

# Action Item 14

Consider Findings Pursuant to  
Public Contract Code Section  
3400(c) and Expenditure for Santa  
Margarita Water Treatment  
Facilities Equipment Pre-Purchase

August 19, 2019, Regular Meeting  
Staff Contact: Maureen Hamilton

# Santa Margarita Water Treatment Facility - Background

- ▶ Permanent disinfection works for the Santa Margarita site
- ▶ Additional production capacity to recover Pure Water Monterey (PWM) water
  - ▶ Existing Seaside Middle School wells, conveyance to Santa Margarita site exists, disinfection at Santa Margarita is the cheapest way to increase production capacity
  - ▶ Production of new water from the Seaside Groundwater Basin is replacing Carmel River production, it will serve the Peninsula
  - ▶ Production must be reliable - large and varying quantity, different waters, precise control
- ▶ MPWMD owns Santa Margarita site, responsible for capital improvements
- ▶ MPWMD operates injection, the cheapest replacement water
- ▶ Cal Am operates production, sole operator of disinfection works
- ▶ Cal Am maintains all facilities

# Equipment Already in Use

- ▶ During design reviews (5/30, 7/23) and follow-up emails (7/28, 8/1, 8/6, 8/12) from MPWMD to Cal Am staff, Cal Am identified standardized equipment in the Monterey Region
  - ▶ Low O&M cost - performance history, spare parts, vendor maintenance
  - ▶ Increased reliability - operability, maintainability
- ▶ Revised standardized equipment list, Item 14-B, received 8/19

# Public Contract Code 3400 (c)

Public Contract Code 3400(c) provides that a material or product may be designated by brand name or trade name to match other products in use on a particular public improvement either completed or in the course of completion provided the awarding authority, or its designee, makes a finding that is described in the Invitation to Bid or request for proposals

- ▶ *PCC 3400 (b) is not applicable if the awarding authority, or its designee, makes a finding that is described in the invitation for bids or request for proposals that a particular material, product, thing, or service is designated by specific brand or trade name for any of the following purposes:*
  - ▶ *(2) In order to match other products in use on a particular public improvement either completed or in the course of completion.*
  - ▶ *(3) In order to obtain a necessary item that is only available from one source.*

# Findings PCC 3400 (c)

- ▶ Invitation for Bids states findings made pursuant to PCC 3400 will be incorporated into Special Conditions
- ▶ Request: Finding that specific brands or trade names identified in the specifications and in the Call for Bids, are designated in order to match other materials, products, things or services already in use throughout the system (3400 (c))

# Pre-purchase

- ▶ One long lead-time item, ProMinent chemical feed systems
  - ▶ ProMinent chemical feed systems distributed through selected suppliers
  - ▶ There is one supplier for each region in the nation
  - ▶ Cannot solicit bids from other regions' suppliers
- ▶ Request: Authorize the General Manager to enter into a contract to purchase ProMinent chemical feed systems from the authorized supplier in the amount of \$80,469.28, with a 10% contingency for expedited delivery, if available and required, to be authorized by MPWMD staff, for a total amount not-to-exceed (NTE) \$88,516.21

# Recommendations Summary

1. Finding that specific brands or trade names identified in the specifications and in the Call for Bids, are designated in order to match other materials, products, things or services already in use throughout the system (3400 (c))
2. Authorize the General Manager to enter into a contract to purchase ProMinent chemical feed systems from the authorized supplier in the amount of \$80,469.28, with a 10% contingency for expedited delivery, if available and required, to be authorized by MPWMD staff, for a total amount not-to-exceed (NTE) \$88,516.21

# Action Item 15

Consider Expenditure for the  
Santa Margarita Water Treatment  
Facilities Construction  
Management Services

August 19, 2019, Regular Meeting  
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# Construction Management Services

- ▶ Wrote and issued RFP
- ▶ Scope of work
  - ▶ Traditional CM and inspections
    - ▶ Project documentation review, community outreach, pre-construction meeting
    - ▶ Schedule, progress payments, CCO, FO, RFI, RFQ, DC, submittals, construction meetings, document control, permits management
    - ▶ Startup support, project completion, project closeout
  - ▶ Work will be part time - weather, subcontractor schedules
- ▶ Notified 7 firms, 3 firms attended the pre-proposal meeting
- ▶ One proposal was submitted (Psomas)
  - ▶ Feedback from other two is unable to balance profitability and affordability

# Construction Management Services

## ▶ Psomas Background

- ▶ Psomas is a 600 employee firm that has been in business for 72 years and is employee owned.
- ▶ In 2018 Psomas acquired the Covello Group with over 250 years of combined experience providing CM services for water resources projects.
- ▶ California company, CM team is local
- ▶ The team will consist of a Project Manager, Lead Inspector, and Field Engineer, and as-needed a Regional Manager, geotechnical sub-consultant, electrical engineer sub-consultant, and a coatings sub-consultant.
- ▶ Staff and M1W have been working with this team for over 1.5 years on another larger project
- ▶ Time and Materials basis

# Recommendation

1. Authorize the General Manager to enter into a contract with Psomas for a contract amount of \$190,280, with a 15% contingency to be authorized by MPWMD staff, for a total amount not-to-exceed (NTE) \$218,822.
- ▶ Presentations [www.mpwmd.net](http://www.mpwmd.net) posted the day after the meeting.