

Ponderosa Community Services District

Minutes of Special meeting

August 24, 2011

Board Members present: D Doty, B Benton, C Marchaunt, M Moroney
Board Member absent: Barbara Dolmovic

PER Selection Committee Members present: J Parminter
Members absent: Bill Dolmovic, D Lack, G Hammett, B Califf and R Flavin.

Guest: Rod Coffey.

Meeting called to order at 1:00 pm

It was moved, seconded and passed to accept the minutes of the special meetings on August 16, 2011 and August 17, 2011. The purpose of these special meetings was to interview engineering firms to work on the water system improvement project.

Discussion of interviews:

Provost & Pritchard (P&P)

D Doty – not impressed with P&P. Did not seem responsive or flexible

B Benton – P&P had the highest bid by \$30,000. Felt they dropped the ball on CEQA and NEPA reports. They are a huge firm, representative did not seem informed about the figures in the bid.

J Parminter – not comfortable with the man or the company. The proposal stated a number of exclusions that will cost extra

Ms Marchaunt was asked for input since she had the most direct contact with P&P.

CM – They are well represented in the Valley, They have worked with USDA. Experienced frustration when calls were not returned. At meetings, we would seem to reach an agreement only to find out later that was not the case.

D Doty – P&P does not seem to have much high mountain experience – with this type of terrain

M Moroney – are there other communities that are similar to ours?

D Doty – yes

Plus the (US) Park Service has private companies that come in and do work. P&P Has the opportunity

B Benton – P&P have done several things for us that are positive. They told us that we need to manage our water and that we have insufficient storage.

There was a question about the letter to engineers seeking bids. It was requested to include the text of the letter in the minutes. The secretary will include the letter at the end of these minutes.

4 Creeks

D Doty – liked these two guys but they did not seem prepared. They also do not have mountain experience. They would like to use the PCSD as a signature project. Felt they did not give us enough attention.

M Moroney – It looks like they did a project for (US) Parks?

Yes, a sewer line for Sequoia National Park

C Marchaunt – thought they did seem prepared. Matt Ainley wrote the report he was reading. Felt that they looked at request and answered with what we wanted.

They are local – Porterville and Visalia offices

Project understanding, approach, methodology

They are current with USDA, NEPA and CEQA.

They would follow requirements of EJCDC-E-500 agreement

We don't have time in this project for an engineer to learn how to work with the USDA – they are already familiar and up-to-date.

Referencing minutes Aug 16, 2011

bid spec could be written to encourage local contractors. When bid specs are ready to be sent out, we can notify local papers, and send directly to local contractors.

B Benton – also referencing interview Aug 16, 2011

the PER maps out design plan. Are you willing to revisit the original PER and offer better ideas?

They answered it would depend on final CEQA document.

In the 'letter of conditions' received from the USDA, "*in the event that the project has not advanced to the point of construction*" the USDA could remove the funding.

J Parminter – agrees with C Marchaunt. 4 Creeks is a young, hungry firm. They want to use PCSD as reference project that should make them work harder. Felt they thought on their feet – knew the rules and limits but still made suggestions to encourage local contractors. Also impressed that they were familiar with USDA and will keep you I legal limits. I see this as a protection for us (PCSD)

References were called:

Cruz Dominguez with Woodlake WWTF

Would you recommend 4 Creeks – yes

Would you work with them again – yes

They are thorough and know how to overcome glitches.

They follow up with contractors and work with the USDA

There were emailed received from committee members

B Califf – had some questions, made some suggestions but did not make any recommendations on which engineer

G Hammet – had made a comment about the geo-tech reports. Recommending 4 Creeks after further review

D Lack – feels it is not a good idea to remove Holby tanks completely compared 4 Creeks to Bill Roberts
Young much older
Many engineers on staff not many engineers in direct employ
Tend to do work the right way tend to do work the practical way
Tend toward recommending 4 Creeks

Roberts Engineering

D Doty – been around a long time. They have lots of mountain experience. They are well known in the area and have many contacts. However, they do have the reputation for being slow.

Referencing minutes Aug 17, 2011

B Benton – some of the things that jump off the page

When Bill D asks – *Does PCSD choose the prime contractor?*

The answer was “*Prime contractor already has bids from subs. Will take the lowest responsible sub.*” This does not seem like an appropriate answer.

Also when asked by Bill D - Who do you use for engineering design?

The answer was “Have CAD. Peter will do the structural part of the tank.”

When it was suggested that maybe Peters was not the best choice, he said he would remove Peters, but in looking at his company, Peters is one of his main engineers...

B Benton – USDA is golden, they control the money. We cannot hire someone that does not get along with the USDA or is not willing to work with USDA

J Parminter – Roberts said his price is negotiable. That could be good or bad, depending on if it goes up or down. When asked the last time he worked with USDA, he said 15-20 years ago. The answer seemed aloof. When we asked him about working with the USDA now, he tells us that PCSD is the boss, he will do what we want but that changes could delay the project.

Personal experience with Roberts is that he is slow but thorough.

D Doty – an example of slowness. The Poplar project, install tank in 1978 did not complete until 1980.

J Parminter – I see as choice between 4 Creeks and Roberts. Roberts is a good guy. Has experience. He did say that he needed a decision by Aug 22 in order to keep to timeline, we are already past that date, how does that effect his completing the project?

C Marchaunt – Felt Roberts was not personally involved in the bid he presented. He is a gentleman, but do not feel he is a good fit for this project.

D Doty – Roberts will work with us, but not make sure we keep in line with USDA

B Benton – the idea of no tanks at Holby is a bad idea. Alternative Seven includes tanks at Holby – this is what the community approved at the hearing. We can visit the idea of a larger tank at Summit.

J Parminter – CEQA will tell us what we can do

C Marchaunt – Roberts did not include phone numbers for references in the proposal.
Contacted Skip Rouch

Roberts worked for him in 2002 on Sequoia Crest water system

D Doty – fits the pattern, slow, expensive and not complete

C Marchaunt – Contacted Mike Reed with City of Porterville

Roberts has worked on a number of projects for the city. At times his schedule ‘slips’.

Contacted Doug Webb – Roberts worked on building projects 1960-62, not water

Read email from Bill Dolmovic – recommend not using P&P. They seem out of touch. We lose the ability to negotiate. More comfortable with 4 Creeks. First choice is Bill Roberts – feels we would get “more bang for our buck”. He would understand our parameters best. All three engineers would be able to complete the job but Roberts is probably the best choice.

General Discussion

USDA recommends the board put their engineering choices in order so if first choice declines the project we are prepared.

J Parminter – my vote is 4 Creeks, then Roberts and no to P&P. 4 Creeks knows up-to-date stuff, Roberts knows back door stuff.

Rod Coffey – agrees with Parminter, 4 Creeks, Roberts, no P&P.

4 Creeks is younger, more energetic, more technologically advanced. Rod knows that Bill D feels he can work with Roberts, which is probably true. But, Rod does not feel Roberts is technologically up-to-date, especially with the electronics that need to be installed.

B Benton – 4 Creeks, Roberts, no P&P

C Marchaunt - 4 Creeks, Roberts, no P&P

N Moroney - 4 Creeks, Roberts, no P&P

D Doty - 4 Creeks, Roberts, no P&P

It was moved by D Doty, seconded by C Marchaunt that the PCSD accept 4 Creeks engineering as the primary choice with Roberts Engineering as a secondary choice to work on the water system improvement project. There is further agreement that Provost and Pritchard will not be asked to work on this project. The motion carried unanimously.

additional business

A Committee will be established to review construction items, any changes in the plan, any recommendations and any problems.

The committee will be chaired by Bill Benton.

Committee members will be

Jim Parminter

Rod Coffey

Dennis Lack

Ray Flavin

David Robertson

Bill Dolmovic

The committee chair will act as primary liaison to the engineer. The chair may appoint any committee member when necessary to act as liaison in his stead.

The committee will have one voice when reporting to the board.

Mr. Benton would like the board to make a definite statement about the tanks at Holby.

It was moved that any alteration to alternative seven of the PER has to go through committee, otherwise work will be completed as written in the PER.

Discussion

C Marchaunt – spoke with Robert Neilson. He does not think there is enough water flow at Holby – removing the tanks will probably result in increased cost, going that direction would delay the project by a year. The current CEQA draft does not include any of this.

D Doty – USDA has to approve any alteration to PER. This could delay our project a year which leads to the question should we do it, especially if any changes could affect the CEQA document.

C Marchaunt – current loan payments will still have to be made even if the project and funding is delayed.

M Moroney seconded the motion that any alteration to alternative seven of the PER has to go through committee, otherwise work will be completed as written in the PER. The motion carried unanimously.

The secretary was directed to compose letters to Provost & Pritchard declining their bid proposal, thanking Bill Roberts for coming to the public hearing and explaining that he was a back up choice if 4 Creeks was unable to accept the project. Ms Marchaunt will call 4 Creeks and the secretary will send a formal letter awarding the project.

As Mr. Doty will be out of town for the next few weeks, board Vice President, Ms Marchaunt, will fulfill any necessary obligations.

The engineering agreement will be forwarded to the PCSD attorney for review.

4 Creeks indicated that if they were given the project, they would like to come up to Ponderosa immediately to learn about the system. This will be coordinated through Bill Benton. When details are decided, a notice will be posted informing the community that the board members may be escorting the engineers through the subdivision.

Meeting adjourned 2:35 pm

Respectfully submitted

Jennifer Robertson
Board secretary

Ponderosa Community Services District

56827 Aspen Dr
Springville, CA 93265
559 542-0913

Date

Name and address
Engineering Firm

The Community of Ponderosa is located at an elevation of approximately 7,200 feet in the Sierra Nevada Mountains of Tulare County, along County M107, two miles southeast of Highway 190, 45 miles east of Porterville. The water system is operated by the Ponderosa Community Services District providing water to 145 users and snow removal to all property owners.

Ponderosa Community Services District is requesting proposals for engineering design, bidding services, and construction phase services for the Ponderosa CSD Water System Upgrade Project. The project has been defined in a Preliminary Engineering Report completed by Provost and Pritchard, which can be viewed at <http://www.ponderosaca.com/pondo/PCSD.htm>

Pages 56 and 57 lists the components and scope of Alternative Seven, as approved by United States Department of Agriculture-Rural Development (USDA-RD).

The project is to be funded by USDA-RD. All agreements and services are to be done in accordance with USDA-RD guidelines and regulations.

“The applicant shall solicit for engineering design services, and negotiate contracts for engineering services on the basis of demonstrated competence and qualifications for the type of professional services required and at a fair and reasonable price. The selection of the engineer shall be done by requesting qualification-based proposals. Applicants must procure engineering services in accordance with applicable State statutes and local requirements. The Engineer will be required to use the EJCDC engineering agreement.”

The example Agreement for Engineering Services is attached and guidelines to complete the Agreement in accordance with USDA-RD requirements are available at <http://www.rurdev.usda.gov/CA-WEPrograms.html> Scroll to *Water and Environmental Programs* then to *Engineering Items*, then to *Agreement for Engineering Services*. Please address any project or engineering agreement related questions to Robert Neilson, State Engineer, 3530 W. Orchard Court, Visalia, CA 93277-7360 phone (559) 734-8732x113 Robert.Neilson@ca.usda.gov

Your proposal should include a copy of the EJCDC engineering tasks for design and construction phases and corresponding fees in the contract line item format as set forth in Exhibit C of the example contract.

A most critical component of the project is the timing and deadlines. The project is to break ground prior to June 1, 2012. Last year Ponderosa had over 32 feet of snow, which began in November, although there was some snow falling in October. Therefore all surveys, permits etc. that require access to the site must be completed before snow accumulation.

Please include the following in the proposal:

1. Name and address of your main office.
2. A resume of the individuals who would be assigned to the design team and construction inspection. Descriptions of experiences in similar projects should be included within each resume. Identify the specific individual(s) who will actually do the design and inspection work. The design engineer must be a California registered civil engineer with experience in similar projects.
3. A brief statement of not more than 1,500 words telling how he/she will undertake this project and why the consultant feels that its firm should be considered for this project.
4. A list of similar projects the firm has worked on within the past five years, including the location, type of project, and the name and telephone number of the responsible agency awarding the consultant contract. A brief statement describing each project and the specific work performed by the consultant should be included.
5. Indicate familiarity with the particular funding source, USDA Rural Development and regulatory agencies applicable to this project.
6. Proposed time schedule to complete the design, bidding and construction phase services.
7. Proposed fees as described in the example Agreement Exhibit C line item breakout. These proposed fees will be evaluated as an estimate during the proposal review, the final engineering agreement and fees will be negotiated at a later date.

Evaluation of the submitted proposal will be based on:

1. Experience of the firm in similar projects, particularly in the design of water systems for small communities.
2. Familiarity and experience with USDA Rural Development funding procedures and requirements relative to water systems.
3. Proposed plan of action (scope of work) and its appropriateness to the community.
4. Proposed project task schedule and estimated fees.

Firms will be interviewed by Committee selected by the PCSD Board. The firm selected must be able to accommodate the time frame we require. The Committee will meet the first week of August and make recommendations to the board. The PCSD Board will meet on Friday August 12, 2011. The engineering firm will be contacted August 15, 2011.

Proposals must be received on or before August 5, 2011, and mailed to Dale Doty, President PCSD, 57830 Fox Drive, Springville, CA 93265

Thank you for your time,

Respectfully,

The Board of Directors
Ponderosa Community Services District