structures. The work was located within the City of Bell Gardens. There were no change orders for this Project.

- (b) Contract No. 5538 with SAK Construction, LLC, for Construction of *Joint Outfall D Unit 5 Trunk Sewer Rehabilitation* (Project); Resulting in Total Contract Amount of \$1,949,797.74

Summary: This Project consisted of the rehabilitation of approximately 2,018 feet of existing 36- and 42-inch-diameter corroded concrete pipe and appurtenant structures. The work was located within the City of Torrance and unincorporated Los Angeles County. There were no change orders for this project.

6. Reject 116 Claims Related to Damages from Exposure Gases Produced by Chiquita Canyon Landfill; Authorize Chief Engineer and General Manager, or his Designee, to Reject Future Similar Claims Related to Chiquita Canyon Landfill

Summary: The 116 claims were received from Downtown LA Law Group. Each of the claims are substantially identical and allege damages in the amount of \$100,000,000 each for exposure to noxious and/or toxic gases and fumes. Chiquita Canyon Landfill is privately owned, and the Districts does not own, operate, manage, or regulate Chiquita Canyon Landfill; therefore, it is impossible that the damage alleged was caused by the Districts. Districts Counsel has reviewed the claims and recommends that the claims be rejected on their merits and that the Chief Engineer and General Manager be authorized to reject future similar claims related to Chiquita Canyon Landfill.

REGULAR AGENDA

1. Authorize Issuance of Purchase Orders for Miscellaneous Materials and Supplies for Routine Maintenance for Three-Year Terms as Follows:

- (a) Grainger in Amount of Approximately \$375,000
- (b) Home Depot in Amount of Approximately \$750,000
- (c) McMaster-Carr Supply in Amount of Approximately \$825,000

Summary: McMaster-Carr, Home Depot, and Grainger are large supply houses that carry a wide variety of repair parts, building materials, and other consumable supplies used to perform a variety of repair and maintenance tasks throughout the Districts. Typically, these are very low dollar items that do not lend themselves to a competitive bid process nor are they used frequently enough to be maintained in inventory. Home Depot has local stores which makes their use convenient for staff, and Grainger participates in cooperative purchasing programs which offer price discounts on items purchased. The limit per order is \$500 for all suppliers. Issuing multi-year purchase agreements is an effective and efficient method. This item is consistent with the Districts’ Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship.

2. Authorize Issuance of Purchase Orders for On-Call Surveying Services for Three-Year Period as Follows:

- (a) To Coast Surveying, Inc., (Coast) in Amount of Approximately \$500,000
- (b) To Guida Surveying, Inc., (Guida) in Amount of Approximately \$500,000
- (c) To MTH2 Engineering, Inc., (MTH2) in Amount of Approximately \$500,000
- (d) To Stantec Consulting Services, Inc., (Stantec) in Amount of Approximately \$500,000

Summary: Surveying services are required for the design of ongoing and upcoming sewer projects. It is more cost and time effective to use an on-call consultant to perform these services rather than to issue separate requests for proposals for each project. Due to the number and variety of ongoing and upcoming projects, having multiple on-call consultants would ensure that there would be a consultant with the necessary expertise and availability. Proposals were solicited and received from seven consulting firms. Coast, Guida, MTH2, and Stantec were ranked as the most qualified to provide the required services and proposed competitive rates. Services will be used on an as-needed basis for potentially all Districts. In accordance with the Purchasing Policy, District No. 2 will issue and administer the proposed purchase order and expenditures will be allocated according to actual costs attributable to each District. This item is consistent with the Districts' Guiding Principle of commitment to fiscal responsibility and prudent financial stewardship.

3. Authorize Extension of Purchase Order to OpenText Corporation (OpenText) in Amount of Approximately \$533,000 for Renewal of Document Management System (DMS) Software Licensing, Maintenance and Support Services for Three-Year Period

Summary: The Board previously approved a purchase order to OpenText to provide access and support services for the DMS software, which is used Districts-wide to archive and manage all electronic documents. OpenText is the sole licensor of the DMS system and has offered to continue to provide licensing, maintenance, and support services for a three-year period at an increase of approximately 7.5 percent per year. This item is consistent with the Districts' Guiding Principles to provide reliable and responsible services with safety first; and commitment to fiscal responsibility and prudent financial stewardship.

4. Authorize Issuance of Supplemental Purchase Order to John Zink LLC (Zink) in Amount of Approximately \$715,000 to Provide for Equipment Material Escalation Costs for *Scholl Canyon Landfill Flare Station Improvements* (Project)

Summary: The Project includes the installation of new flare equipment to meet the more stringent emission standards imposed by Southern California Air Quality Management District (SCAQMD) Rule 1118.1. In November 2021, the Board approved issuance of a purchase order for approximately \$3,275,000 to Zink for two ultra-low emission flares which would be the basis for the design of the Project. After design of the Project was complete, the Districts directed Zink to hold production of the flare equipment in order to provide the City of Glendale enough time to determine whether the proposed flare equipment would also meet the needs of their proposed power plant which will also be located at the landfill. The six-month delay in production resulted in the escalation of costs for all materials associated with the fabrication of the flare equipment. Zink provided documentation, which was verified by Districts' staff, to substantiate the increased cost of the flare equipment. This item is consistent with the Districts' Guiding Principle of commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

5. Confirm Issuance of Purchase Order to Certified Phone Solutions (CPS) in Amount of Approximately \$156,000 for Closed Circuit Television (CCTV) Camera Repairs and Upgrades for A.K. Warren Resource Facility (Warren Facility)

Summary: A review and assessment of the Warren Facility CCTV camera video surveillance system revealed several cameras that were offline, failed to communicate with the network, and/or were non-functional. CPS provided the lowest cost proposal and was awarded a purchase order to provide and install eight additional cameras at critical storage warehouse locations. Due to CPS' immediate availability and given the increasing frequency of theft and vandalism at the Warren Facility, their scope of work was subsequently expanded to also make numerous repairs to the existing system. Ultimately, 13 cameras were installed and several repairs to the existing camera system were completed in various areas of the 220-acre facility, totaling approximately \$156,000. The activities described herein do not constitute a "Project" under the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21065 and Title 14 of the California Code of Regulations ("CEQA Guidelines") Section 15378. This item is consistent with the Districts' Guiding Principle of providing reliable and responsible services with safety first.

6. Approve Change Orders to Construction Contracts as Follows:

- (a) No. 5483 with Spiniello Infrastructure West, Inc., for Construction of *Joint Outfall B Unit 1A Trunk Sewer Rehabilitation Phase 2* (Project); Resulting in Total Payment of \$309,041.11 for Extra Work

Summary: As part of the Project, the contractor was required to rehabilitate approximately 6,500 linear feet of existing 144-inch-diameter sewer using the slip-lining process. During construction, the Districts received numerous odor complaints from residents that lived near an open insertion pit which was required for the pipe installation. The Districts directed the contractor to expedite the work in that area and provide additional odor control measures, including during non-working hours, until all the work at this location was completed. Separately, during routine maintenance activities, the Districts discovered a severely corroded manhole that was located in close proximity to the Project. Due to the severity of the damage, the Districts directed the contractor to rehabilitate the manhole structure with a protective coating system and to install flow control devices to facilitate sewer cleaning operations in the future. This item is consistent with the Districts' Guiding Principles to protect financial and facility assets through prudent investment and maintenance programs; and commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

- (b) No. 2 to Contract No. 5516 with Sancon Technologies, Inc., for Construction of *Artesia Extension Trunk Sewer Rehabilitation Phase 2* (Project); Resulting in Payment of \$436,451.26 for Extra Work

Summary: As part of the Project, the contractor was required to rehabilitate approximately 78 feet of 39-inch-diameter corroded concrete sewer pipe with a cured-in-place pipe liner system. During construction and prior to rehabilitating this particular section of corroded sewer pipe, a large hole with a void was discovered following inspection after rainstorms that occurred between January and March 2023. The contractor was therefore directed to reprioritize their work and immediately repair this section of pipe on an emergency basis. Due to the significant amount of debris that had entered the sewer as a result of the damage, the contractor was also required to modify and extend the flow bypass system in order to accommodate the work. This item is consistent with the Districts' Guiding Principles to protect financial and facility assets through prudent investment and maintenance programs; and commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

7. Re: Update on Litigation Against Michael L. Culkin and M.L. Culkin Construction Company, Inc., (Culkin) Regarding Unauthorized Soil Stockpile Placed Over Districts' Sewers in City of Pico Rivera

Summary: In 2022, the Board authorized issuance of an \$811,000 purchase order to a contractor to remove and dispose of a soil stockpile that Culkin placed over three Districts' sewers in private properties without the property owners' or Districts' authorization. The Districts took this action after Culkin failed to respond to multiple requests to remove the soil, which prevented inspection of the sewers and threatened their structural integrity. The Board authorized Districts Counsel to initiate litigation against Culkin to recover damages sustained by the Districts. In 2023, Districts Counsel filed a lawsuit against Culkin seeking damages and, in January 2024, the Court ordered a default judgement be entered against Culkin in the amount of \$989,566.66 due to his failure to respond to the lawsuit. Based on an investigation by Districts Counsel, Culkin does not have any assets and the likelihood of recovering any damages is minimal. Therefore, the Districts will record the judgement and not take any further actions at this time. This item is consistent with the Districts' Guiding Principles of commitment to fiscal responsibility and prudent financial stewardship; and the commitment to operational excellence (protection of public health and the environment, regulatory compliance, and cost effectiveness).

8. Report on Districts' Operations During February 1st and 4th -6th Storms

Summary: The Chief Engineer and General Manager will provide a report on Districts' operations during the recent storms.

Adjourn

Status Report: Prior to or during the meeting session, the Chief Engineer and General Manager may update the Directors on various matters concerning the Districts that may be of current interest to the Directors.

Public Comment: Members of the public may address the Board of Directors on any item shown on the agenda or matter under the Board's authority. A "Request to Address Board of Directors" form is available. In compliance with the Americans with Disabilities Act, if you require special assistance to participate in this meeting, please contact the Secretary to the Boards' Office (562) 908-4288, extension 1100. Notification of 48 hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 35.101 et seq. ADA Title II).

Document Requests: Links to supporting documents are available online at the time of posting. Agendas and supporting documents or other writings that will be distributed to Board members in connection with matters subject to discussion or consideration at this meeting that are not exempt from disclosure under the Public Records Act are available for inspection following the posting of this agenda at the office of the Secretary to the Boards of Directors located at the Districts' Joint Administration Building, 1955 Workman Mill Road, Whittier, California, 90601, or at the time of the meeting at the address posted on this agenda.