

MIDWAY CITY SANITARY DISTRICT
REGULAR MEETING
BOARD OF DIRECTORS
DISTRICT OFFICE
14451 CEDARWOOD AVENUE
WESTMINSTER, CA

TELECONFERENCE MEETING CALL IN
<https://meet.goto.com/MCSD1939/regularboardmeeting>
1(646)749-3129/ACCESS# 910-264-741

AGENDA PACKETS ARE AVAILABLE AT THE DISTRICT OFFICE ADDRESS ABOVE.
YOU MAY ALSO OBTAIN A COPY OF THE AGENDA PACKET BY EMAILING US AT
INFO@MCSANDST.COM OR BY CALLING THE DISTRICT AT (714)893-3553

Tuesday, February 7, 2023
5:30 P.M.

COVID-19 PUBLIC SERVICE ANNOUNCEMENT

THIS MEETING WILL BE CONDUCTED BOTH IN-PERSON AND VIA TELECONFERENCING PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 54953(e). MEMBERS OF THE PUBLIC WHO WISH TO COMMENT ON MATTERS BEFORE THE BOARD, IN LIEU OF DOING SO TELEPHONICALLY OR IN PERSON, MAY SUBMIT COMMENTS BY EMAILING INFO@MCSANDST.COM NO LATER THAN 3:00 P.M. THE DAY BEFORE THE MEETING. THE COMMENTS WILL BE PROVIDED TO THE BOARD AS PART OF THE MEETING RECORD AND MADE AVAILABLE TO THE PUBLIC. IN LIGHT OF HEALTH RISKS ASSOCIATED WITH COVID-19, MEMBERS OF THE PUBLIC ARE STRONGLY ENCOURAGED TO PARTICIPATE IN THIS MEETING TELEPHONICALLY AND TO CONSIDER VERY CAREFULLY BEFORE ATTENDING THIS MEETING IN PERSON. MEMBERS OF THE PUBLIC ATTENDING IN PERSON WILL BE ASKED TO MAINTAIN A SIX-FOOT DISTANCE FROM OTHERS. PLEASE DO NOT ATTEND THIS MEETING IN PERSON IF YOU HAVE TESTED POSITIVE FOR CORONAVIRUS (COVID-19), IF YOU ARE EXPERIENCING SYMPTOMS SUCH AS COUGHING, SNEEZING, FEVER, DIFFICULTY BREATHING OR OTHER FLU-LIKE SYMPTOMS, OR IF YOU HAVE HAD DIRECT CONTACT WITH SOMEONE WHO HAS TESTED POSITIVE FOR CORONAVIRUS OR IS EXPERIENCING SUCH SYMPTOMS.

AGENDA

OUR MISSION STATEMENT

THE BOARD OF DIRECTORS AND EMPLOYEES OF MIDWAY CITY SANITARY DISTRICT WORK DILIGENTLY TO PROVIDE SEWER AND SOLID WASTE SERVICES TO THE RESIDENTS OF THE DISTRICT. OUR TOP PRIORITY IS TO ACCOMPLISH THIS IN AN ETHICAL, EFFICIENT, AND COST-EFFECTIVE MANNER THAT WILL PROTECT THE HEALTH AND SAFETY OF THOSE WE SERVE.

In accordance with the requirements of California Government Code Section 54954.2, this Agenda is posted not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Board Secretary.

In the event any matter not listed on this agenda is proposed to be submitted to the Board for discussion and/or action, it will be done in compliance with Section 54954.2, or as set forth on a Supplemental Agenda posted not less than 72 hours prior to the meeting.

Please Note: The District complies with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance please contact the District's Secretary at (714) 893-3553, at least one business day prior to the meeting so that we may accommodate you.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND INVOCATION

2. ROLL CALL

3. PUBLIC COMMENTS:

All persons wishing to address the Board on specific Agenda items or matters of general interest should do so at this time. As determined by the President, speakers may be deferred until the specific item is taken for discussion and remarks may be limited to three (3) minutes.

4. APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 17, 2023
(Roll Call Vote)

5. APPROVAL OF EXPENDITURES

A. Approval of Demands in the Amount of \$479,427.97 *(Roll Call Vote)*

6. REPORTS

The President, General Manager, General Counsel and other staff present verbal report on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.

- A. Report of President
- B. Report of Interim General Manager
- C. Report from CR&R Quarterly Reports
- D. Report from the District Luncheon on January 18, 2023
- E. Report from the Westminster Tet Parade on January 22, 2023
- F. Report from OC SAN District Meeting on January 25, 2023
- G. Report from the ISDOC Virtual Quarterly Meeting on January 26, 2023

7. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered routine and will be acted upon at the same time unless separate discussion and/or action is requested by a Board Member, the public, or staff. **(Roll Call Vote)**

- A. Approve Attendance at the 2023 Water and Wastewater Tri-State Seminar Being Held at the South Point Hotel in Las Vegas, Nevada August 7-10, 2023

8. OLD BUSINESS

None

9. NEW BUSINESS

- A. Discussion of the Commercial Franchise Agreement Between the Midway City Sanitary District and CR&R and Franchise Committee Goals and Priorities **(Roll Call Vote)**
- B. Consider Approval of Amendment to Agreement with AKM Consulting Engineering to Include Update to the District's Spill Emergency Response Plan Within the Scope of Services and Authorize the Interim General Manager, Robert Housley to Execute the Amendment **(Roll Call Vote)**
- C. Consider rescheduling the May 2, 2023 and June 20, 2023 Regular Board Meetings **(Roll Call Vote)**
- D. Consider Approval of Additional Services Provided by Rengel+CO Architects, in the Amount of \$278,702.50 for The District's Building and Solar Project **(Roll Call Vote)**
- E. RESOLUTION 2023-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, MAKING SPECIFIED FINDINGS AND REAUTHORIZING THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 54953(e) FOR MEETINGS OF THE MIDWAY CITY SANITARY DISTRICT BOARD OF DIRECTORS AND OTHER DISTRICT COMMITTEES SUBJECT TO STATE OPEN MEETINGS LAWS **(Roll Call Vote)**

10. INFORMATIONAL ITEMS

- A. ISDOC Executive Committee 3rd Vice President and Secretary Vacancy
- B. 2023-24 Workers' Compensation Experience Modification Factor

11. BOARD CONCERNS/COMMENTS

12. GM/STAFF CONCERNS/COMMENTS

13. GENERAL COUNSEL CONCERNS/COMMENTS

14. CLOSED SESSION

CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time as the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

- A. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)
Agency Designated Representatives: Interim General Manager Robert Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

15. ADJOURNMENT TO TUESDAY, FEBRUARY 21, 2023

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE MIDWAY CITY
SANITARY DISTRICT OF ORANGE COUNTY
14451 CEDARWOOD AVENUE
WESTMINSTER, CA 92683**

January 17, 2023

CALL TO ORDER

President T. Diep called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, California on Tuesday, January 17, 2023 at 5:31 PM.

BOARD MEMBERS PRESENT:

Tyler Diep
Sergio Contreras
Chi Charlie Nguyen
Mark Nguyen
Andrew Nguyen

STAFF PRESENT:

Robert Housley, Interim General Manager &
Finance/HR Director
Cynthia Olsder, Executive/Board Secretary

OTHERS PRESENT:

James Eggart, General Counsel

PLEDGE AND INVOCATION

President T. Diep led the Pledge of Allegiance. Director C. Nguyen gave the Invocation.

PUBLIC COMMENTS

None

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 3, 2023

A motion was made by Director A. Nguyen, seconded by Director S. Contreras, to approve the minutes of the regular meeting of January 3, 2023. The motion was approved by the following 5-0 roll call vote:

AYES: A. Nguyen, C. Nguyen, M. Nguyen, S. Contreras, T. Diep

NAYS:

ABSTAIN:

ABSENT:

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$283,624.26

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14273	1/5	\$ 155.50	Advanced Workplace Strategies, Inc.	DOT random drug and alcohol testing
2	14274	1/5	\$ 1,190.00	Ayala's Car Wash	Washing and cleaning of district's fleet
3	14275	1/5	\$ 10,738.21	Bodyworks Equip. Inc.	Heil parts for solid waste trash truck
4	14276	1/5	\$ 575.08	Cameron Welding Supply	Oxygen and propane welding supplies for shop
5	14277	1/5	\$ 2,170.84	Clean Energy	CNG Station site inspection
6	14278	1/5	\$ 170.12	Cummins Pacific LLC	Engine vibration isolators for solid waste truck
7	14279	1/5	\$ 6,243.77	Daniels Tire Service	Restock tires for solid waste
8	14280	1/5	\$ 2,662.87	Dartco Transmission Sales & Svcs.	Transmission repairs to NG-6 solid waste
9	14281	1/5	\$ 250.00	Dennis Solano Jr	Reimbursement for safety workboots
10	14282	1/5	\$ 81.50	Dennis Solano Sr.	Reimbursement for safety workboots
11	14283	1/5	\$ 1,200.00	Frog Environmental	Rain water monitoring 12/2022
12	14284	1/5	\$ 379.50	Frontier Communications	District office phones & lift stations
13	14285	1/5	\$ 129.75	Hillco Fastener Warehouse Inc.	Restock lock nuts and bolts for solid waste
14	14286	1/5	\$ 149.38	Hose-Man, Inc.	Fittings and nipple zerts for solid waste trucks
15	14287	1/5	\$ 1,737.79	Hydraulic Solutions And Supplies	Hydraulic cylinders for trash truck
16	14288	1/5	\$ 1,465.63	Jaycox Construction CNG	Replaced valves that were MCSD yard CNG station
17	14289	1/5	\$ 39.23	Motion and Flow Control Products, Inc.	Hydraulic hose and fittings for NG-6
18	14290	1/5	\$ 32,305.30	Orange County Sanitation District	Permit Fees Dec-2022
19	14291	1/5	\$ 33.90	Pre-Paid Legal Services, Inc.	Prepaid legal Dec-2022
20	14292	1/5	\$ 119.00	Remington Pure	Water filtration service
21	14293	1/5	\$ 1,881.51	Safety-Kleen Systems, Inc.	Hydraulic oil for solid waste trucks
22	14294	1/5	\$ 250.00	Sergio Gonzalez	Reimbursement for safety workboots
23	14295	1/5	\$ 48,804.39	Sierra Container Group, LLC	Restock (702) 95-gallon blue carts
24	14296	1/5	\$ 1,308.62	SoCal Auto & Truck Parts, Inc.	Restock shop supplies for solid waste trucks
25	14297	1/5	\$ 89.01	Spectrum Enterprise (Time Warner Cable)	Internet Services Jan-2023
26	14298	1/5	\$ 1,375.68	Standard Insurance Company Life	Life Insurance & AD&D Premiums
27	14299	1/5	\$ 842.03	Staples Business Credit	Restock office supplies for Dec-2022
28	14300	1/5	\$ 300.00	Streamline	Website monthly member fee
29	14301	1/5	\$ 12,757.90	TEC Of California, Inc.	Restock parts, supplies, fleet repairs and maintenance
30	14302	1/5	\$ 155.37	Tom's Truck Center	Spark plugs for NG-11
31	14303	1/5	\$ 11.75	Underground Service Alert	Underground dig alerts Dec-2022
32	14304	1/5	\$ 251.21	UniFirst Corporation	Spark plugs for NG-11
33	14305	1/5	\$ 13.02	Union Bank (NC)	Restock office stamp ink
34	14306	1/5	\$ 19,530.99	US Bank Corporate Payment System	District credit cards
35	14307	1/5	\$ 1,500.00	Viet Lnk Radio	Radio outreach 12/19 - 12/25
36	14308	1/5	\$ 17,353.65	Woodcliff Corporation - Escrow Account	Building project pay application #2 - Retention payment
37	14309	1/6	\$ 569.85	Dtntech	Banners (2) and car magnets (8) for TET
38			\$ 168,792.35	CHECKS SUBTOTAL	
39					
40				PAYROLL:	MEMO
41	ACH	12/28	\$ 82,428.67	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
42	ACH	12/29	\$ 6,737.36	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
43	ACH	1/6	\$ 7,939.13	Paychex	Board of Directors Payroll - Checks, Taxes, & Direct Depos
44	ACH	1/6	\$ 846.00	Nationwide Retirement Solutions	457 Deferred Compensation (Board of Directors)
45			\$ 97,951.16	ACH TRANSFERS SUBTOTAL	
46					
47				ACH PAYMENTS:	MEMO
48	ACH	12/20	\$ 360.50	Paychex	Time & Attendance Nov - 2022
49	ACH	12/27	\$ 66.00	WEX Health	HRA Monthly Fee for Nov-2022
50	ACH	12/29	\$ 16,454.25	CalPERS	Retirement Contributions for 12/12 - 12/25/2022
51			\$ 16,880.75	ACH TRANSFERS SUBTOTAL	
52					
53			\$ 283,624.26	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
54					

54				
55				BANK TRANSFERS:
56	UB	12/28	\$ 2,584,000.00	Transfer Funds from UB Money Market to UB Checking
57	UB	12/29	\$ 2,500,000.00	Transfer Funds from Union Bank Checking to LAIF
58	UB	1/3	\$ 2,072,024.10	Transfer Funds from UB Money Market to UB Checking
59	UB	1/4	\$ 2,000,000.00	Transfer Funds from Union Bank Checking to LAIF
60			\$ 9,156,024.10	BANK TRANSFERS

A motion was made by Director C. Nguyen, seconded by Director S. Contreras, to approve the expenditures in the amount of \$283,624.26. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, C. Nguyen, M. Nguyen, T. Diep

NAYS:

ABSTAIN:

ABSENT:

REPORTS

Report of President

None

Report of Interim General Manager

Interim GM R. Housley reported that the building project's completion date has been pushed back until the end of July due to the weather.

He reported that interviews have started for the District Engineering position.

Additionally, he reported that the District will begin posting the complete Board Agenda Packet, including staff reports and any backup on the District's website starting next month.

Report from Outreach Committee Meeting on January 4, 2023

Director A. Nguyen reported the Committee met to discuss the radio outreach schedule for February, as well as the 2023 Clean-up events, Compost event, and the Westminster Tet parade.

Report from Tet Parade Staff Meeting on January 11, 2023

Interim GM R. Housley reported that he attended the meeting with Director A. Nguyen and that the City of Westminster will recognize the District as a Community Partner of the Event.

Report from OC SAN District Special Meeting on January 11, 2023

Director A. Nguyen reported that the meeting was to adopt a resolution of the Board of Directors of Orange County Sanitation District authorizing the continuation of remote meetings.

Report from VNCR Radio Outreach on January 12, 2023

Director M. Nguyen reported that he attended the radio recording with Director S. Contreras to discuss the District's planned 2023 events and to wish everyone a Happy Lunar New Year.

Report from Radio Bolsa Radio Outreach on January 13, 2023

Director A. Nguyen reported that he attended the radio recording with Director C. Nguyen and Mike Carey with CR&R to talk about SB 1383, the District's upcoming events, and to wish everyone a Happy Lunar New Year.

Report from Franchise Committee Meeting on January 13, 2023

Director S. Contreras reported that he attended the meeting with Director M. Nguyen and staff to discuss the steps that CR&R needs to take to improve service, as well as to receive clarification on what CR&R is presently doing for the District.

CONSENT CALENDAR

A. Approve and File the Treasurer's Investment Report for December 2022

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the Consent Calendar. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, M. Nguyen, C. Nguyen, T. Diep

NAYS:

ABSTAIN:

ABSENT:

OLD BUSINESS

None

NEW BUSINESS

A. Approve Budget Calendar for Fiscal Year 2023-2024

A staff report and recommendations were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve the budget calendar for fiscal year 2023-2024 and, at a later time, to choose the dates for the public budget workshop. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, M. Nguyen, C. Nguyen, T. Diep

NAYS:

ABSTAIN:

ABSENT:

B. Consider Approval of the Outreach Committee Recommendations

A staff report and recommendations were provided and considered by the Board. A motion was made by Director S. Contreras, seconded by Director M. Nguyen, to approve the Outreach Committee recommendations. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, M. Nguyen, C. Nguyen, T. Diep

NAYS:

ABSTAIN:

ABSENT:

C. Consider Attendance at the 2023 Waste Expo Being Held at the Ernest N. Morial Convention Center in New Orleans, Louisiana May 1-4, 2023

A motion was made by Director C. Nguyen, seconded by Director A. Nguyen, to approve attendance for the Board and staff to attend the 2023 Waste Expo in New Orleans, Louisiana May 1-4, 2023. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, M. Nguyen, C. Nguyen, T. Diep

NAYS:

ABSTAIN:

ABSENT:

D. Consider Authorizing General Counsel to Seek Formal Advice from Fair Political Practices Commission on Application of Levine Act on Behalf of One or More Board Members

General Counsel J. Eggart disclosed that in order to request official guidance from the FPPC, he will require a Board Member's participation.

President T. Diep offered to serve as the Board's representative.

A motion was made by Director M. Nguyen, seconded by Director A. Nguyen, to authorize General Counsel James Eggart to ascertain pertinent facts, review pertinent agreements, contact the FPPC, and prepare the request for formal written advice on behalf of President T. Diep. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, M. Nguyen, C. Nguyen, T. Diep

NAYS:

ABSTAIN:

ABSENT:

E. Consider Scheduling an Off-Site Workshop/Study Session Focusing on Goals and Priorities for the Midway City Sanitary District and Interim General Manager

A motion was made by Director M. Nguyen, seconded by Director A. Nguyen, to approve an off-site workshop/study session within the District's boundaries on February 11, 2023 to focus on goals and priorities for the Midway City Sanitary District and Interim General Manager. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, M. Nguyen, C. Nguyen, T. Diep

NAYS:

ABSTAIN:

ABSENT:

F. RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, MAKING SPECIFIED FINDINGS AND REAUTHORIZING THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 54953(e) FOR MEETINGS OF THE MIDWAY CITY SANITARY DISTRICT BOARD OF DIRECTORS AND OTHER DISTRICT COMMITTEES SUBJECT TO STATE OPEN MEETINGS LAWS

A motion was made by Director S. Contreras, seconded by Director A. Nguyen, to approve adoption of Resolution No. 2023-02. The motion was approved by the following 5-0 roll call vote:

AYES: S. Contreras, A. Nguyen, M. Nguyen, C. Nguyen, T. Diep

NAYS:

ABSTAIN:

ABSENT:

INFORMATIONAL ITEMS

None

BOARD CONCERNS/COMMENTS

None

INTERIM GM/STAFF CONCERNS/COMMENT

Interim GM R. Housley reminded the Board of the District Employee Luncheon on January 18, 2023 and the ISDOC Virtual Quarterly Meeting on January 26, 2023.

GENERAL COUNSEL CONCERNS/COMMENTS

At President Diep's direction, General Counsel, J. Eggart convened the meeting to closed session at 6:09 P.M. pursuant to Government Code Section 54957.6, as identified on the agenda as item 14A, in order for the Board to confer with its designated Labor Negotiator representatives. General Counsel Eggart noted that Robert Housley and Joseph Larsen were the Designated Representatives.

CLOSED EXECUTIVE SESSION

CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time as the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

- A. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)
Agency Designated Representatives: Interim General Manager Robert Housley and Labor Counsel Joseph Larsen, Employee Organization: American Federation of State, County, and Municipal Employees, LOCAL 1734-01

President T. Diep reconvened the open session portion of the meeting at 6:51 PM.

General Counsel J. Eggart reported that the Board had met in closed session as identified on Agenda Item 14A and that no reportable action had been taken.

ADJOURNMENT

President T. Diep adjourned the meeting at 6:52 PM to the next Board meeting to be held at the District on Tuesday, February 7, 2023 at 5:30 pm.

Andrew Nguyen, Secretary

AGENDA ITEM 5A

Date: February 7, 2023

To: Board of Directors

Prepared by: Robert Housley, Interim General Manager

Subject: Approval of Demands in the Amount of \$479,427.97

BACKGROUND

The laws of the State of California governing Special Districts provide that the Midway City Sanitary District Board of Directors shall review for approval all payments made by the District.

A Register of Demands is provided at each regular Midway City Sanitary District Board Meeting describing each payment made or to be made by the District during the specified period. The report is designed to communicate fiscal activity based upon adopted and approved budget appropriations.

The demands on the attached register have been duly reviewed by the Treasurer.

FISCAL IMPACT

The total value of demands for this period is \$479,427.97. This includes expenses, payroll and payroll related disbursements.

Sufficient funds are available to process all payments.

RECOMMENDATION

Staff recommends that the Board of Directors review and approve the attached Register of Demands.

DISBURSEMENTS FOR
February 7, 2023

#	CK #	DATE	AMOUNT	VENDOR CHECKS:	MEMO:
1	14310	1/11	1,516.00	Advanced Thermal Products, Inc	DOT random drug and alcohol testing
2	14311	1/11	190.00	Alejandra Cruz	Employee breakfast 01/06/23
3	14312	1/11	240.00	Ayala's Car Wash	Washing and cleaning of district's fleet
4	14313	1/11	157.00	Cameron Welding Supply	Oxygen and propane welding supplies for shop
5	14314	1/11	5,000.00	City of Westminster	Sponsorship for 2023 Tet Parade
6	14315	1/11	500.00	Country City Towing	Tow service for NG-6 and NG-3
7	14316	1/11	795.00	CRC Cloud	Monthly maintenance & Support
8	14317	1/11	889.68	Los Angeles Freightliner	Power steering pump for NG-12
9	14318	1/11	330.00	MemorialCare Medical Foundation	DMV physicals and random drug testing - all departments
10	14319	1/11	289.00	Petty Cash - Robert Housley	Jan-2023 Petty Cash employee luncheon
11	14320	1/11	4,360.93	SDRMA - Employee Benefits	Dental and vision benefits
12	14321	1/11	251.60	Snap-On Tools	Tools for Service truck and repair electrical tools
13	14322	1/11	26.96	SoCal Auto & Truck Parts, Inc.	Tools and supplies for shop use
14	14323	1/11	27,108.25	SoCalGas	Natural Gas for offices, shop, and wash rack
15	14324	1/11	254.98	UniFirst Corporation	Employee uniform & laundry services
16	14325	1/11	255,082.22	Woodcliff Corporation - Contractor	Building project pay application #3 Dec-2022
17	14326	1/11	13,425.38	Woodcliff Corporation - Escrow Account	Building project pay application #3 - Retention payment
18	14327	1/13	150.00	Dntech	Design artwork for TET
19	14328	1/19	782.08	Agility Fuel Solutions	CNG kill cap for solid waste truck
20	14329	1/19	1,777.50	Alignment Express of CA, Inc.	Repairs to the dash cluster on NG-5
21	14330	1/19	313.88	AT&T Mobility (First Net)	Cell phone service
22	14331	1/19	630.00	Ayala's Car Wash	Washing and cleaning of district's fleet
23	14332	1/19	3,165.74	Bodyworks Equip. Inc.	Heil parts for solid waste trash truck
24	14333	1/19	219.26	Cameron Welding Supply	Oxygen and propane welding supplies for shop
25	14334	1/19	340.81	City of Westminster-Water Billing	Westminster lift station water
26	14335	1/19	84.94	City of Westminster Hydrant	Hydrant water service Jan-2023
27	14336	1/19	296.88	Clean Energy	CNG Station site inspection
28	14337	1/19	605.37	CRC Cloud	Monthly maintenance & Support
29	14338	1/19	322.13	Daniels Tire Service	Restock tires for solid waste
30	14339	1/19	1,850.70	Dartco Transmission Sales & Srvs.	Transmission repairs to NG-5 Solid Waste
31	14340	1/19	1,382.98	Driveshaftpro	Driveshaft for solid waste trucks
32	14341	1/19	482.10	Haaker Equipment Co.	Filler hoses (Q2)
33	14342	1/19	3,856.97	Hydraulic Solutions And Supplies	Hydraulic cylinders for trash truck
34	14343	1/19	1,150.00	Me Viet Nam Productions	30 Minute Talk Show 12/15 - 12/16/22
35	14344	1/19	828.36	Merchants Building Maintenance, LLC	Janitorial services Jan-2023
36	14345	1/19	189.00	Petty Cash - Robert Housley	Jan-2023 Petty Cash
37	14346	1/19	100.00	Pitney Bowes/Purchase Power	Postage for Dec-2023
38	14347	1/19	468.44	Snap-On Tools	Tools for Service truck and repair electrical tools
39	14348	1/19	1,914.01	SoCal Auto & Truck Parts, Inc.	Tools and supplies for shop use
40	14349	1/19	76.59	SoCalGas	Natural Gas for offices, shop, and wash rack
41	14350	1/19	1,349.00	Spectrum Enterprise (Time Warner Cable)	Internet Services Jan-2023
42	14351	1/19	250.18	UniFirst Corporation	Employee uniform & laundry services
43	14352	1/19	1,650.00	VNCR	Radio talkshow 15 minutes 01/13 - 01/23/23
44	14353	1/19	10,028.00	Woodruff, Spradlin & Smart	Legal Services Dec -2022
45	14354	1/26	468.96	AT&T (Brookhurst Lift Station)	Brookhurst Dec - 2022
46	14355	1/26	300.00	Ayala's Car Wash	Washing and cleaning of district's fleet
47	14356	1/26	713.63	Cameron Welding Supply	Oxygen and propane welding supplies for shop
48	14357	1/26	125.00	County of Orange Treasurer-Tax Collector	WEROC emergency radio Q3 cost 1/01/23 - 03/31/23
49	14358	1/26	48.49	CRC Cloud	Monthly maintenance & Support
50	14359	1/26	488.01	Daniels Tire Service	Restock tires for solid waste
51	14360	1/26	878.13	Dartco Transmission Sales & Srvs.	Restock transmission filter for solid waste trucks
52	14361	1/26	601.51	Golden Bell Products	(1) 55-Gallon super butyl for shop
53	14362	1/26	1,742.52	Los Angeles Freightliner	Power steering pumo for NG-10
54	14363	1/26	1,099.64	Motion and Flow Control Products, Inc.	Hydraulic hoses for solid waste trucks and the forklift
55	14364	1/26	33.90	Pre-Paid Legal Services, Inc.	Prepaid legal Jan-2023

DISBURSEMENTS FOR
February 7, 2023

56	14365	1/26	10,998.50	PumpMan	Q3 Lift station pump system maintenance
57	14366	1/26	171.50	Rutan & Tucker, LLP	Legal Services Dec-2022
58	14367	1/26	1,905.15	Safety-Kleen Systems, Inc.	Hydraulic oil for solid waste trucks
59	14368	1/26	89.02	Spectrum Enterprise (Time Warner Cable)	Internet Services Jan-2023
60	14369	1/26	250.18	UniFirst Corporation	Employee uniform & laundry services
61			\$ 364,596.06	CHECKS SUBTOTAL	
62					
63				PAYROLL:	MEMO
64	ACH		\$ 82,428.67	Paychex	Employee Payroll - Checks, Taxes, & Direct Deposits
65	ACH		\$ 6,737.36	Nationwide Retirement Solutions	457 Deferred Compensation (Employees)
66	ACH		\$ 7,939.13	Paychex	Board of Directors Payroll - Checks, Taxes, & Direct Deposits
67	ACH		\$ 846.00	Nationwide Retirement Solutions	457 Deferred Compensation (Board of Directors)
68			\$ 97,951.16	ACH TRANSFERS SUBTOTAL	
69					
70				ACH PAYMENTS:	MEMO
71	ACH		\$ 360.50	Paychex	Time & Attendance Nov - 2022
72	ACH		\$ 66.00	WEX Health	HRA Monthly Fee for Nov-2022
73	ACH		\$ 16,454.25	CalPERS	Retirement Contributions for 12/12 - 12/25/2022
74			\$ 16,880.75	ACH TRANSFERS SUBTOTAL	
75					
76			\$ 479,427.97	TOTAL EXPENDITURES (ACCOUNTS PAYABLE CHECKS, PAYROLL, ACH TRANSFERS)	
77					
78				BANK TRANSFERS:	
79	UB	12/28	\$ 2,584,000.00	Transfer Funds from UB Money Market to UB Checking	
80	UB	12/29	\$ 2,500,000.00	Transfer Funds from Union Bank Checking to LAIF	
81	UB	1/3	\$ 2,072,024.10	Transfer Funds from UB Money Market to UB Checking	
82	UB	1/4	\$ 2,000,000.00	Transfer Funds from Union Bank Checking to LAIF	
83			\$ 9,156,024.10	BANK TRANSFERS	

AGENDA ITEM 7A

Date: February 7, 2023

To: Board of Directors

Prepared by: Robert Housley, Interim General Manager

Subject: Approve Attendance at the 2023 Water and Wastewater Tri-State Seminar Being Held at the South Point Hotel in Las Vegas, Nevada August 7-10, 2023

BACKGROUND

Since 1985, Tri-State Seminar has been providing affordable, high-quality education to water and wastewater operators from the Western United States through our annual three-day seminar designed to provide professional development, continuing education, and technology transfer to support the vision and missions of our partner organizations; AZ Water Association, California Water Environment Association, and the Nevada Water Environment Association.

Much like the Waste Expo is for the solid waste industry, the Tri-State Seminar is to the employee of the water and wastewater industry.

The Tri-State Seminar is a great opportunity for professional development, education, collaboration for our sewer and operations personnel from experts in the field.

STAFF RECOMMENDATION

Staff recommends approval of attendance to the Tri-State Seminar 2023 for staff who wish to attend.

FISCAL IMPACT

Cost for registration: \$99/per person

Potential cost for transportation, lodging, and food: \$1,500/per person.

AGENDA ITEM 9A

Date: February 7, 2023

To: Board of Directors

Prepared by: Robert Housley, Interim General Manager

Subject: Discussion of the Commercial Franchise Agreement Between the Midway City Sanitary District and CR&R and Franchise Committee Goals and Priorities

BACKGROUND

The Midway City Sanitary District (District) Franchise Committee (Committee) met January 10, 2022 to discuss the District's commercial, industrial, and multifamily customers and their solid waste services. CR&R is the District's Franchisee and provides solid waste services for those customers. The members of the Committee are Directors Sergio Contreras and Mark Nguyen.

The Committee is interested in getting the Board's feedback on what it determines as important goals and priorities for the 2023 year. The Committee intends to meet on a regular basis to ensure the Board's goals and priorities are being met.

The Committee has started with four (4) goals and priorities it has determined to be important for 2023.

1. Increase in diversion numbers.
2. The implementation and rollout of the organics program to commercial, and industrial customers and a timeline for mobile home parks.
3. Identify and implementing additional educational opportunities and programs for our customers.
4. Committee meetings between the District and CR&R to set benchmarks and receive updates on the goals and priorities.

The District and CR&R have had a good partnership for many years. There have been many challenges and changes along the way. Much like technology, the solid waste industry is always changing. The Committee believes that having on-going communication will help the District continue to provide the exceptional service that it is known for and allow the District to be better positioned to meet future challenges.

The next Franchisee Committee meeting is set for Friday, Feb 10, 2023 at 12:30 PM.

STAFF RECOMMENDATION

Staff recommends that the Board of Directors discuss and provide feedback regarding the Franchise Committee's goals and priorities for 2023.

Receive and file.

FINANCIAL IMPACT

Discussion only. No fiscal impact.

AGENDA ITEM 9B

Date: February 7, 2023

To: Board of Directors

Prepared by: Robert Housley, Interim General Manager

Subject: Consider Approval of Amendment to Agreement with AKM Consulting Engineering to Include Update to the District's Spill Emergency Response Plan Within the Scope of Services and Authorize the Interim General Manager, Robert Housley to Execute the Amendment.

BACKGROUND / DISCUSSION

The California State Water Resources Control Board (Water Board) has regulatory oversight of sanitary sewer systems designed to convey sewage longer than one mile in length, and addresses reporting and other requirements in response to sanitary sewer overflows (SSOs). On December 6, 2022, the Water Board adopted Order WQ 2022-0103-DWQ (2022 Order), revising sanitary sewer systems waste discharge requirements. This new renewed version will serve as the new regulatory mandate for operation and maintenance of those systems, superseding the previous 2006 Order.

Pursuant to the 2022 Order, sewer agencies such as the District must maintain a Spill Emergency Response Plan (SERP) in compliance with the 2022 Order's requirements to ensure prompt detection and response to SSOs. The District has an existing SERP that complies with the 2006 Order, but which now needs to be updated to comply with new requirements imposed by 2022 Order. The 2022 Order requires all agencies' SERPs to be updated by June 5, 2023.

At the December 20, 2022 meeting, the Board of Directors (Board) approved a Professional Services Agreement with AKM Consulting Engineers (AKM) to provide engineering services to update the District's Sewer System Master Plan (SSMP). Updating the SERP was not originally included within the scope of work for the SSMP update because the 2022 Order had not been issued at the time the Request for Proposals was developed. But the work required for SSMP and SERP updates overlap, and it makes sense to have AKM prepare the SERP update in conjunction with its preparation of the updated SSMP.

At Staff's request, AKM has prepared two separate proposals for the SERP update.

The first proposal includes the minimum scope of work necessary to bring the District's existing SERP into compliance with the 2022 Order by June 5, 2023. This work is estimated to take 8-12 weeks and would cost \$30,884. However, the SERP would need to be re-evaluated once the SSMP is completed and likely would need to be revised again at that time at additional cost.

The second proposal includes a scope of work to prepare a more comprehensive new SERP that includes additional recommended elements. The additional elements of the more comprehensive plan include enhancing the information provided in the existing SERP, preparing a more detailed sewer and stormwater facilities map, preparing procedures

addressing spills at the District's lift stations and force mains, and meeting with District Staff to train them on the new SERP. The work to prepare the more comprehensive SERP is estimated to take 12-16 weeks at a cost of \$73,788.

The two alternative proposals are attached to this Report. In addition, AKM will be available at the meeting to answer questions.

RECOMMENDATION

Staff recommends that the Board select either Proposal 1 (Basic SERP update) or Proposal 2 (Comprehensive SERP update) and authorize the Interim General Manager to enter into and execute an amendment to the Professional Services Agreement with AKM Consulting Engineers, in a form approved by General Counsel, to amend the scope of work and not-to-exceed compensation under the Agreement to incorporate an update the District's Spill Emergency Response Plan in accordance with the selected Proposal and increase the Engineering & Consulting Services Budget in the corresponding amount for the Proposal selected.

FISCAL IMPACT

Proposal 1 - Fiscal impact for a basic Spill Emergency Response plan \$30,884.00.

Proposal 2 - Fiscal impact for a comprehensive Spill Emergency Response Plan \$73,788.00.

Attachments:

Proposal 1 – Basic Spill Emergency Response Plan

Proposal 2 – Comprehensive Spill Emergency Response Plan

Midway City Sanitary District

Proposal for Update of Spill Emergency Response Plan



Submitted by:

AKM Consulting Engineers

553 Wald

Irvine, CA 92618



949-753-7333



Water Resources
Infrastructure
Construction Management

AKM Consulting Engineers
553 Wald
Irvine, CA 92618
Telephone: 949.753.7333 Facsimile: 949.753.7320
www.akmce.com

January 26, 2023

Midway City Sanitary District
14451 Cedarwood Avenue
Westminster, CA 92683

Attention: Mr. Robert Housley, Interim General Manager

Subject: Proposal for Updated Spill Emergency Response Plan

Dear Mr. Housley:

In response to your request, AKM Consulting Engineers is pleased to submit this proposal to update the Midway City Sanitary District's (MCSD) Spill Emergency Response Plan (SERP).

AKM is proposing to provide a team of superbly qualified professionals to undertake this assignment. Mr. Zeki Kayran, P.E. will serve as Principal in Charge and be the responsible contract representative to Midway City Sanitary District. He has provided engineering services on multiple projects over his 48 year career. Supporting staff will include Mr. Jon Nitta, P.E. and Ms. Diann Pay, P.E.

We appreciate the opportunity to submit this proposal and look forward to working with you on this important project. Should you have any questions or require additional information, please do not hesitate in contacting the undersigned.

Sincerely,

AKM Consulting Engineers

A handwritten signature in black ink that reads "Diann Pay".

Diann Pay, P.E.
Principal



Section 1 – Statewide Waste Discharge Requirements

Midway City Sanitary District (MCSD, District) provides sewer service to an area of about 10.4 square miles, covering the City of Westminster and the unincorporated community of Midway City. The service area resident population of about 103,000. The sewage collected by District's sewer collection system is conveyed to Orange County Sanitation District's trunk sewers. The primary elements of the sewer system are as follows:

- 174 miles of gravity sewer mains (primarily VCP), 8" to 18" in diameter
- 34,832 sewer connections
- 4 sewer lift stations and approximately 5,900 feet of forcemains
- 32 siphons

Any state agency, municipality, special district, or other public entity that owns and/or operates one or more sanitary sewer systems greater than one (1) mile in length is regulated by the Statewide Sanitary Sewer Systems General Order, which is issued by the State Water Resources Control Board (SWRCB).

The initial Statewide Waste Discharge Requirements (WDR) Order No. 2006-0003 was adopted May 2, 2006. At that time, MCSD developed and implemented a written Spill Emergency Response Plan that identified measures to protect public health and the environment in the event of a sewer spill. This plan is currently a section in MCSD's Sewer Master Plan document which was last dated March 2022.

On December 6, 2022, the SWRCB adopted WDR Order No. 2022-0103. This WDR Order supersedes the previous WDR Order for sanitary sewer systems. WDR Order No. 2022-0103 will become effective on June 5, 2023. It is stated in WDR Order No. 2022-0103 that all Enrollees shall comply with the requirements of the new order upon its effective date. The following is stated in Section 5.12 of WDR Order No. 2022-0103:

For Existing Enrollees (with regulatory coverage under Order 2006-0003-DWQ):

Within six (6) months of the Adoption Date of this General Order, the Enrollee shall update and implement its Spill Emergency Response Plan, per Attachment D, Section 6 (Spill Emergency Response Plan) of this General Order"

The Enrollee shall certify, in its Annual Report, that its Spill Emergency Response Plan is up to date.

The Spill Emergency Response Plan shall include measures to protect public health and the environment. The Enrollee shall respond to spills from its system(s) in a timely manner that minimizes water quality impacts and nuisance by:

- *Immediately stopping the spill and preventing/minimizing a discharge to waters of the State;*
- *Intercepting sewage flows to prevent/minimize spill volume discharged into waters of the State;*
- *Thoroughly recovering, cleaning up and disposing of sewage and wash down water; and*
- *Cleaning publicly accessible areas while preventing toxic discharges to waters of the State.*

Based on the aforementioned, MCSD must update and implement its Spill Emergency Response Plan by June 5, 2023.



Section 2 – Sewer System Management Plan Requirements for Spill Emergency Response Plan

Attachment D of WDR Order 2022-0103 is a description of the required elements of the Sewer System Management Plan. The requirements of the SERP is as follows:

The Plan must include an up to date Spill Emergency Response Plan to ensure prompt detection and response to spills to reduce spill volumes and collect information for prevention of future spills. The Spill Emergency Response Plan must include procedures to:

- *Notify primary responders, appropriate local officials, and appropriate regulatory agencies of a spill in a timely manner;*
- *Notify other potentially affected entities (for example, health agencies, water suppliers, etc.) of spills that potentially affect public health or reach waters of the State;*
- *Comply with the notification, monitoring and reporting requirements of this General Order, State law and regulations, and applicable Regional Water Board Orders;*
- *Ensure that appropriate staff and contractors implement the Spill Emergency Response Plan and are appropriately trained;*
- *Address emergency system operations, traffic control and other necessary response activities;*
- *Contain a spill and prevent/minimize discharge to waters of the State or any drainage conveyance system;*
- *Minimize and remediate public health impacts and adverse impacts on beneficial uses of waters of the State;*
- *Remove sewage from the drainage conveyance system;*
- *Clean the spill area and drainage conveyance system in a manner that does not inadvertently impact beneficial uses in the receiving waters;*
- *Implement technologies, practices, equipment, and interagency coordination to expedite spill containment and recovery;*
- *Implement pre-planned coordination and collaboration with storm drain agencies and other utility agencies/departments prior, during, and after a spill event;*
- *Conduct post-spill assessments of spill response activities;*
- *Document and report spill events as required in this General Order; and*
- *Annually, review and assess effectiveness of the Spill Emergency Response Plan, and update the Plan as needed.*

Section 3 - Scope of Work

We will review and update MCSD's latest Spill Emergency Response Plan, which is currently incorporated into the Sewer Master Plan document dated March 2022. The SERP will be updated to comply with the adopted WDR Order No. 2022-0103.

The previous 2013 Monitoring and Reporting Program (MRP) has been replaced by Attachment E1 of the adopted WDR Order No. 2022-0103. Attachment E1 is the Notification, Monitoring, Reporting, and Recordkeeping Requirements (NMRR) which includes requirements on the following:

- Notification Requirements



- Spill-Specific Monitoring Requirements
- Reporting Requirements
- Recordkeeping Requirements

The changes and additions in the notification, monitoring, and reporting requirements will require MCS&D to update its current SERP. The minimum updates needed are included in this scope of work and are described as follows:

3-1 Update Notification, Monitoring, and Reporting Requirements for all Spill Types

The most significant change in the NMRR is that the number of spill categories has increased from three (3) to four (4). There are different notification, monitoring, and reporting requirements for each category of spill. The current SERP will need to be changed to address all four spill categories. The four spill types are defined as follows:

1. Spill Category 1: Spills to Surface Waters
2. Spill Category 2: Spills of 1,000 Gallons or Greater that do not Discharge to Surface Waters
3. Spill Category 3: Spills of Equal or Greater than 50 Gallons and Less than 1,000 Gallons that does not Discharge to Surface Waters
4. Spill Category 4: Spills Less than 50 Gallons that do not Discharge to Surface Waters

The notification, monitoring, and reporting procedures will be updated in the SERP to address the four spill types.

3-2 Coordination with Storm Drain Agencies

WDR Order No. 2022-0103 requires that the Enrollee remove sewage from drainage conveyance systems and implement pre-planned coordination and collaboration with storm drain agencies and other utility agencies/ departments prior, during, and after a spill event. We will meet with MCS&D, the City of Westminster and Orange County Flood Control District (OCFCD). The meeting(s) will be utilized to:

1. Review and agree upon the notification and reporting procedures in the event of a spill that reaches their drainage facilities.
2. Review and agree upon responsibilities for containment and cleanup procedures in the event of a spill (during dry weather and wet weather events) that affect drainage facilities owned and operated by the City of Westminster or OCFCD.

3-3 Post Spill Assessment

We will develop a template form that can be used to guide MCS&D staff in evaluating the spill response after each spill event.

3-4 Address Monitoring Requirements

We will update the SERP to comply with the new monitoring requirements per the NMRR, which now includes additional requirements for estimating spill volume, visual observations and documentation, water quality sampling and analysis, and safety.



3-5 Evaluate Effectiveness of SERP

We will develop a template form that can be used for annual evaluations and can be incorporated into the SSMP audits and updates.

3-6 Sewer and Stormwater Facilities Map

We will develop a map that overlays MCSD's sewer facilities with local stormwater facilities. This map is currently missing from the existing SERP. It is essential that a SERP include this map to guide operations staff, so that a spill can be contained to "prevent/minimize discharge to waters of the State or any drainage conveyance system" and sewage can be removed from the drainage conveyance system as required by the WDR.

Section 4 - Project Fee and Schedule

The project fee is estimated as shown in Table 1. It is estimated that the work proposed will take approximately 8-12 weeks from the time of notice to proceed. The schedule may ultimately be dependent on meetings with the City of Westminster and Orange County Flood Control Agency.

Table 1
Project Fee

Task	Task Description	Principal in Charge	Project Engineer	Associate Engineer	Total Hours	Total Cost
1	Update Notification, Monitoring, and Reporting Requirements for all Spill Types	4	24	16	44	\$9,024
2	Coordinaton with Storm Drain Agencies	4	16		20	\$4,616
3	Post Spill Assessment	2	8		10	\$2,308
4	Monitoring Requirements	4	24	16	44	\$9,024
5	Evaluate Effectiveness of SERP	2	8		10	\$2,308
6	Sewer and Stormwater Facilities Map	2	8	8	18	\$3,604
	<i>Rate (\$/Hr)</i>	\$246	\$227	\$162		
	Total	18	88	40	146	\$30,884

Midway City Sanitary District

Proposal for Update of Spill Emergency Response Plan



Submitted by:

AKM Consulting Engineers

553 Wald

Irvine, CA 92618



949-753-7333



Water Resources
Infrastructure
Construction Management

AKM Consulting Engineers
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January 26, 2023

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14451 Cedarwood Avenue
Westminster, CA 92683

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Sincerely,

AKM Consulting Engineers

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

Diann Pay, P.E.
Principal



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- *Remove sewage from the drainage conveyance system;*
- *Clean the spill area and drainage conveyance system in a manner that does not inadvertently impact beneficial uses in the receiving waters;*
- *Implement technologies, practices, equipment, and interagency coordination to expedite spill containment and recovery;*
- *Implement pre-planned coordination and collaboration with storm drain agencies and other utility agencies/departments prior, during, and after a spill event;*
- *Conduct post-spill assessments of spill response activities;*
- *Document and report spill events as required in this General Order; and*
- *Annually, review and assess effectiveness of the Spill Emergency Response Plan, and update the Plan as needed.*

Section 3 - Scope of Work

We will review and update MCSD's latest Spill Emergency Response Plan, which is currently incorporated into the Sewer Master Plan document dated March 2022. The SERP will be updated to comply with the adopted WDR Order No. 2022-0103.

The previous 2013 Monitoring and Reporting Program (MRP) has been replaced by Attachment E1 of the adopted WDR Order No. 2022-0103. Attachment E1 is the Notification, Monitoring, Reporting, and Recordkeeping Requirements (NMRR) which includes requirements on the following:

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- Recordkeeping Requirements

The changes and additions in the notification, monitoring, and reporting requirements will require MCSD to update its current SERP. The minimum updates needed are included in this scope of work and are described as follows:

3-1 Update Notification, Monitoring, and Reporting Requirements for all Spill Types

The most significant change in the NMRR is that the number of spill categories has increased from three (3) to four (4). There are different notification, monitoring, and reporting requirements for each category of spill. The current SERP will need to be changed to address all four spill categories. The four spill types are defined as follows:

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The notification, monitoring, and reporting procedures will be updated in the SERP to address the four spill types.

3-2 Coordination with Storm Drain Agencies

WDR Order No. 2022-0103 requires that the Enrollee remove sewage from drainage conveyance systems and implement pre-planned coordination and collaboration with storm drain agencies and other utility agencies/ departments prior, during, and after a spill event. We will meet with MCSD and the City of Westminster and Orange County Flood Control District (OCFCD). The meeting(s) will be utilized to:

1. Review and agree upon the notification and reporting procedures in the event of a spill that reaches their drainage facilities.
2. Review and agree upon responsibilities for containment and cleanup procedures in the event of a spill (during dry weather and wet weather events) that affect drainage facilities owned and operated by the City of Westminster or OCFCD.

3-3 Post Spill Assessment

We will develop a template form that can be used to guide MCSD staff in evaluating the spill response after each spill event.

3-4 Address Monitoring Requirements

We will update the SERP to comply with the new monitoring requirements per the NMRR, which now includes additional requirements for estimating spill volume, visual observations and documentation, water quality sampling and analysis, and safety.



3-5 Evaluate Effectiveness of SERP

We will develop a template form that can be used for annual evaluations and can be incorporated into the SSMP audits and updates.

3-6 Sewer and Stormwater Facilities Map

We will develop a map that overlays MCSD's sewer facilities with local stormwater facilities. This map is currently missing from the existing SERP. It is essential that a SERP include this map to guide operations staff, so that a spill can be contained to "prevent/minimize discharge to waters of the State or any drainage conveyance system" and sewage can be removed from the drainage conveyance system as required by the WDR.

We will create tributary areas and flow path directions to each catch basin so that it is clearly identified where a spill from the sewer system may first enter the local drainage system and how the sewage may flow to a Waters of the State.

3-7 Lift Station and Forcemain Overflow Spill Procedures

We will add a section to the SERP that includes general information procedures for the response actions needed in the event that an overflow occurs at a sewer lift station, including the following:

- Preliminary Assessment Procedures
- Response time
- Containment Procedures
- Lift Station and Forcemain Correctional Procedures
- Traffic Control and Crowd Control
- Cleanup Procedures
- Overflow Volume Calculation
- Reporting
- Sampling Requirements
- Training

We will also develop specific procedures for each lift station that will include a map of the tributary area and possible bypass pumping connection points.

3-8 Enhancement of Existing SERP information

In addition to the aforementioned tasks, we will enhance the existing SERP information. Some of the current information can be expanded upon to better describe the procedures that should be followed in the event of a sewer spill. We will develop a stand-alone document that will clearly detail the notification, monitoring, and reporting procedures as required by the WDR Order. The updated SERP document will include the following sections:

1. Initial Response Procedures
2. Notification Procedures
3. Gravity Sewer Overflow Procedures
4. Sewer Lift Station and Forcemain Overflow Procedures
5. Reporting Procedures
6. Emergency Operations
7. Training



The stand-alone SERP document will provide MCS&D comprehensive so that it can be utilized to educate and train new staff on the procedures that should be followed in the event of a future sewer spill.

3-9 Meeting with MCS&D Staff

We will meet with MCS&D staff up to three (3) times to discuss existing and proposed procedures and to review the updated SERP. Input from experienced staff who have responded to sewer spills in the past will be important to the development of the updated SERP procedures.

Section 4 - Project Fee and Schedule

The project fee is estimated as shown in Table 1. It is estimated that the work proposed will take approximately 12-16 weeks from the time of notice to proceed. The schedule may ultimately be dependent on meetings with the City of Westminster and Orange County Flood Control Agency.

**Table 1
Project Fee**

Task	Task Description	Principal in Charge	Project Engineer	Associate Engineer	Total Hours	Total Cost
1	Update Notification, Monitoring, and Reporting Requirements for all Spill Types	4	24	16	44	\$9,024
2	Coordinaton with Storm Drain Agencies	4	16		20	\$4,616
3	Post Spill Assessment	2	8		10	\$2,308
4	Monitoring Requirements	4	24	16	44	\$9,024
5	Evaluate Effectiveness of SERP	2	8		10	\$2,308
6	Sewer and Stormwater Facilities Map	4	16	40	60	\$11,096
7	Lift Station and Forcemain Overflow Spill Procedures	8	24	40	72	\$13,896
8	Enhancement of Existing SERP Information	8	24	40	72	\$13,896
9	Meeting with MCS&D Staff	12	12	12	36	\$7,620
	<i>Rate (\$/Hr)</i>	\$246	\$227	\$162		
	Total	48	156	164	368	\$73,788

AGENDA ITEM 9C

Date: February 7, 2023

To: Board of Directors

Prepared by: Robert Housley, Interim General Manager

Subject: Consider Rescheduling the May 2, 2023 and June 20, 2023
Regular Board Meetings

BACKGROUND

May 2, 2023 Regular Board Meeting

Several employees and board members will be attending the 2023 Waste Expo May 1-4, 2023. The conference dates conflict with the May 2, 2023 Regular Board Meeting.

June 20, 2023 Regular Board Meeting

Interim General Manager Robert Housley and General Counsel James Eggart will both be on vacation for the June 20, 2023 Regular Board Meeting. Interim General Manager Housley will be on vacation from June 16 – June 30. General Counsel Eggart will be on vacation from June 9 – June 24.

Staff suggests that both meetings be rescheduled to alternate dates. Alternatively, the Board could choose to cancel one or both meetings. Staff is seeking the Board's direction regarding rescheduling or cancelling these two meetings. Once the Board provides direction, Staff will bring back a Resolution for Board consideration at a future meeting to formalize the decision.

STAFF RECOMMENDATION

Staff recommends the Board of Directors consider rescheduling the May 2, 2023 and June 20, 2023 and provide direction.

FISCAL IMPACT

No fiscal impact to reschedule a meeting.

AGENDA ITEM 9D

Date: February 7, 2023

To: Board of Directors

Prepared by: Robert Housley, Interim General Manager

Subject: Consider Approval of Additional Services Provided by Rengel+CO Architects, in the Amount of \$278,702.50 for The District's Building and Solar Project

BACKGROUND / DISCUSSION

At the September 1, 2020 meeting, the Board of Directors (Board) approved a Professional Services Agreement (Agreement) with Rengel+CO Architects, Incorporated (Rengel) to provide architectural and engineering design and construction support services for the District's Building Expansion and Occupied Renovation Project. The approved not-to-exceed compensation for the original scope of work under the Agreement that was \$243,100.00, which was based on an estimated construction cost of \$2,550,000 and within a specific scope of work. The actual award for construction exceeded the original estimate. At the April 16, 2022 meeting, the Board awarded Woodcliff Corporation the construction contract for the Project, in the amount of \$5,499,48.

Since awarding the construction contract for the Project, several unforeseen and District changes have occurred. The original scope of work changed to reassigning the solar canopy work, expansion of the guest lobby area, installing computer, and low voltage cables for security and a camera system. After the project was designed, the City of Westminster required the District to submit a separate Architectural plan for landscape for review and approval.

Unforeseen circumstances and the construction contract amount are the biggest reason for the additional cost, including an unfavorable soils report that required a major revision to the foundation for the two front buildings to be able to stay connected without separating and sinking. This was a major change to the scope of work and required additional revisions to many other structural components, as well.

The Construction Management cost was originally calculated at 2.5% of the estimated cost of the Project as initially designed and estimated at a cost to construct in 2020 as \$2,550,000. By the time the Project was finally awarded, the major revisions had already been done and the construction cost for the Project exceeded the original estimate.

Rengel has provided an authorization for additional services that coordinates with the extra work and necessary changes for consideration. The additional costs total \$278,702.50, bringing the total contract amount to \$521,802.50.

RECOMMENDATION

Staff recommends that the Board of Directors (1) approve and authorize the Interim General Manager to execute Amendment No. 1 to the Professional Services Agreement with Rengel+CO Architects, Incorporated to provide architectural and engineering design and construction support services for the District's Building Expansion and Occupied Renovation Project; (2) ratify all previous authorizations for additional services approved by the General Manager, and (3) authorize the General Manager / Interim General Manager to approve additional change orders and authorizations for additional services under the Agreement in an aggregate amount up to \$25,000.

FISCAL IMPACT

The original contract amount was	\$243,100.00
The additional services are	\$278,702.50
New total contract amount is	\$521,802.50

Attachments:

1. Authorization for Additional Services 01.24.23
2. Original Pricing for Architectural, Engineering, and Construction Support Services
3. Architects revised floor plan re expansion of front lobby area 01.25.23
4. Amendment No. 1 (including all Authorizations for Additional Services)



Project: **Midway City Sanitary District, Westminster**

Client: Robert Housley, General Manager	Date: 24-Jan-23
Midway City Sanitary District	Attention: Robert Housley
14451 Cedarwood Ave, Westminster CA 92683	RCA Job #: 202041.05

We have been directed to make the following changes in this Contract:

- A. Architectural/Structural coordination Solar Canopy**
 Bid process not effective, assign Solar Canopy to Woodcliff: estimate hourly time to coordinate (final hours may vary):

Principal 1	15.0 hrs x	250 /hr	3,750.00
Principal 2	25.0 hrs x	200 /hr	5,000.00
Cadd 1	35.0 hrs x	110 /hr	3,850.00
Clerical	8.0 hrs x	65 /hr	520.00
			9,370.00

 - B. Construction Management Services reconciliation** 64,650.00
 CM Services re-budget from contract construction budget
 original proposal: \$60,000 (2.25% x \$2,550,000)
 updated proposal: \$124,684 (2.25% x \$5,541,500)

 - C. Revise conventional concrete footing to structural mat foundation** 74,000.00
 Original architectural/structural foundation was to be conventional slab-on-grade with perimeter footing. Following soil report, unstable soil conditions will require a structural mat foundation to (a) support the proposed structure both laterally and bearing and (b) tie the new addition to the existing structure without lateral movement between buildings. Services include architectural services for additional detailing and coordination with engineers, structural engineering for lateral/vertical loading, shear, and foundation design, soils engineer coordination and redesign of interior framing to new structural system.

 - C. Soils Engineering construction special inspections (see attached)** 4,207.50

 - D. Misc Additional Services** 3,550.00
 City lost landscape plans, resubmittal, general City processing

PRIN 1	1.5 hrs x	300 /hr	300.00
PRIN 2	10.0 hrs x	200 /hr	2,000.00
CAD 1	10.0 hrs x	125 /hr	1,250.00

 - E. Proposed revisions: allowance for revision time to approved plans:** 28,000.00
 Floor plan, doors, roll-ups, reviews for PM changeover (Ken to Robert), add windows, furnishings, low voltage systems, security, cameras, etc. (allowance only, final hours may vary, not-to-exceed without additional authorization)
 Structural Engineering 5,000.00
- Total: \$ 188,777.50**

The Original Contract Sum was	\$ 243,100.00
Net Change by previously authorized Additional Services.....	\$ 89,925.00
The Contract sum prior to this Change Order was.....	\$ 333,025.00
The Contract sum will be increased by this Change Order.....	\$ 188,777.50
The new Contract Sum, including this Change Order will be.....	\$ 521,802.50

<u>Agreed to:</u> _____ For Midway City Sanitary District 14451 Cedarwood Ave, Westminster, CA	<u>Agreed to:</u> Rengel+Company Architects 333 El Camino Real, Tustin, CA 92780 01.31.2023
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Work will not proceed further until a signed approval of this document is received by our office

X Work has partially underway. As verbally instructed and in consideration of timing, please expedite signed approval.

PRICING

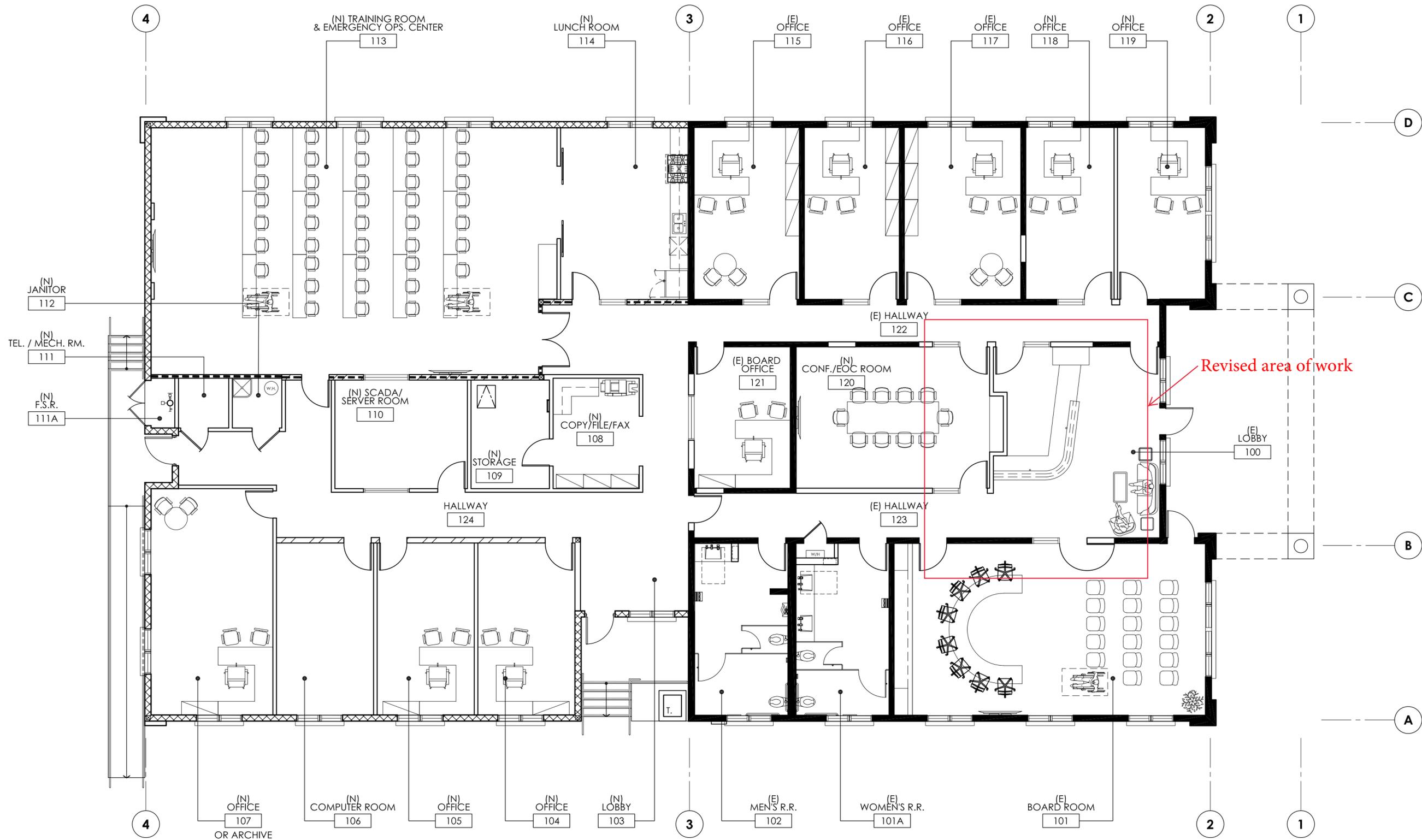
		Time Frame & Pricing	
ARCHITECTURAL SERVICES:		DAYS	TOTAL
1	Review Space Programming & Field Verification (as needed) *Main Building *Main Building Renovation *Kitchen Rendering *Locker Room/Shower Building Drawing	15	\$ 15,500
2	Produce Complete Construction Documents & Plan Check Corrections*	60	\$ 78,000
3	Produce MEP Engineering Documents 25 days	included	
	Produce Civil Engineering Documents 30 days	included	
	Produce Structural Engineering Documents 25 days	included	
	Produce Landscape Architectural Documents 10 days	included	
	Produce Other Engineering Documents 15 days (Soils)	included	
	Produce Renderings 15 days	included	
4	Interior Design Development-Select & Provide finish boards	12 days	included \$ 7,500
5	Building Department Submittals - City, County and Fire Permits*	30	
6	RFI Responses - turnaround times:	1-3 days depends on RFI	
7	Submittal Review/Approval - turnaround time:	1-3 days, depends on submit	
8	Attend on-site weekly meetings	N/A	
9	Punch List Walk Thru and Closure documentation process	3	
10	Any other consultants or Services Required:	N/A	
TOTAL ARCHITECTURAL TIMING AND FEES:		93	\$ 101,000
ENGINEERING SERVICES:			
1	Mechanical, Electrical & Plumbing	25	\$ 16,000
2	Civil Engineering	30	\$ 22,700
3	Structural Engineering	25	\$ 23,900
4	Landscape Architecture	10	\$ 4,500
5	Structural Engineering (prefab solar carport, foundation only: deduct \$2500)		
6	Structural Engineering (design-build by others or delete solar carport: deduct \$5000)		
7	Other Engineering (SOILS ENGINEERING REPORT)	15	\$ 15,000
TOTAL ENGINEERING TIMING AND FEES:		concurrent	\$ 82,100
TOTAL ARCHITECTURAL & ENGINEERING TIMING & FEES:		93	\$ 183,100
		(18 weeks)	

Construction Support Services (option 1 Lump Sum)

2.25% Construction Management option: Rengel+Company, Architects is a licensed California general contractor with a Class B license #480056. The fee is based on award of the Architectural contract and is 2.25% of the estimated construction cost of \$2.55M	\$ 57,352
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***NOTES/Qualifications:**

- a. "DAYS" are working days, M-F; 5 DAYS = 1 WEEK
- b. "Produce Construction Documents" (#2) includes 60 days to produce drawings plus 15 days allowance for corrections. Time budget line does not include time for City Review, estimated at 30 days (6 weeks) with current city workload (#5).
- c. Consultants/Engineering (#3) will run concurrently with #2 and between themselves in "Engineering Services" #1-5
- d. Fire Sprinklers are not required in for buildings <9000SF and not included or shall be design-build with the GC.
- e. Site visits by engineers limited to: Civil/Structural (2), MEP (1). Additional visits \$500
- f. Per the Q&A, it was suggested to provide as-builts of all underground utilities, which would require an underground utility scan. The project can be completed without this, but to provide an underground utility scan is an additional cost of \$19,000



AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT

THIS AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT ("Amendment No. 1") is made and entered into by and between **MIDWAY CITY SANITARY DISTRICT**, a public entity ("DISTRICT") and **RENGEL + COMPANY ARCHITECTS, INCORPORATED**, a California corporation. ("CONSULTANT"), effective February 7, 2023.

RECITALS

A. This Amendment No. 1 is entered into pursuant to authorization of the DISTRICT's Board of Directors dated February 7, 2023.

B. DISTRICT and CONSULTANT are parties to that certain Professional Services Agreement (the "Agreement"), dated September 1, 2020, for CONSULTANT to provide Architectural and Engineering Design and Construction Support Services for the MCSD Expansion & Occupied Renovation Project (the "Project").

C. DISTRICT and CONSULTANT desire to amend the Agreement to incorporate additional services of CONSULTANT related to the Project.

AGREEMENT

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, DISTRICT and CONSULTANT agree as follows:

1. Section 2 (Services to be Provided) of the Agreement is hereby amended to include the additional services described in the Authorizations for Additional Services attached as Exhibit "A" to this Amendment No. 1. Exhibit "A" is hereby incorporated into CONSULTANT's Proposal and the Contract Documents.
2. Section 3.1 (Amount) of the Agreement is hereby amended to read as follows:
 - 3.1 Amount. Compensation for the services performed under this Agreement shall be per the Pricing schedule included in the Proposal. In no case shall total compensation paid to CONSULTANT under this Agreement exceed the amount of **Five Hundred Twenty-One Thousand Eight Hundred Two Dollars and Fifty Cents (\$521,802.50)**.
3. Except as otherwise expressly provided in this Amendment No. 1, all of the terms and conditions of the Agreement remain in full force and effect.
4. This Amendment No. 1 may be executed in counterparts, all of which shall constitute the same Agreement, notwithstanding that all parties to this Amendment No. 1 are not signatory to the same counterpart. Signature and acknowledgement pages may be detached from the counterparts and attached to a single copy of this Amendment No. 1 to physically form one (1) original

document. These counterparts may be transmitted by facsimile or Portable Document Format (PDF), with the originals to be thereafter provided by the Parties. Such facsimiles or electronic copies shall be deemed original signatures.

IN WITNESS THEREOF, DISTRICT and CONSULTANT have caused this Agreement to be executed by their duly authorized respective officers as of the date first written above.

**"DISTRICT"
MIDWAY CITY SANITARY
DISTRICT**

**"CONSULTANT"
RENGEL + COMPANY
ARCHITECTS, INCORPORATED**

By:

By:

Robert Housley,
Interim General Manager

Name:

Title:

APPROVED AS TO FORM

By:

James H. Eggart, General Counsel

Name:

Date: _____

Title:

EXHIBIT "A"
AUTHORIZATIONS FOR ADDITIONAL SERVICES



Authorization for Additional Services

Project: **Midway City Sanitary District, Westminster**

Client: **Ken Robbins, General Manager**
 Midway City Sanitary District
 14451 Cedarwood Ave, Westminster CA 92683

Date: 23-Jun-21
 Attention: Ken Robbins
 RCA Job #: 202041.01

We have been directed to make the following changes in this Contract:

A. Directive from by Orange County Fire Authority for sprinklers, hydrant

Includes minor additional work requested by MCSD: paint spec for metal buildings, convert old restroom to Archive, add parking per City Planning approval, minor interior revisions. Work to date (see attached hour breakdown with remarks):

Principal 1	12.0 hrs x	250 /hr	3,000.00
Sr Proj Mgr	28.5 hrs x	130 /hr	3,705.00
CAD 1	6.0 hrs x	100 /hr	600.00
CAD 2	22.5 hrs x	90 /hr	2,025.00
Admin	6.0 hrs x	60 /hr	360.00

9,690.00

B. Directive from by Orange County Fire Authority for sprinklers, hydrant

Remaining work to be completed based on 'A' above:

Principal 1	2.5 hrs x	2,050 /hr	5,125.00
Sr Proj Mgr	8.0 hrs x	130 /hr	1,040.00
CAD 1	32.0 hrs x	100 /hr	3,200.00
CAD 2	6.0 hrs x	90 /hr	540.00
Admin	4.0 hrs x	60 /hr	240.00

10,145.00

C. Civil Engineering required for new fire lines and WQMD plan

Grading exceeds maximum allowed without WQMD plan due to new grading and trenching for fire lines. See attached proposals from DRC Engineering.

DRC Work Authorization #1 (attached)	6,500.00
DRC Work Authorization #2 (attached)	5,500.00
Rengel+Company coordination/reimbursable markup 10%	1,200.00

13,200.00

Total: \$ 33,035.00

The Original Contract Sum was	\$ 243,100.00
Net Change by previously authorized Additional Services.....	\$ -
The Contract sum prior to this Change Order was.....	\$ 243,100.00
The Contract sum will be increased by this Change Order.....	\$ 33,035.00
The new Contract Sum, including this Change Order will be.....	\$ 276,135.00

Agreed to:

Agreed to:

 For Midway City Sanitary District
 14451 Cedarwood Ave, Westminster, CA


 Rengel+Company, Architects
 333 El Camino Real, Tustin, CA 92780

06/23/2021

Work will not proceed further until a signed approval of this document is received by our office

Work has partially underway. As verbally instructed and in consideration of timing, please expedite signed approval.

Rengel + Co. Architects, Inc.
Time by Job Detail
All Transactions

Date	Name	Duration	Notes
Midway City Sanitary District:202041.01 Midway City Sanitary District			
Arch:Cadd 1			
04/22/2021	Huy Nguyen**	1.00	ADD CD / FIRE SUBMITTAL
04/23/2021	Huy Nguyen**	1.50	ADD CD / FIRE SUBMITTAL
04/29/2021	Huy Nguyen**	1.00	CD / FIRE SUBMITTAL
05/04/2021	Huy Nguyen**	2.00	CD / FIRE SUBMITTAL
05/05/2021	Huy Nguyen**	0.50	CD / FIRE SUBMITTAL
Total Arch:Cadd 1		6.00	
Arch:Cadd 2 - VS			
02/23/2021	Viviana Sanchez**	6.50	specifications
04/19/2021	Viviana Sanchez**	7.50	ADD specifications
04/20/2021	Viviana Sanchez**	0.50	ADD specifications
04/29/2021	Viviana Sanchez**	2.50	specifications
04/30/2021	Viviana Sanchez**	5.50	specifications
Total Arch:Cadd 2 - VS		22.50	
Arch:P1			
	Richard Rengel	12.00	
Total Arch:P1		12.00	
Arch:P2-SS			
02/24/2021	Sadia Syed**	2.00	design review comment coord resubmit 2/24 - for fire master plan comments
03/17/2021	Sadia Syed**	1.50	Add scope for roll-ups, paint bldgs, gates
03/19/2021	Sadia Syed**	1.00	Add scope for roll-ups, paint bldgs, gates
03/22/2021	Sadia Syed**	0.50	add scope for roll-ups, paint bldgs, gates
03/25/2021	Sadia Syed**	1.00	add scope for roll-ups, paint bldgs, gates
03/29/2021	Sadia Syed**	1.00	design review emails + OCFA call
03/29/2021	Sadia Syed**	1.00	add scope for roll-ups, paint bldgs, gates
03/30/2021	Sadia Syed**	1.00	design review emails + OCFA call
04/06/2021	Sadia Syed**	1.00	fire master plan for OCFA
04/09/2021	Sadia Syed**	1.50	fire master plan for OCFA
04/12/2021	Sadia Syed**	2.00	Fire Master Plan for OCFA
04/13/2021	Sadia Syed**	1.00	Fire Master Plan for OCFA
04/15/2021	Sadia Syed**	0.50	Fire Master Plan for OCFA
04/19/2021	Sadia Syed**	1.50	ADD Fire Master Plan OCFA. Geotech/fire flow test
04/20/2021	Sadia Syed**	1.00	ADD Fire Master Plan OCFA. Geotech/fire flow test
04/22/2021	Sadia Syed**	1.00	ADD Fire Master Plan OCFA. Geotech/fire flow test
04/23/2021	Sadia Syed**	1.00	ADD Fire Master Plan OCFA. Geotech/fire flow test
04/27/2021	Sadia Syed**	1.00	Fire Master Plan OCFA. Geotech/fire flow test
04/28/2021	Sadia Syed**	1.00	Fire Master Plan OCFA. Geotech/fire flow test
05/03/2021	Sadia Syed**	1.00	Specs for fire plan
05/03/2021	Sadia Syed**	1.00	Fire Master Plan OCFA. Geotech/fire flow test OCFA Fire master plan submittal 5/6
05/04/2021	Sadia Syed**	1.00	Fire Master Plan OCFA. Geotech/fire flow test OCFA Fire master plan submittal 5/6
05/05/2021	Sadia Syed**	0.50	Fire Master Plan OCFA. Geotech/fire flow test OCFA Fire master plan submittal 5/6
05/06/2021	Sadia Syed**	1.00	Fire Master Plan OCFA. Geotech/fire flow test OCFA Fire master plan submittal 5/6
05/20/2021	Sadia Syed**	1.00	Fire Master Plan OCFA, for review 5/6
05/27/2021	Sadia Syed**	1.00	Fire Master Plan OCFA, for review 5/6
06/01/2021	Sadia Syed**	0.50	Fire Master Plan OCFA, for review 5/6
Total Arch:P2-SS		28.50	
Total Midway City Sanitary District:202041.01 Midway City Sanitary District		69.00	



160 South Old Springs Road, Ste. 210
Anaheim Hills, California 92808
Phone: 714-685-6860
Fax: 714-685-6801

Civil Engineering/Land Surveying/Land Planning

Additional Work Authorization #2

Job No. 20-673
Page 1 of 11

June 16, 2021

**Project: Additional Work Authorization #2
Midway City Sanitation District, Westminster, CA**

1.0 INTRODUCTION & SCOPE OF SERVICES

This Additional Work Authorization (AWA) is for engineering services related to the Midway City Sanitation District project located in Westminster. The following tasks, which fall outside of the original scope of services and previous AWAs, will be completed under this AWA.

Private On-site Fire Water Plan

DRC will prepare a private fire on-site water plan per OCFA requirements. The plan will show the new onsite fire hydrant and fire service line from the proposed fire backflow to the fire riser room. DRC will submit the plan to the OCFA for approval.

Public Water Plan

DRC will prepare a public water plan in accordance with the city's water department requirements for the proposed fire service and backflow device. DRC will process the plan with the city.

2.0 FEE SCHEDULE

The Scope of Services outlined in Section 1.0 will be completed for a fixed fee as indicated below. It is agreed and mutually understood that each of the above services is interrelated with the others, and that the total fee is divided into tasks solely to facilitate the preparation and approval of progress billings. The total, plus any fees for reimbursable expenses and authorized additional services is the contract amount.

Task	Fixed Fee
Private On-site Fire Water Pan	\$4,000
Public Water Plan	<u>\$1,500</u>
Total	\$5,500

DRC will perform the services detailed in Section 1.0 and per the terms included in the original contract for this project.

Accepted by: _____ Title: _____

Rengel+Company, Architects Date: _____

Additional Work Authorization #1

Job No. 20-673
 Page 1 of 1

November 19, 2020

**Project: Additional Work Authorization #1
 Midway City Sanitation District Project, Westminster, CA.**

1.0 INTRODUCTION & SCOPE OF SERVICES

This Additional Work Authorization (AWA) is for engineering services related to the Midway City Sanitation District, Westminster, California project. The following tasks, which fall outside of the original Scope of Services and previous AWAs, will be completed under this AWA.

Final Water Quality Management Plan (WQMP)

DRC will prepare a final WQMP in accordance with the current City/County stormwater regulations. The final WQMP will identify and describe the recommended best management practices (BMPs) for controlling the discharge of pollutants in the stormwater runoff, as well as ongoing operational and maintenance requirements. Stormwater management shall include source control measures to reduce runoff and treatment control measures to treat and regulate the off-site discharge flow rates and volumes. The selected BMPs and hydromodification strategy may involve the installation of on-site infiltration, vegetated swales, micro-basins or retention basins that can treat target pollutants from the first flush rainfall event including grease, sediment, trash and heavy metals.

On-Site Storm Drain Plan

Prepare a storm drain plan for the required on-site drainage and water quality improvements. This plan will show pipe location, size, material, invert grades, inlets, catch basins, roof drain connections, junctions and fittings for the collection and water quality treatment facilities for the on-site drainage. The pipelines will be shown in plan view only and no pipe profiles will be shown. The storm drain plan will also detail the outlet connection to the adjacent public drainage system. This scope does not include the design of a pump system if required.

2.0 FEE SCHEDULE

The Scope of Services outlined in Section 1.0 will be completed for a fixed fee as indicated below. It is agreed and mutually understood that each of the above services is interrelated with the others, and that the total fee is divided into tasks solely to facilitate the preparation and approval of progress billings. The total, plus any fees for reimbursable expenses and authorized additional services is the contract amount.

Task	Fixed Fee
Final Water Quality Management Plan (WQMP)	\$4,500
On-Site Storm Drain Plan	\$2,000
Total	\$6,500

DRC will perform the services outlined in Sections 1.0 and 2.0 on a fixed fee basis per the terms included in the original contract for this project.

Accepted by: _____ Title: _____

Rengel+Company, Architects Date: _____



Authorization for Additional Services

Project: **Midway City Sanitary District, Westminster**

Client: Ken Robbins, General Manager	Date: 20-Dec-21
Midway City Sanitary District	Attention: Ken Robbins
14451 Cedarwood Ave, Westminster CA 92683	RCA Job #: 202041.02

We have been directed to make the following changes in this Contract:

A. Directive from City to revise Landscape plans to comply with Grading revisions

Includes revisions by WT+Co not in scope of work to match Grading plans

Landscape Architects Work Authorization (attached)		3,900.00	
Principal 1	12.0 hrs x 250 /hr	3,000.00	
Sr Proj Mgr	16.0 hrs x 130 /hr	2,080.00	
CAD 1	6.0 hrs x 100 /hr	600.00	
CAD 2	16.0 hrs x 90 /hr	1,440.00	
Admin	6.0 hrs x 60 /hr	360.00	
			11,380.00

B. Directive from City Public Works for additional Percolation testing

Additional percolation testing required two additional borings to depth of 5'.

Hamilton and Associates Work Authorization (attached)		3,800.00	
Principal 1	2.0 hrs x 250 /hr	500.00	
Admin	6.0 hrs x 60 /hr	360.00	
			4,660.00

C. Directive from City for revised WQMD plan

WQMP plan revisions per City, not in scope of work. See attached proposals from DRC Engineering.

DRC Work Authorization #3 (attached)		705.00	
DRC Work Authorization #4 (attached)		4,950.00	
Principal 1	12.0 hrs x 250 /hr	3,000.00	
CAD 1	8.0 hrs x 130 /hr	1,040.00	
CAD 2	6.0 hrs x 90 /hr	540.00	
Admin	6.0 hrs x 60 /hr	360.00	
			10,595.00

Total: \$ 26,635.00

The Original Contract Sum was	\$	243,100.00
Net Change by previously authorized Additional Services.....	\$	33,035.00
The Contract sum prior to this Change Order was.....	\$	276,135.00
The Contract sum will be increased by this Change Order.....	\$	<u>26,635.00</u>
The new Contract Sum, including this Change Order will be.....	\$	302,770.00

Agreed to:

Agreed to:

 For Midway City Sanitary District
 14451 Cedarwood Ave, Westminster, CA

 Rengel+Company, Architects
 333 El Camino Real, Tustin, CA 92780

Work will not proceed further until a signed approval of this document is received by our office

X Work has partially underway. As verbally instructed and in consideration of timing, please expedite signed approval.



AGREEMENT FOR LANDSCAPE ARCHITECTURAL SERVICES

THIS AGREEMENT effective as of **10 December 2021**, is between **Rengel + Co., Architects, 333 El Camino Real, Tustin, California 92780-3605** (hereinafter referred to as "Client") and **Warren Tong + Company** (hereinafter referred to as "Landscape Architect"), for the following **Project: Street Frontage Landscape Development, Midway City Sanitary District. 14451 Cedarwood Ave, Westminster, CA 92683.**

Article 1 Landscape Architect's Basic Services

Landscape Architect agrees to provide its professional service in accordance with generally accepted standards of its profession. Landscape Architect agrees to put forth reasonable efforts to comply with codes, laws and regulations in effect as of the date of this agreement.

1.1 Project Coordination/Site Review Phase

1.1.1 Project Coordination

1.1.1.1 Coordinate landscape architectural design works with Client's Authorized Representatives and other project consultants.

1.1.2 Site Review

1.1.2.1 Review of existing conditions

1.1.2.2 Review existing irrigation systems

1.2 Conceptual Landscape Design Phase

1.2.1 Prepare Conceptual Landscape Design

1.2.1 Retention basin layouts

1.2.2 Propose plant materials

1.2.3 Propose pavings materials and related landscape materials

1.2.4 Propose layouts of Memorial plaques at existing flag pole

1.3 Construction Documents Phase

1.3.1 The Construction Documents shall consist of the following Drawings and Specifications setting forth in detail the quality levels of materials and systems and other requirements for construction of the Work.

1.3.1.1 General Notes

1.3.1.2 Water Efficient Landscape Guidelines Worksheet/Calculations

1.3.1.3 Landscape Pavings

- 1.3.1.4 Planting Plan
- 1.3.1.5 Planting Details
- 1.3.1.6 Irrigation Plan
- 1.3.1.7 Irrigation Details
- 1.2.1.8 Specifications

1.3 Construction Services Phase – Client Optional

- 1.3.1 Site Observation as requested by Client to review landscape installations to determine their conformance to specifications
 - 1.3.1.1 Landscape Architect shall make visits to the job site at intervals appropriate to the state of construction, but not limited to the following visits or as otherwise agreed by Landscape Architect in writing to become generally familiar with the progress and quality of Work and to determine in general if Work is proceeding in accordance with Landscape Architect's design intent and construction documents. On the basis of such on-site observations, Landscape Architect will keep Client informed of the progress and quality of Work.
 - 1.3.1.1.1 Review irrigation coverage tests
 - 1.3.1.1.2 Review quality and locations of plant materials prior to planting and planting locations
 - 1.3.1.1.3 Pre-maintenance period review and punch-list
 - 1.3.1.1.4 Post-maintenance period review – project sign-off
 - 1.3.1.2 Landscape Architect shall not have control, charge of nor be responsible for construction means, methods, techniques, sequences or procedures or for safety.
 - 1.3.1.3 Landscape Architect shall endeavor to secure compliance by the contractor to the plans and specifications.

1.4 Additional Services beyond Landscape Architect's Basic Services may be provided if confirmed in writing by Client.

- 1.4.1 Providing additional conceptual site plan studies due to revised project program development
- 1.4.2 Making revisions in Drawings, Specifications or other documents when such revisions are inconsistent with written approvals or instructions previously given, are required by the enactments or revision of codes, laws or regulations subsequent to the preparation of such documents or are due to other causes not solely within the control of Landscape Architect.
- 1.4.3 Preparing Drawings, Specifications, supportive data and services in connection with Change Orders.

1.5 Services Excluded from Landscape Architect's Basic Services

- 1.5.1 All hardscape, lighting and grading/drainage
- 1.5.2 Construction cost estimates
- 1.5.3 Meetings with City agencies

- 1.5.4 All City plan check submittals, processing, approvals, permits and inspections
- 1.5.5 Providing 'as-built'/record drawings showing significant changes to the work made during construction based on marked-up prints, drawings and other data furnished by Contractor to Landscape Architect

Article 2 Client's Responsibilities

- 2.1 Client shall provide information regarding requirements for Project including a program, which shall set forth the Client's design objectives, constraints and criteria, including special site requirements.
- 2.2 Client agrees to provide Landscape Architect with all information, surveys, reports, and professional recommendations requested by Landscape Architect to provide its professional services. Landscape Architect may rely on the accuracy and completeness of these items in rendering services under this Agreement.
- 2.3 Client agrees to advise Landscape Architect of any known or suspected contaminants at the Project Site.
- 2.4 Client shall be solely responsible for all subsurface soil conditions.
- 2.5 Client will obtain and pay for all necessary permits from authorities having jurisdiction over the project. Landscape Architect will assist Client with this obligation by completing and submitting appropriate paperwork and forms to governing authorities. Landscape Architect's assistance, however, shall not include attendance at meeting with such authorities or creating additional or special documentation required by such authorities.
- 2.6 Client agrees to provide the items describe in Articles 2.1 and 2.2 and to render decisions in a timely manner so as not to delay the orderly and sequential progress of Landscape Architect's Services.
- 2.7 Client agrees that Landscape Architect assumes no responsibility for identifying, locating, discovering, removal and treatment of any hazardous waste, known or unknown at the site. Landscape Architect is not responsible for consequences of any hazardous waste materials of any kind at the site, including but not limited to asbestos and PCB's, as well as materials not yet known as hazardous.
- 2.8 Client shall notify Landscape Architect promptly in writing of all non-conformances with the Construction Documents by Contractors.

Article 3 Compensation and Payments

- 3.1 Client agrees to compensate Landscape Architect as follows:

3.1.1 Project Coordination/Site Review Phase	\$ 500.00
3.1.2 Conceptual Landscape Plan Phase	\$ 875.00
3.1.2 Construction Documents Phase	\$ 2,000.00
3.1.3 Construction Services Phase (Optional)	\$ 175.00/hour
3.1.5 Additional Service	Principal: \$ 175.00/hour; CAD: \$ 125.00/hour

3.1.6 Reimbursable Expenses

3.1.6.1 All printing/plotting/reproductions @ cost + 15%

3.1.6.2 Mileage @ \$.58/mile

3.2 Landscape Architect shall bill Client for Services and Reimbursable Expenses once a month. All payments are payable Landscape Architect upon receipt of invoice. An interest charge of 1.5% per month will be added on all amounts due more than 30 days after the date of invoice. Landscape Architect's reserves the rights to suspend services on the Project until all past due payments have been made.

Article 4 Governing Law and Dispute Resolution

4.1 This Agreement shall be interpreted and enforced according to the laws of the State of California.

4.2 Client and Landscape Architect agree to mediate claims or disputes arising out of or relating to this Agreement as a condition precedent to litigation. The mediation shall be conducted by the American Arbitration Association or any other mediation service acceptable to the parties. A demand for mediation shall be made within a reasonable time after a claim or dispute arises and the parties agree to participate in mediation in good faith. Mediation fees shall be share equally. In no event shall any demand for mediation is made after such claim or dispute would be barred by the applicable law.

Article 5 Ownership of Documents

5.1 All instruments of professional service prepared by Landscape Architect including, but not limited to, drawings and specifications, are the property of Landscape Architect, and these documents shall not be reused on other projects without Landscape Architect's written permission. Landscape Architect retains all rights, including the copyright in its documents. Client or other cannot use Landscape Architect's documents to complete this Project with others unless Landscape Architect is found to have materially breached this Agreement.

5.2 If Client or person other than Landscape Architect makes any changes in the landscape architectural documents or project being installed that affect Landscape Architect's work, any and all liability arising out of such changes is waived as against Landscape Architect, and Client assumes full responsibility for such changes, unless Client has given Landscape Architect prior written notices and has received from Landscape Architect written consent for such changes.

5.3 Landscape Architect reserves the right to include representations of the Project in is promotional and professional materials.

Article 6 Miscellaneous Provisions

- 6.1 Landscape Architect is not responsible for determining and marking the location of any underground pipes, wires, conduits, cables or structures such as gas lines, fiber optics, irrigation or septic systems or any other items that may exist below the surface of the ground.
- 6.2 Landscape Architect makes no warranty, either expressed or implied, as the Landscape Architect's findings, recommendations, specifications, or professional advice except that the work was performed pursuant to generally accepted standards of practice in effect at the time of performance.
- 6.3 Statement of Probable Construction Cost and Detailed Cost Estimates prepared by Landscape Architect represent his best judgment as a design professional familiar with the construction industry. Landscape Architect shall not be responsible for fluctuations in cost of labor, materials or equipment, or Contractors' methods for determining bid prices, or market conditions. Accordingly, Landscape Architect cannot and does not guarantee that bids will not vary from the Statement of Probable Construction Cost or other cost estimate prepared by him.
- 6.4 Landscape Architect makes no representations concerning soil conditions and is not responsible for any liability that may arise out of the making or failure to make soil surveys, or sub-surface soil test, or general agronomic testing.
- 6.5 Landscape Architect is not responsible for any liability that may arise out of any substitutions of equipment, or specified products by anyone without the Landscape Architect's specific written approval.

Article 7 Limit of Liability Provision

- 7.1 Client understands and acknowledges that the design and construction process for this Project poses certain risks to both Landscape Architect and Client. Client further understands and acknowledges that the amount of risk that Landscape Architect can accept is tied, in part, to the amount of compensation received for services rendered. Landscape Architect's fee for the services offered is based on Client's agreement to limit Landscape Architect's aggregate liability not to exceed his professional fees actually received under this Agreement. Client further acknowledges that were it not for this promise to limit Landscape Architect's liability, Landscape Architect's compensation would need to increase to address the risks posed by this Project.
- 7.2 Client acknowledges that Landscape Architect shall have no responsibility or liability for elements designed by others, either existing or to be constructed. Nor shall Landscape Architect be responsible for elements designed by Landscape Architect should Landscape Architect is not retained to observe the construction.

Article 8 Project Client's Responsibility for Maintenance

- 8.1 Client acknowledges and agrees that proper Project maintenance is required after the Project is completed. A lack of or improper maintenance of the irrigation systems and plant materials may result in damage to property or persons. Client further acknowledges that, as between the parties to this Agreement, Project Owner is solely responsible for the results of any lack of or improper maintenance.

Article 9 Termination

- 9.1 Either Client or Landscape Architect may terminate this Agreement upon seven days written notice.
- 9.2 If terminated, Client agrees to pay Landscape Architect for all Basic Services and Additional Services rendered and Reimbursable Expenses incurred up to the date of termination.
- 9.3 Upon not less than seven days' written notice, Landscape Architect may suspend the performance of its services if Client fails to pay Landscape Architect in full for services rendered or expenses incurred. Landscape Architect shall have no liability because of such suspension of services or termination due to nonpayment.
- 9.4 In the event this Agreement is terminated before the completion of all services, Client agrees to release Landscape Architect from all liability for work performed

Article 10 No Assignment

- 10.1 Neither party can assign this Agreement without the other party's written permission.
- 10.2 Notwithstanding any other term in this Agreement, Landscape Architect shall not control or be responsible for another's means, methods, techniques, schedules, sequences or procedures, or for construction safety or any other related programs, or for another's failure to complete the work in accordance with the plans and specifications.
- 10.3 Construction Phase Services will be provided to determine the general progress of the work, but will not include supervision of the contractors, or of their means, methods, techniques, schedules, sequences or procedures, or for construction safety or any other related programs. Landscape Architect maintains the right but not the duty to recommend that Client reject work that does not appear to conform generally to the plans and specifications. Landscape Architect shall not have any liability for recommendations made in good faith.
- 10.4 If Client retains others to perform such Construction Phase Services, Client will defend, indemnify and hold Landscape Architect harmless from all liability arising or resulting from the performance of job site observation by other person.

Article 11 Indemnifications

- 11.1 Client agrees to indemnify, defend and hold Landscape Architect harmless from and against any and all claims, liabilities, suits, demands, losses, costs and expenses, including but not limited to, reasonable attorneys' fees and all legal expenses and fees incurred on appeal, and all interest thereon, accruing or resulting to any and all persons, firms or any other legal entities on account of any damages or losses to property or person, including non-performance of obligations under this Agreement, except to the extent such damages or losses are found by a court or forum of competent jurisdiction to be caused by Landscape Architect's negligent errors or omissions.

Article 12 Attorneys' Fees

- 12.1 Should any legal proceeding be commenced between the parties to this Agreement seeking to enforce any of its provisions, including, but not limited to, fee provisions, the predominantly

prevailing party in such proceeding shall be entitled, in addition to such other relief as may be granted, to a reasonable sum for attorneys' and expert witnesses' fees, which shall be determined by the court or forum in such a proceeding or in a separate action brought for that purpose. For purposes of this provision, "prevailing party" shall include a party which dismisses an action for recovery hereunder in exchange for payment of the sum allegedly due, performance of covenants allegedly breached, or consideration substantially equal to the relief sought in the action or proceeding.

Article 13 Waivers of Consequential Damages and Subrogation

13.1 Client and Landscape Architect waive all claims to consequential damages for any claims or disputes arising out of or relating to this agreement.

13.2 Client and Landscape Architect waive all claims against each other to the extent covered by applicable insurance during design or construction including but not limited to claims for subrogation.

Article 14 No Third-Party Beneficiaries

14.1 Nothing in this agreement is intended to create a contractual relationship for the benefit of any third party. There are no intended beneficiaries for this agreement except Landscape Architect and Client.

Article 15 Entire Agreement and Severability

15.1 This Agreement is the Entire and integrated agreement between Client and Landscape Architect and supersedes all prior negotiations, statements or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Client and Landscape Architect.

15.2 In the event that any term or provision of this agreement is found to be void, invalid or unenforceable for any reason, that term or provision shall be deemed to be stricken from this agreement, and the balance of this agreement shall survive and remain enforceable.

Article 16 Board of Landscape Architects

16.1 Landscape Architects are regulated by the California Board of Landscape Architects. Any questions concerning a Landscape Architect may be referred to the Board at: Landscape Architects Technical Committee, 2420 Del Paso Road, Suite 105, Sacramento, CA 95834, telephone 960.575,7230.

Approvals:

CLIENT:

Rengel+Co, Architects

LANDSCAPE ARCHITECT:

Warren Tong, ASLA
License No. LA1611, Exp Date 07.27.23

10 December 2021

Signature

Date

Signature

Date



HAMILTON
& Associates

1641 Border Avenue • Torrance, CA 90501 T 310.618.2190 888.618.2190 F 310.618.2191 W hamilton-associates.net

October 4, 2021
Project No. 20-2818-4

Midway City Sanitation District
c/o Rengel+Co Architects
333 El Camino Real
Tustin, CA 92780

Attention: Ms. Sadia Syed

Subject: Change Order, Percolation Testing, Proposed Stormwater Infiltration System, Midway City Sanitation District, 14451 Cedarwood Street, Westminster, California.

Dear Ms. Syed:

The purpose of this letter is to obtain your authorization for a change order to perform percolation testing at the subject site. Our work will include excavating two (2) additional boring to a depth of approximately 5-feet for percolation testing. Our work will be completed as a change order to our existing agreement and is estimated at \$3,800. If this meets with your approval and is acceptable, please indicate by signing below.

Respectfully Submitted,


Brendan J. Miller, EIT
Staff Engineer


David T. Hamilton, PE, GE
Principal Geotechnical Engineer

AUTHORIZATION TO PROCEED

CLIENT: _____

ACCEPTED BY: _____

TITLE: _____

DATE: _____

July 2, 2021

Job No. 20-673

Sadia Syed
Rengel+Company, Architects
333 El Camino Real, Tustin, CA 92780
Email: SSyed@rengelarch.com

**RE: Additional Work Authorization #3
Midway City Sanitation District Project, Westminster, CA**

Dear Sadia,

Please find enclosed Additional Work Authorization (AWA) #3 for out-of-scope services related to the Midway City Sanitation District project located in Westminster, California.

Please contact me should you have any questions.

Sincerely,



Gregory R. Cooke, P.E., P.L.S.
Project Manager

Attachment

Additional Work Authorization #3

Job No. 20-673

Page 1 of 1

July 2, 2021

**Project: Additional Work Authorization #3
Midway City Sanitation District, Westminster, CA**

1.0 INTRODUCTION & SCOPE OF SERVICES

This Additional Work Authorization (AWA) is for engineering services related to the Midway City Sanitation District project located in Westminster. The following task, which falls outside of the original scope of services and previous AWAs, will be completed under this AWA.

Additional Topographic Field Survey

DRC was required to perform an additional topographic field survey for the design of the storm drain system required for the storm water quality for the site. The survey included locating the existing storm drain manholes and catch basins near the site. DRC also located some additional elevations on the site for the design of the water quality units.

2.0 FEE SCHEDULE

The Scope of Services outlined in Section 1.0 will be completed for a fixed fee as indicated below. It is agreed and mutually understood that each of the above services is interrelated with the others, and that the total fee is divided into tasks solely to facilitate the preparation and approval of progress billings. The total, plus any fees for reimbursable expenses and authorized additional services is the contract amount.

Task	Fixed Fee
Additional Topographic Field Survey	<u>\$705</u>
Total	\$705

DRC will perform the services detailed in Section 1.0 and per the terms included in the original contract for this project.

Accepted by: _____ **Title:** _____

Rengel+Company, Architects **Date:** _____

December 8, 2021

Job No. 20-673

Sadia Syed
Rengel+Company, Architects
333 El Camino Real, Tustin, CA 92780
Email: SSyed@rengelarch.com

**RE: Additional Work Authorization #4
Midway City Sanitation District Project, Westminster, CA**

Dear Sadia,

Please find enclosed Additional Work Authorization (AWA) #4 for out-of-scope services related to the Midway City Sanitation District project located in Westminster, California.

Please contact me should you have any questions.

Sincerely,



Gregory R. Cooke, P.E., P.L.S.
Project Manager

Attachment

Additional Work Authorization #4

Job No. 20-673

Page 1 of 1

December 8, 2021

**Project: Additional Work Authorization #4
Midway City Sanitation District, Westminster, CA**

1.0 INTRODUCTION & SCOPE OF SERVICES

This Additional Work Authorization (AWA) is for engineering services related to the Midway City Sanitation District project located in Westminster. The following tasks, which fall outside of the original scope of services and previous AWAs, will be completed under this AWA.

Revise WQMP

DRC has been requested to revise the WQMP to change the BMPs on the site from non-infiltration devices to infiltration BMPs. DRC will revise the calculations, narrative and site map to address the changes.

Revise Precise Grading Plan

DRC will revise the precise grading plan and storm drain system on the plan set based on the new water quality BMPs for the site. The revisions will include the addition of the new underground infiltration system and bio-planters to the plan set.

Agency Coordination

DRC will coordinate the submittal and approval of the report and plans with the city, including plan submittal.

2.0 FEE SCHEDULE

The Scope of Services outlined in Section 1.0 will be completed for a fixed fee as indicated below. It is agreed and mutually understood that each of the above services is interrelated with the others, and that the total fee is divided into tasks solely to facilitate the preparation and approval of progress billings. The total, plus any fees for reimbursable expenses and authorized additional services is the contract amount.

Task	Fixed Fee
Revised WQMP	\$2,800
Revise Precise Grading Plan	\$1,700
Agency Coordination	\$450
Total	\$4,950

DRC will perform the services detailed in Section 1.0 per the terms included in the original contract for this project.

Accepted by: _____ **Title:** _____

Rengel+Company, Architects **Date:** _____



Authorization for Additional Services

Project: **Midway City Sanitary District, Westminster**

Client: Ken Robbins, General Manager	Date: 5-Apr-22
Midway City Sanitary District	Attention: Ken Robbins
14451 Cedarwood Ave, Westminster CA 92683	RCA Job #: 202041.03

We have been directed to make the following changes in this Contract:

A. Directive from City for additional revisions to Landscape plans, upgrade street landscape

Includes revisions by Civil/Landscape directed by City of Westminster

Landscape Architects Work Authorization (attached)		1,125.00	
Civil Engineer work authorization (attached)		950.00	
Principal 2	21.0 hrs x 200 /hr	4,200.00	
Cadd 1	12.0 hrs x 110 /hr	1,320.00	
Clerical	2.0 hrs x 65 /hr	130.00	
			7,725.00

B. Re-Bid revised construction documents

In accordance with the District, cost of construction exceeds budget and City revisions will change scope. First bids will be thrown out. Advertise bid process with additional online and news services and re-bid.

Principal 2	53.0 hrs x 200 /hr	10,600.00	
Cadd 1	6.0 hrs x 110 /hr	660.00	
Clerical	8.0 hrs x 65 /hr	520.00	
			11,780.00

Total: \$ 19,505.00

The Original Contract Sum was	\$	243,100.00
Net Change by previously authorized Additional Services.....	\$	59,670.00
The Contract sum prior to this Change Order was.....	\$	302,770.00
The Contract sum will be increased by this Change Order.....	\$	19,505.00
The new Contract Sum, including this Change Order will be.....	\$	322,275.00

Agreed to:

 For Midway City Sanitary District
 14451 Cedarwood Ave, Westminster, CA

Agreed to:


 Rengel+Company, Architects
 333 El Camino Real, Tustin, CA 92780

Work will not proceed further until a signed approval of this document is received by our office

Work has partially underway. As verbally instructed and in consideration of timing, please expedite signed approval.

333 El Camino Real, Tustin, California 92780 714.832.3333

Name	Title	Rate Code in QB	Billing Rate (NEW as of 02-01-2022)
Rick Rengel	Principal 1	P1	\$ 300.00
Terry Smith	Principal 2	P2 TS	\$ 200.00
Sadia Syed	Principal 2	P2 SS	\$ 200.00
Alex Martinez	Manager	Mgr	\$ 150.00
Rick Herrera	Manager	Mgr	\$ 150.00
	Job Captain	Job Captain	\$ 130.00
Huy Nguyen	Cadd 1	Cadd 1	\$ 110.00
Viviana Sanchez	Cadd 2	Cadd 2 - VS	\$ 100.00
Vesna Dodevski-Malenovic	Cadd 3	Cadd 3	\$ 90.00
Ivory Sales	Cadd 3	Cadd 3	\$ 90.00
Melissa Wolff	Clerical	Clerical	\$ 65.00

Class Codes in QB	Description
A0001	Concept Phase
A0002	Prelim Design
A0003	Design Development
A0004	Construction Drawings
A0005	City Processing
A0006	Contractor Bidding
A0007	Construction Observation
A0008	Other
A0009	Field Verification
A0010	
A0011	Clerical
A0012	Construction Admin.
A0013	Bidding
A0099	Office/Sick/Vacation/Holiday/Marketing

Interior Design	\$	150.00
Structural Engineer	\$	300.00
Electrical Engineer	\$	250.00
Mechanical Engineer	\$	250.00

In House Plotting

Any Size	\$	5.00	Per Page
Client Mileage	\$	0.67	Per Mile

Copy Paper

8-1/2 x 11	\$	1.00	Per Page
11 x 17	\$	1.00	Per Page

Richard Rengel

From: Sadia Syed <ssyed@rengelarch.com> on behalf of Sadia Syed
Sent: Wednesday, April 6, 2022 9:17 AM
To: Richard Rengel
Subject: FW: Midway City Plan Check #1 Response Letter

FYI on Warren Tong's Landscape revisions per City reviews. We are still in City for Landscape, but it does not impact our approved permit status.

Thanks,

Sadia R. Syed
714-505-5337

From: wtasla <wtaasla@sbcglobal.net>
Sent: Wednesday, April 6, 2022 9:14 AM
To: Sadia Syed <ssyed@rengelarch.com>
Subject: RE: Midway City Plan Check #1 Response Letter

Hi Sadia,

9 hours @ \$125/hr. \$1,125.00

Thanks,

Warren Tong
949.878.8725

Sent via the Samsung Galaxy S9+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Sadia Syed <ssyed@rengelarch.com>
Date: 4/6/22 8:59 AM (GMT-08:00)
To: Warren Tong <wtaasla@sbcglobal.net>
Subject: RE: Midway City Plan Check #1 Response Letter

Warren,

Please send the add cost, we want to send the change order. You can send the formal change order whenever..

Thanks,

April 5, 2022

Job No. 20-673

Sadia Syed
Rengel+Company, Architects
333 El Camino Real, Tustin, CA 92780
Email: SSyed@rengelarch.com

**RE: Additional Work Authorization #5
Midway City Sanitation District Project, Westminster, CA**

Dear Sadia,

Please find enclosed Additional Work Authorization (AWA) #5 for out-of-scope services related to the Midway City Sanitation District project located in Westminster, California.

Please contact me should you have any questions.

Sincerely,



Gregory R. Cooke, P.E., P.L.S.
Project Manager

Attachment

Additional Work Authorization #5

Job No. 20-673

Page 1 of 1

April 5, 2022

**Project: Additional Work Authorization #5
Midway City Sanitation District, Westminster, CA**

1.0 INTRODUCTION & SCOPE OF SERVICES

This Additional Work Authorization (AWA) is for engineering services related to the Midway City Sanitation District project located in Westminster. The following task, which falls outside of the original scope of services and previous AWAs, will be completed under this AWA.

Agency Coordination

Additional agency coordination based on the non-responsiveness of the agency. DRC routed the plans for signature and assisted in expediting the plan approval with the city.

2.0 FEE SCHEDULE

The Scope of Services detailed in Section 1.0 will be completed for a fixed fee as indicated below. It is agreed and mutually understood that each of the above services is interrelated with the others, and that the total fee is divided into tasks solely to facilitate the preparation and approval of progress billings. The total, plus any fees for reimbursable expenses and authorized additional services is the contract amount.

Task	Fixed Fee
Agency Coordination	<u>\$950</u>
Total	\$950

DRC will perform the services detailed in Section 1.0 per the terms included in the original contract for this project.

Accepted by: _____ **Title:** _____

Rengel+Company, Architects **Date:** _____



Authorization for Additional Services

Project: **Midway City Sanitary District, Westminster**

Client: **Ken Robbins, General Manager**
 Midway City Sanitary District
 14451 Cedarwood Ave, Westminster CA 92683

Date: 18-May-22
 Attention: Ken Robbins
 RCA Job #: 202041.04

We have been directed to make the following changes in this Contract:

A. Re-Bid revised construction documents

In accordance with the District, cost of construction exceeds budget and City

Principal 1	10.0 hrs x	250 /hr	2,500.00	
Principal 2	45.0 hrs x	200 /hr	9,000.00	
Cadd 1	10.0 hrs x	110 /hr	1,100.00	
Clerical	10.0 hrs x	65 /hr	650.00	
				10,750.00

(Estimated reimbursables: OC Registe \$3500, Planetbids \$2500, Greensheet: \$1900)

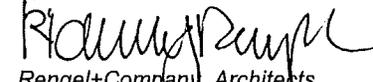
Total: \$ 10,750.00

The Original Contract Sum was	\$	243,100.00
Net Change by previously authorized Additional Services.....	\$	79,175.00
The Contract sum prior to this Change Order was.....	\$	322,275.00
The Contract sum will be increased by this Change Order.....	\$	10,750.00
The new Contract Sum, including this Change Order will be.....	\$	<u>333,025.00</u>

Agreed to:


 For Midway City Sanitary District
 14451 Cedarwood Ave, Westminster, CA

Agreed to:


 Rengel+Company, Architects
 333 El Camino Real, Tustin, CA 92780 5/18/2022

Work will not proceed further until a signed approval of this document is received by our office

Work has partially underway. As verbally instructed and in consideration of timing, please expedite signed approval.

333 El Camino Real, Tustin, California 92780 714.832.3333

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, MAKING SPECIFIED FINDINGS AND RE-AUTHORIZING THE USE OF TELECONFERENCING IN ACCORDANCE WITH ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 54953(e) FOR MEETINGS OF THE MIDWAY CITY SANITARY DISTRICT BOARD OF DIRECTORS AND OTHER DISTRICT COMMITTEES SUBJECT TO STATE OPEN MEETINGS LAWS

The Board of Directors of the Midway City Sanitary District hereby finds, determines, declares, and resolves as follows:

WHEREAS, the Board of Directors (“Board”) of the Midway City Sanitary District (“District”) and certain committees of the Board hold regular and special public meetings pursuant to the Ralph M. Brown Act (the “Brown Act”), Government Code section 54950, et seq.

WHEREAS, pursuant to Government Code section 54953(b)(3), the Brown Act permits members of legislative bodies to teleconference into public meetings subject to certain conditions, including that the place from which a member teleconferences be open to the public, that an agenda be posted on the site, and that the teleconference location be noticed in the agenda.

WHEREAS, on September 16, 2021 Governor Newsom signed Assembly Bill (“AB”) 361, which added subsection (e) to Government Code section 54953 and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions.

WHEREAS, a required condition of AB 361 is that a state of emergency is declared by the Governor pursuant to Government Code section 8625.

WHEREAS, on March 4, 2020 Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code section 8625 as a result of the threat of the Coronavirus (COVID-19) pandemic, and the State of Emergency is still in effect.

WHEREAS, on October 19, 2021, the Board adopted Resolution No. 2021-09 making findings in accordance with AB 361 and Government Code Section 54953(e) and authorizing members of the legislative bodies of the Midway City Sanitary District to participate in meetings subject to the Brown Act by way of teleconference in accordance with Assembly Bill 361 and Government Code section 54953(e).

WHEREAS, on November 16, 2021, on December 7, 2021, on January 4, 2022, on February 1, 2022, on March 1, 2022, on March 22, 2022, on April 19, 2022, on May 17, 2022, on June 7, 2022, on July 5, 2022, on August 2, 2022, on August 16, 2022, on September 8, 2022, on October 4, 2022, on November 1, 2022, on November 15, 2022, on December 6, 2022, on January 3, 2023, and on January 17, 2023, the Board reconsidered the circumstances of the State of Emergency and adopted Resolution Nos. 2021-11, 2021-13, 2022-01, 2022-06, 2022-07, 2022-08, 2022-11, 2022-13, 2022-14, 2022-17, 2022-19, 2022-20, 2022-21, and 2022-22, 2022-23, 2022-24, 2022-26, 2023-01, and 2023-02, respectively, making specified findings and re-authorizing the use of teleconferencing in accordance with Government Code Section 54953(e) for meetings of the Board and other District committees subject to State open meeting laws.

WHEREAS, sustained COVID-19 community transmission continues to occur in Orange County and within the District's jurisdiction, and various state and local officials continue to recommend measures to promote social distancing.

WHEREAS, as a result of the State of Emergency in California due to the COVID-19 pandemic, and its continued spread in Orange County and within the District's jurisdiction, meeting in person may pose an imminent risk to the health and safety of some attendees, including members of the District's legislative bodies, who due to age or health conditions and/or being unvaccinated, have a higher risk of contracting COVID-19 and are more likely to get severely ill and in some cases, die from COVID-19.

WHEREAS, there may be situations in which a member of one of the District's legislative bodies decides not to attend a meeting in person due to a particular health or safety risk posed by such attendance and as such, it is the Board's desire to continue permit members of the District's legislative bodies to attend by way of teleconference pursuant to Assembly Bill 361 due to health and safety concerns associated with COVID-19.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MIDWAY CITY SANITARY DISTRICT DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

1. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

2. The findings and determinations set forth in Resolution No. 2021-09, Resolution No. 2021-11, Resolution No. 2021-13, Resolution No. 2022-01, Resolution No. 2022-06, Resolution No. 2022-07, Resolution No. 2022-08, Resolution No. 2022-11, Resolution No. 2022-13, Resolution No. 2022-14, Resolution No. 2022-17, Resolution No. 2022-19, Resolution No. 2022-20, Resolution No. 2022-21, Resolution No. 2022-22, Resolution No. 2022-23,

Resolution No. 2022-24, Resolution No. 2022-26, Resolution No. 2023-01, and Resolution No. 2023-02 are hereby reaffirmed.

3. The Board of Directors of the Midway City Sanitary District has reconsidered the circumstances of the proclaimed State of Emergency in California and has determined that (a) the State of Emergency continues to directly impact the ability of the members of the Board to meet safely in person and (b) at the time this Resolution was adopted, state and local officials continue to recommend measures to promote social distancing.

4. That during the effective period of this Resolution, members of the legislative bodies of the Midway City Sanitary District may participate in meetings subject to the Brown Act by way of teleconference in accordance with Assembly Bill 361 and Government Code section 54953(e).

5. The District's General Manager is authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

6. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of: (1) march 9, 2023; (2) expiration of the State of Emergency, or (3) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the Board and other District legislative bodies may continue to hold virtual or teleconferenced meetings without complying with Government Code Section 54953(b)(3).

PASSED AND ADOPTED, at a special meeting of the Board of Directors of Midway City Sanitary District of Orange County, California, held this 7th day of February, 2023.

Tyler Diep, President

ATTEST:

Andrew Nguyen, Secretary

CERTIFICATION

I, Andrew Nguyen, Secretary of the Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing Resolution No. 2023-03 was duly adopted at a meeting of the Board of Directors of said District, held on the 7th day of February 2023, by the following vote of the members of the Board:

AYES:

NOES:

ABSENT:

and I further certify that Tyler Diep, as President, and Andrew Nguyen, as Secretary, signed and approved said Resolution on the 7th day of February, 2023.

Andrew Nguyen, Secretary

(District Seal)

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, Andrew Nguyen, Secretary of Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2023-03 passed and adopted by the Board of Directors of said District at a meeting thereof held on the 7th day of February, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal of said District on the 7th day of February, 2023.

Andrew Nguyen, Secretary

(District Seal)



January 13, 2023

PLEASE DISSEMINATE TO ALL BOARD MEMBERS

Mailing Address

P.O. Box 20895
Fountain Valley, CA 92728

Meeting Location

MWDOC/OCWD
18700 Ward Street
Fountain Valley, CA 92708

(714) 963-3058
(714) 964-5930 fax

www.isdoc.specialdistrict.org

Executive Committee

President

Hon. Greg Mills
Serrano Water District

1st Vice President

Hon. Bob McVicker
Municipal Water District of Orange County

2nd Vice President

Hon. Paul Mesmer
Surfside Colony Community Services District

3rd Vice President

Vacant

Secretary

Vacant

Treasurer

Hon. Sandra Jacobs
Santa Margarita Water District

Immediate Past President

Hon. Mark Monin
El Toro Water District

Staff Administration

Heather Baez

Municipal Water District of Orange County

Tina Dubuque

Municipal Water District of Orange County

Re: ISDOC Executive Committee 3rd Vice President and Secretary Vacancy

This email shall serve as official notice and call for candidates to fill the vacancy for the 3rd Vice President and Secretary positions on of the Independent Special Districts of Orange County (ISDOC). The ISDOC Executive Committee will fill the vacancy by appointment.

Per the ISDOC bylaws, Article III Section II Point E: "With the exception of the immediate past president, if a vacancy occurs on the Executive Committee, the Committee shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy. A person appointed or elected to fill a vacancy shall hold office for the unexpired term of the former incumbent."

Nominations will close on **Tuesday, February 28, 2023 at 5:00 p.m.** Any Board Member/Trustee of a regular ISDOC member agency is eligible for nomination for this open position. Individuals who wish to be considered should submit a letter of interest, together with a resolution from their Board authorizing their candidacy. The appointment will be made by the ISDOC Executive Committee **on Tuesday, March 7, 2023.**

Responsibilities of the positions are as follows:

THIRD VICE PRESIDENT: The Third Vice President chairs the Legislative Committee. Duties include providing a legislative update, making legislative position recommendations to the Executive Committee, and in the absence of the President, First Vice President, and Second Vice President, shall perform all duties of the President.

SECRETARY: The Secretary or his/her designee shall be responsible for all correspondence and the dissemination of information to members. This includes meeting agendas, announcements, and official correspondence.

Meetings of the Executive Committee typically occur on the first Tuesday of each month at 7:30 a.m. virtually, via teleconference until further notice.

If you are seeking nomination to the 3rd Vice President or Secretary position on the Executive Committee, please send your letter/email of interest and a copy of your Board's authorizing resolution to Heather Baez at hbaez@mwdoc.com. All nomination requests must be received by **February 28, 2023.**

If you have any questions about the any of the positions or the election process, please contact Heather Baez at (714) 593-5012 or hbaez@mwdoc.com.

Sincerely,

Greg Mills

Greg Mills, President
Independent Special Districts of Orange County



1112 I Street, Suite 300
Sacramento, California 95814-2865
T 916.231.4141 or 800.537.7790 • F 916.231.4111

Maximizing Protection. Minimizing Risk. www.sdrma.org

January 23, 2023

Midway City Sanitary District
Mr. Robert Housley
Director of Finance and Human Resources
14451 Cedarwood Avenue
Westminster, California 92683



Re: 2023-24 Workers' Compensation Experience Modification Factor

Dear Mr. Housley,

In preparation for the 2023-24 Workers' Compensation Program renewal on July 1, 2023, we are providing your agency's 2023-24 Experience Modification Factor (EMOD) to help with budget planning. SDRMA follows the Workers' Compensation Insurance Rating Bureau (WCIRB) methodology for calculating EMODs. A detailed EMOD Calculation Form and claims detail to help you understand your EMOD can be found on the SDRMA Memberplus Portal under Notifications in the Member Letters section. If you would like a printed copy, please send your request to memberplus@sdrma.org or 800-537-7790.

Your agency's 2023-24 EMOD is 67%

If you have questions regarding your agency's EMOD, please contact us at memberplus@sdrma.org or 800-537-7790.

The market for Workers' Compensation coverage continues to remain stable. We anticipate only medical inflation to cause minor rate increases for excess/reinsurance coverage for the 2023-24 program year. Thus, we anticipate minimal rate changes for the 2023-24 program year.

The SDRMA Board of Directors will also discuss a potential Longevity Distribution in the coming months. Should the board approve a distribution, every member that has completed its initial commitment of three full program years and has an EMOD of 150% or lower is eligible to receive a longevity distribution credit when they renew coverage. More information regarding a potential longevity distribution will be shared in March.

Members considering withdrawal from coverage with SDRMA for the 2023-24 program year are required to submit a **"Notice of Intent to Withdraw" by April 1, 2023** in accordance with SDRMA Bylaws and must have completed the initial three full program year commitment period. If you have any questions about withdrawing from our program, please contact Ellen Doughty at edoughty@sdrma.org or 800-537-7790.



On behalf of the SDRMA Board of Directors and our entire risk management team, we thank you for your continued participation in our programs.

Sincerely,
Special District Risk Management Authority


Ellen Doughty, ARM
Chief Member Services Officer