

**ACTION MINUTES
BOARD OF PUBLIC UTILITIES COMMISSIONERS
CITY OF TULARE**

September 3, 2020

A regular meeting of the Board of Public Utilities of the City of Tulare was held on Thursday, September 3, 2020 at 4:00 p.m. in the Tulare Public Library & Council Chamber, 491 North "M" Street.

BPU PRESENT: Chris Harrell, Thomas Griesbach, Ray Fonseca, Howard Stroman, Renee Soto

STAFF PRESENT: Rob Hunt, Mario Zamora, Darlene Thompson, Trisha Whitfield, Michael Miller, Nick Bartsch, Jim Funk, Andrew Bettencourt, Art Avila, Jason Bowling, Tim Doyle, Melissa Hermann

I. CALL TO ORDER REGULAR MEETING

President Harrell called the regular meeting to order at 4:01 p.m.

II. PLEDGE OF ALLEGIANCE AND INVOCATION

Board Member Soto led the Pledge of Allegiance and an invocation was given by Board Member Fonseca.

III. CITIZEN COMMENTS

President Harrell requested those who wish to speak on matters not on the agenda within the jurisdiction of the Board, or to address or request a matter be pulled from the Consent Calendar to do so at this time. He further stated comments related to General Business matters would be heard at the time that matter is addressed on the agenda.

There were no citizen comments.

IV. COMMUNICATIONS

There were no items for this section of the agenda.

V. CONSENT CALENDAR

It was moved by Board Member Soto, seconded by Vice President Stroman, and unanimously carried to approve the items on the Consent Calendar as presented.

- (1) Approve minutes of the August 20, 2020 regular meeting.**
- (2) Receive the investment report for July 2020.**

VI. GENERAL BUSINESS

- (1) **Award two consecutive one-year contract extensions to Kenneth D. Schmidt and Associates of Fresno, CA in the amount of \$29,250 per well for hydrogeologist consulting and construction support services. Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$2,925.00 per well) of the contract award amount.** Project Manager Jim Funk provided a report for the Board's review and consideration. Questions posed by the Board were responded to by Mr. Funk and Water and Wastewater Collections Utility Manager Tim Doyle. It was moved by Board Member Fonseca, seconded by Board Member Griesbach, and unanimously carried to approve the item as presented.
- (2) **Declare that the City of Tulare is in Stage 2 of the revised Water Conservation Ordinance 2020-07 in the City's Code of Ordinances.** Management Analyst Andrew Bettencourt provided a report for the Board's review and consideration. It was moved by Vice President Stroman, seconded by Board Member Soto, and unanimously carried to approve the item as presented.
- (3) **Authorize staff to declare as surplus the equipment, tanks, and various salvageable items to be removed as part of the well abandonment project (Project WT0052).** Project Manager Jim Funk provided a report for the Board's review and consideration. Questions posed by the Board were responded to by Mr. Funk, Finance Director Darlene Thompson, City Manager Rob Hunt, and Water and Wastewater Collections Utility Manager Tim Doyle. It was moved by President Harrell, seconded by Board Member Griesbach, and unanimously carried to approve the item as presented.
- (4) **Disqualify and reject the low bid of \$1,631,670.00 for construction of TCP mitigation measures at Well #35 and Well #44 (Project No. WT0046) by Steve Dovali Construction Inc. of Fresno, CA on the basis of the bid being non-responsive and award to the following:**
 - a. **Award and authorize the City Manager or designee to sign a contract with W. M. Lyles Co., of Fresno, CA in an amount not to exceed \$1,647,700.00 for construction of TCP mitigation measures at Well #35 and Well #44 (Project No. WT0046) and authorize the City Manager or designee to approve contract change orders in the amount not to exceed 10% (\$164,770.00) of the contract amount.**

Or, alternatively consider the following actions:

 - b. **Award and authorize the City Manager or designee to sign a contract with Steve Dovali Construction Inc. of Fresno, CA in an amount not to exceed \$1,631,670.00 for construction of TCP mitigation measures at Well #35 and Well #44 (Project No. WT0046) and authorize the City Manager or designee to approve contract change orders in the amount not to exceed 10% (\$163,167.00) of the contract amount; or**

c. Reject all bids and instruct staff to re-advertise for bids the TCP Mitigation Project, Group 3 Well #35 and Well #44.

Project Manager Jim Funk provided a report for the Board's review and consideration. Gregory Norys, counsel representing Steve Dovali Construction Inc., provided additional information referencing a letter distributed to the Board. Questions posed by the Board were responded to by Mr. Funk and Water and Wastewater Collections Utility Manager Tim Doyle. Tim Dovali and Steve Dovali of Steve Dovali Construction Inc. provided information and provided responses to questions from the Board. Additional clarification was provided by City Engineer Michael Miller. Following lengthy discussion, it was moved by President Harrell, seconded by Board Member Griesbach, and carried 4 to 1 (Board Member Soto abstained) to award and authorize the City Manager or designee to sign a contract with W. M. Lyles Co., of Fresno, CA in an amount not to exceed \$1,647,700.00 for construction of TCP mitigation measures at Well #35 and Well #44 (Project No. WT0046) and authorize the City Manager or designee to approve contract change orders in the amount not to exceed 10% (\$164,770.00) of the contract amount.

- (5) Award and authorize the City Manager to sign a three-year contract with Routeware, Inc., in the amount of \$616,800.16 subject to minor conforming changes acceptable to the City Manager and City Attorney to provide a route and work order management system for the Solid Waste Division; authorize the City Manager or designee to approve contract change orders in an amount not to exceed \$54,000; and approve the proposed project budget and funding appropriations.** Management Analyst Andrew Bettencourt provided a report for the Board's review and consideration. Questions posed by the Board were responded to by Mr. Bettencourt, Public Works Director Trisha Whitfield, and IT Manager Jason Bowling. It was moved by President Harrell, seconded by Vice President Stroman, and unanimously carried to approve the item as presented.

VII. ITEMS OF INTEREST

Items of interest were discussed amongst the Board and staff.

VIII. ADJOURNMENT OF REGULAR MEETING

President Harrell adjourned the regular meeting at 6:06 p.m.

President of the Board of Public Utilities
Commissioners of the City of Tulare

ATTEST:

Secretary of the Board of
Public Utilities Commissioners