

**AGENDA
IRVINE RANCH WATER DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING**

October 9, 2017

PLEDGE OF ALLEGIANCE

CALL TO ORDER 5:00 p.m., Board Room, District Office
15600 Sand Canyon Avenue, Irvine, California

ROLL CALL Directors LaMar, Matheis, Swan, Withers and President Reinhart

NOTICE

If you wish to address the Board on any item, including Consent Calendar items, please file your name with the Secretary. Forms are provided on the lobby table. Remarks are limited to three minutes per speaker on each subject. Consent Calendar items will be acted upon by one motion, without discussion, unless a request is made for specific items to be removed from the Calendar for separate action.

COMMUNICATIONS TO THE BOARD

1. A. Written:

 B. Oral:

2. ITEMS RECEIVED TOO LATE TO BE AGENDIZED

 Recommendation: Determine the need to discuss and/or take immediate action on item(s).

CONSENT CALENDAR

Resolution No. 2017-24

Items 3-5

3. RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

 Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Mary Aileen Matheis, Peer Swan, Douglas Reinhart and John Withers, as described.

4. MINUTES OF REGULAR BOARD MEETING

 Recommendation: That the minutes of the September 25, 2017 Regular Board Meeting be approved as presented.

CONSENT CALENDAR	Items 3-5
5. <u>2017 LEGISLATIVE AND REGULATORY UPDATE</u> Recommendation: Receive and file.	

ACTION CALENDAR	
6. <u>MICHELSON WATER RECYCLING PLANT BIOSOLIDS AND ENERGY RECOVERY FACILITIES CONTRACT CHANGE ORDER NO. 62 AND RETENTION BOND</u> Recommendation: That the Board approve Contract Change Order No. 62 in the amount of \$708,162.72 with Filanc/Balfour Beatty for electrical and controls modifications, and authorize the General Manager to execute the Retention Bond Agreement for the Michelson Water Recycling Plant Biosolids and Energy Recovery Facilities, project 04286.	
7. <u>2017 SEWER REHABILITATION CONSTRUCTION AWARD</u> Recommendation: That the Board authorize a budget increase in the amount of \$126,000, from \$322,000 to \$448,000, for project 07100, and authorize the General Manager to execute a construction contract with Insituform in the amount of \$238,300 for the 2017 Sewer Rehabilitation, project 07100.	

OTHER BUSINESS

Pursuant to Government Code Section 54954.2, members of the Board of Directors or staff may ask questions for clarification, make brief announcements, make brief reports on his/her own activities. The Board or a Board member may provide a reference to staff or other resources for factual information, request staff to report back at a subsequent meeting concerning any matter, or direct staff to place a matter of business on a future agenda. Such matters may be brought up under the General Manager's Report or Directors' Comments.

- 8. A. General Manager's Report

- B. Directors' Comments

- C. Adjourn

Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Irvine Ranch Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance to the Board of Directors Room of the District Office. The Irvine Ranch Water District Board Room is wheelchair accessible. If you require any special disability-related accommodations (e.g., access to an amplified sound system, etc.), please contact the District Secretary at (949) 453-5300 during business hours at least seventy-two (72) hours prior to the scheduled meeting. This agenda can be obtained in alternative format upon written request to the District Secretary at least seventy-two (72) hours prior to the scheduled meeting.

October 9, 2017
Prepared and
submitted by: L. Bonkowski
Approved by: Paul A. Cook



CONSENT CALENDAR

RATIFY/APPROVE BOARD OF DIRECTORS'
ATTENDANCE AT MEETINGS AND EVENTS

SUMMARY:

Pursuant to Resolution 2006-29 adopted on August 28, 2006, approval of attendance of the following events and meetings are required by the Board of Directors.

Events/Meetings

Steven LaMar

September 29 ACWA's Title XVI Update Discussion

John Withers

October 18 Costa Mesa Sanitary District's State of the District
December 6 Chapman University's Economic Forecast, Costa Mesa

Douglas Reinhart

October 18 Costa Mesa Sanitary District's State of the District
October 23 Monthly Discussion of District Activities with the General Manager

Mary Aileen Matheis

October 17 ACWA Regulatory Summit 2017, Sacramento
October 25 OC Business Council's 23rd Annual Economic Forecast Conference, Irvine
October 26 ISDOC Quarterly Luncheon, Fountain Valley
October 26-27 Water Education Foundation's 40th Anniversary, Sacramento
December 6 Chapman University's Economic Forecast, Costa Mesa

Peer Swan

December 6 Chapman University's Economic Forecast, Costa Mesa

RECOMMENDATION:

THAT THE BOARD RATIFY/APPROVE THE MEETINGS AND EVENTS FOR STEVEN LAMAR, MARY AILEEN MATHEIS, DOUGLAS REINHART, PEER SWAN, AND JOHN WITHERS AS DESCRIBED.

LIST OF EXHIBITS:

None.

October 9, 2017

Prepared and

Submitted by: L. Bonkowski

Approved by: P. Cook



CONSENT CALENDAR

MINUTES OF BOARD MEETING

SUMMARY:

Provided are the minutes of the September 25, 2017 Board Meeting for approval.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

Not applicable.

RECOMMENDATION:

THAT THE MINUTES OF THE SEPTEMBER 25, 2017 BOARD MEETING BE APPROVED AS PRESENTED.

LIST OF EXHIBITS:

Exhibit "A" – September 25, 2017 Minutes of Board Meeting

EXHIBIT "A"

MINUTES OF REGULAR MEETING – SEPTEMBER 25, 2017

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order at 5:00 p.m. by President Reinhart on September 25, 2017 in the District office, 15600 Sand Canyon Avenue, Irvine, California.

Directors Present: Reinhart, Swan, Matheis, and Withers

Directors Absent: LaMar

Also Present: General Manager Cook, Executive Director of Water Policy Weghorst, Executive Director of Engineering and Water Quality Burton, Director of Water Resources Sanchez, Director of Public Affairs Beeman, Executive Director of Operations Shields, Director of Human Resources Roney, Legal Counsel Smith, Secretary Bonkowski, Assistant Secretary Swan, Director of Administration Mossbarger, Principle Engineer Akiyoshi, Public Affairs Manager Fabris, Risk Manager Shinbashi, Mr. Bruce Willey, Mr. Gregorio Estrada, Mr. Aaron Meilleur, and Mr. Kevin Hardy.

WRITTEN AND ORAL COMMUNICATIONS: None.

ITEMS TOO LATE TO BE AGENDIZED: None.

PRESENTATION - NATIONAL WATER RESEARCH INSTITUTE PRESENTATION

Mr. Kevin Hardy, NWRI's newly-appointed Executive Director, provided an overview of key activities including organizational changes, the Clarke Prize Award ceremony in October, independent advisory panels, projects, and collaboration with other entities.

CONSENT CALENDAR

On MOTION by Withers, seconded and unanimously carried, CONSENT CALENDAR ITEMS 4 THROUGH 7 WERE APPROVED AS FOLLOWS:

4. RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Mary Aileen Matheis, Douglas Reinhart and John Withers, as described.

5. MINUTES OF REGULAR BOARD MEETING

Recommendation: That the minutes of the September 11, 2017 Regular Board Meeting be approved as presented.

CONSENT CALENDAR (CONTINUED)

6. AUGUST 2017 TREASURY REPORT

Recommendation: That the Board receive and file the Treasurer's Investment Summary Report, the Monthly Interest Rate Swap Summary for August 2017, and Disclosure Report of Reimbursements to Board Members and staff; approve the August 2017 Summary of Payroll ACH payments in the total amount of \$1,741,273 and approve the August 2017 Accounts Payable Disbursement Summary of Warrants 379171 through 380087, Workers' Compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$20,753,760.

7. IRVINE LAKE PIPELINE NORTH CONVERSION RESERVOIR CONTRACT CHANGE ORDER

Recommendation: That the Board approve Contract Change Order No. 10 with Pascal & Ludwig Constructors in the Amount of \$473,623 for design changes associated with the postponement of the Santiago Hills II Development for the Irvine Lake Pipeline North Conversion Reservoir, Project 05407.

ACTION CALENDAR

ENVIRONMENTAL COMPLIANCE CONSULTANT SELECTION FOR THE SYPHON RESERVOIR IMPROVEMENT PROJECT

General Manager Cook reported that the proposed Syphon Reservoir Improvement Project will allow Irvine Ranch Water District to increase its seasonal recycled water storage capacity by approximately 4,100 acre-feet. Mr. Cook said that an Environmental Impact Report (EIR) needs to be prepared for the project consistent with the California Environmental Quality Act (CEQA) and the requirements of the National Environmental Policy Act (NEPA). Mr. Cook said that to support IRWD's efforts in securing federal funding for the project, an EIR also needs to fulfill the requirements of the NEPA.

Executive Director of Water Policy Weghorst said that a Request for Proposal for preparing an EIR was issued to Dudek, ESA, LSA Associates, and Psomas. Mr. Weghorst said that staff completed a thorough review and evaluation of each proposal, conducted interviews with the top two firms and recommends ESA to perform this work. He highlighted the key strengths of ESA's proposal including: 1) a project management team with a superior depth of expertise and knowledge of IRWD; 2) outstanding understanding of the key issues associated with the project; 3) an informed approach that reflects an understanding of the project, IRWD's expectations and the requirements of CEQA and NEPA; 4) a scope of work that reflects the expected level of effort; 5) outstanding qualifications of its project team; 6) appropriate commitments to the project by its Principal and Project Manager; 7) prior experience with dam construction projects; and 8) a superior level of support and collaboration on public outreach efforts.

Mr. Weghorst said that in addition to the environmental consultant award, staff has been working with communications firm Katz & Associates on a draft overview plan for third-party

outreach support. He said that staff intends to finalize this plan later this month and then issue a Request for Proposal in early fall to several communications firms.

Director Withers reported that this item was reviewed and approved by the Engineering and Operations Committee on September 13, 2017. Following Director Swan's comments on his concerns for the project, on MOTION by Withers, seconded and unanimously carried, **THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ESA TO COMPLETE AN ENVIRONMENTAL IMPACT REPORT FOR THE SYPHON RESERVOIR IMPROVEMENT PROJECT FOR THE NOT-TO-EXCEED AMOUNT OF \$611,226.**

BUSINESS INTELLIGENCE CLOUD DISASTER RECOVERY IMPLEMENTATION AND REPORTING CONTRACT AWARD

General Manager Cook reported that the District's Oracle Financial Software Upgrade and Project Management implementation (Financial Upgrade Project) completed in March 2017 included a backup Cloud Disaster Recovery (DR) environment for continuing operations in the event of a system failure. Mr. Cook said that a separate backup Business Intelligence (BI) Cloud DR environment is also needed to support ongoing financial reporting in the event of a system failure. He said that in addition, the Financial Upgrade Project included minimal new reports, and following implementation, staff identified the need for additional BI reports and training on those reports.

Director of Administration Mossbarger reported that the District upgraded its Oracle BI software in August 2015 as Oracle support for that version had expired and required an upgrade to a newer version. He said that a Request for Proposal was issued to five consultants with experience performing Oracle BI software upgrades. Director Withers left the Board room at 5:38 p.m. Mr. Mossbarger said that at that time DiLytics was selected and awarded a Professional Services Agreement to perform the 2015 Oracle BI software upgrade and that its staff successfully completed the upgrade project on time and within budget. He further said that DiLytics has an excellent understanding of the cloud implementation, has an experienced project team, and is the most capable of assisting the District with this project.

Director Swan reported that this item was reviewed and approved by the Finance and Personnel Committee on September 19, 2017. On MOTION by Swan, seconded and carried (3-2) (Swan, Reinhart and Matheis voting aye, and Withers and LaMar absent), **THE BOARD AUTHORIZED THE ADDITION OF PROJECTS 10345 FOR \$155,000 AND 10347 FOR \$155,000 TO THE FY 2017-18 CAPITAL BUDGET AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DILYTICS, INC. IN THE AMOUNT OF \$241,000.**

REVISED WATER BANKING, TRANSFERS AND WHEELING POLICY POSITION PAPER

General Manager Cook placed before each Director a copy of the revised Water Banking, Transfers and Wheeling Policy Position Paper. Director Withers returned to the Board room.

Director of Water Policy Weghorst said that numerous changes have occurred that require updating of the 2015 Policy Position Paper. Mr. Weghorst said that one major change is that

Rosedale Rio Bravo Storage District and IRWD have certified and approved an Environmental Impact Report for the Stockdale Project that has facilitated the construction and equipping of additional recovery wells and related conveyance facilities. He said that IRWD has also entered into a long-term one-for-one exchange agreement with Dudley Ridge Water District that will make water available for delivery into IRWD's service area. He said that IRWD and Rosedale submitted a grant application to the California Water Commission for the planning, design and construction of water conveyance and banking facilities at the third project site contemplated for the Stockdale Project as well as at other suitable sites. He further said that IRWD has completed an update to its Water Supply Master Plan that indicates a reduced and uncertain demand for imported water in the year 2035 and that this change in demand for imported water has allowed IRWD to enter into discussions with the Municipal Water District of Orange County to initiate a program to share reliability from IRWD's water banking projects with other water supply retail agencies.

Director Swan reported that this item was reviewed by the Supply Reliability Programs Committee on September 21, 2017. Following minor edits made to the policy position paper by the Board, on MOTION by Swan, seconded and unanimously carried, **THE BOARD APPROVED THE DISTRICT'S WATER BANKING, TRANSFERS AND WHEELING POLICY POSITION PAPER.**

GENERAL MANAGER'S REPORT – None.

DIRECTORS' COMMENTS

Director Matheis reported on her attendance at an Orange County Coastkeepers' Toast the Coast event, an Orange County Forum breakfast, and a Shadetree Partnership Board meeting where she noted that its plants were provided to the District's Baker Treatment plant. She further complimented its General Manager, Tom Bonkowski, on his efforts along with other members of this organization. She further reported that tomorrow she will be going to Santa Fe, New Mexico for the 2017 Colorado River Symposium.

Director Withers reported on his attendance at an Orange County Coastkeepers' Toast the Coast event, and an Asset Management Committee meeting where they discussed recent marketing plans for the Sand Canyon property for lease. He also noted upcoming meetings including an OCWD Board meeting this Wednesday, a Tustin's State of the City event this Thursday, and a lunch meeting with the Mayor of Santa Ana this Friday.

Director Swan reported on his attendance at a Water Education Foundation tour, a WACO Planning meeting, a Newport Bay Watershed Executive Committee meeting, an OCWD Board meeting and an Orange County Coastkeepers' Toast the Coast event.

Director Reinhart reported on his attendance at a MWDOC Board meeting and MWDOC Administration and Finance Committee meeting.

ADJOURNMENT

There being no further business, President Reinhart adjourned the meeting at 6:17 p.m.

APPROVED and SIGNED this 9th day of October, 2017.

President, IRVINE RANCH WATER DISTRICT

Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Alfred Smith, Legal Counsel – Nossaman LLP

October 9, 2017

Prepared and

submitted by: C. Compton 

Approved by: Paul A. Cook 

CONSENT CALENDAR

2017 LEGISLATIVE AND REGULATORY UPDATE

SUMMARY:

This report provides an update on the final legislative actions during the first year of the 2017-2018 legislative session and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate.

Staff recommends that the Board receive and file this update.

BACKGROUND:

September 15, 2017, was the last day of the 2017 legislative session and the last day for the Legislature to act on regular session bills before the Interim Recess. The Governor has until October 15 to sign or veto legislation passed by the Legislature during the first year of the 2017-2018 legislative session. The State Legislature will reconvene from the Interim Recess on January 3, 2018, unless a special session is called. Legislators will have until the end of January to act upon two-year bills from 2017.

A copy of the 2017 Legislative Matrix is attached as Exhibit "A". Exhibit "B" is the 2017 Legislative Update Report Links to Bill and Regulatory Texts, which contains links to the bills and regulations discussed below, unless a separate exhibit is noted.

State Budget Update:

August Revenue Numbers:

On September 12, 2017, State Controller Betty Yee released her monthly report on the State's finances. She announced that the State took in \$8.90 billion during the month of August. This was \$343.7 million or 4.0 percent higher than the projections contained in the FY 2017-2018 Budget Act. The Controller reported:

"Led by personal income taxes (PIT), each of the "big three" revenue sources beat expectations. PIT receipts of \$5.22 billion in August were \$135.7 million higher than 2017-18 Budget Act estimates...August corporation tax receipts of \$95.2 million were \$70.0 million – or a whopping 277.8 percent – more than anticipated in the budget... Retail sales and use tax receipts of \$3.12 billion for August were \$67.3 million, or 2.2 percent, above budget estimates."

The State's outstanding loan balance was \$1.26 billion less than budget estimates.

2017 State Legislative Update:

As has been traditionally done in October after the legislative session has recessed, staff has provided an update on each bill upon which the District has taken a position during this legislation session. A summary and a status report on each bill are provided below:

Long-Term Water-Use Efficiency Framework:

Since the beginning of the year, staff has worked with various stakeholders and the Association of California Water Agencies (ACWA) on long-term water use efficiency and drought planning legislation. As reported to the Board, the Senate Natural Resources and Water Committee heard the bills related to “Making Water Conservation a California Way of Life,” which were still alive in July. The Committee considered AB 1323 (Weber, D-San Diego), AB 1654 (Rubio, D-West Covina), AB 1667 (Friedman, D-Glendale) and AB 1668 (Friedman). AB 968 (Rubio) and AB 1669 (Friedman), which also related to “Making Water Conservation a California Way of Life,” had already been held in the Assembly Appropriations Committee, and AB 869 (Rubio) was made into a two-year bill by Assemblymember Rubio prior to the Committee’s hearing. After the hearing only three bills remained active, AB 1323, AB 1654, and AB 1668.

In July, Senator Bob Hertzberg (D-Van Nuys) and Senator Nancy Skinner (D-Oakland) gutted and amended SB 606 to relate to “Making Water Conservation a California Way of Life”. On August 21, AB 1668 and SB 606 were amended with a proposal drafted by Senate Natural Resources and Water Committee Consultant Dennis O’Connor. Assemblywoman Blanca Rubio (D, West Covina) did not amend AB 1654 with the proposal because she was not comfortable with the policies it included and, as a result, AB 1654 was held in the Senate Natural Resources and Water Committee.

During the last month of session, SB 606 was heard in the Assembly Appropriations Committee, and AB 1323 and AB 1654 were heard in Senate Appropriations Committee. AB 1323 was held on the Senate Appropriations Committee Suspense File while AB 1668 and SB 606 moved forward with the proposal crafted by Dennis O’Connor.

Amendments were taken at the end of session within both bills to build support for the bills. As amended, the bills would, among other things, jointly:

- Give the State Water Resources Control Board (State Board) one-time authority to set certain water use efficiency standards and implement water use objectives/target;
- Authorize the State Board to establish guidelines and methodologies to identify how urban water use objectives/targets are to be calculated and reported;
- Require that urban retail water suppliers annually calculate an urban water use objective and report on accomplishments;

- Establish indoor water use efficiency standard through statute at 55 gallons per person daily (GPCD) until 2025, establish the indoor standard at 52.5 GPCD until 2030 and at 50 GPCD after 2030;
- Authorize the State Board to establish outdoor water use efficiency standards for residential landscapes and commercial, industrial and institutional (CII) irrigation based on the principles of the Model Water Efficient Landscape Ordinance;
- Authorize the State Board to establish performance measures for CII water use. Process water was excluded from the performance measures;
- Grant permissive, not mandatory, authority to the State Board to establish variances to the efficiency standards;
- Provide a ten percent credit for potable reuse supplies;
- Grant the State Board with new enforcement powers; and
- Modify the Urban Water Management Planning Act to require urban water suppliers to develop enhanced Urban Water Management Plans, enhanced Water Shortage Contingency Plans, Drought Risk Assessments, and an annual Water Supply and Demand Assessment.

At the end of session, SB 606 and AB 1668 were made two-year bills. SB 606 is currently located on the Assembly Third Reading File and AB 1668 is in the Senate Rules Committee.

As part of the District's efforts on "Making Water Conservation a California Way of Life" legislation, IRWD took an "oppose unless amended" position on AB 1668 and SB 606 and signed onto the water community's "oppose unless amended" letter for the two bills, which included amendments being sought by the coalition. Over the legislation recess, staff will continue to be engaged in discussions surrounding these two bills and will continue to work to obtain the amendments requested by the water community coalition during the legislative year. Staff will provide an update on the ongoing discussions taking place with regard to the long-term water use efficiency and drought planning legislation.

California Water Tax:

SB 623 (Monning, D-Santa Cruz) would have established the Safe and Affordable Drinking Water Fund in the State Treasury, and would have provided that the moneys in the fund be continuously appropriated to the State Board for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water consistent with a fund implementation plan to be adopted annually by the State Board. On August 21, the bill was amended to include a fee on fertilizer, a fee on milk and a water tax.

The bill would have required public water agencies to collect a monthly tax for the State based on the largest potable meter size serving their property at the following rates:

- \$0.95 for meters less than or equal to 1”;
- \$4.00 for meters less than or equal to 2”;;
- \$6.00 for meters less than or equal to 4”;
- \$10.00 for meters greater than “4; and
- Customers without a meter would be taxed at a rate of \$0.95.

These rates would have been in effect until July 1, 2022. After July 1, 2022, the State Board would have been granted authority to set the tax rates each year.

At the end of session, SB 623 was moved by the Assembly Appropriations Committee without a recommendation to the Assembly Rules Committee. The bill remained there at the end of session as a two-year bill.

As a result of SB 623 being amended to included water tax, IRWD moved to an “oppose” position on the bill since its contents were inconsistent with Board-adopted policy on a public good charge/statewide user fee. Staff worked with ACWA and the District’s other industry partners to oppose the proposed tax.

AB 574 (Quirk, D-Hayward) — Potable Reuse:

On December 30, 2016, State Board delivered its report to the Legislature on the “Feasibility of Developing Uniform Water Recycling Criteria for Direct Potable Reuse.” The report found that it is possible for the State Board to develop uniform water recycling criteria for direct potable reuse protective of public health, and that the uniform criteria can be developed concurrently with ongoing research on issues related to potable reuse. A copy of the report can be viewed at http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/rw_dpr_criteria.shtml.

In order to further the development of potable reuse regulations, WateReuse California sponsored AB 574, introduced by Assemblymember Bill Quirk (D-Hayward). AB 574, as introduced, proposed to establish a statutory deadline for the State Board to develop a policy and sequential regulations for potable reuse consistent with the report provided to the Legislature. Additionally, the bill recognized that there is a continuum of potable reuse projects. AB 574, therefore, proposed to define “potable reuse” as well as four subcategories of potable reuse—groundwater augmentation, reservoir augmentation, raw water augmentation, and treated water augmentation. AB 574 also proposed to remove the terms “Indirect Potable Reuse” and “Direct Potable Reuse” from the Water Code and proposed to require the State Board to adopt regulations for “raw water augmentation” potable reuse and the planned placement of recycled water into a raw or untreated water distribution system serving a public water system, by December 2021.

As a result of discussions with the Senate Environmental Quality Committee, AB 574 was amended. The bill, as amended, retained the terms “Indirect Potable Reuse” and “Direct Potable

Reuse” in the Water Code and proposed to include the terms “raw water augmentation” and “treated drinking water augmentation” as defined types of direct potable reuse. The bill also proposed to change the term “surface water augmentation” to “reservoir water augmentation” and redefine that term to mean the planned placement of recycled water into a raw surface water reservoir used as a source of domestic drinking water supply for a public water system or into a constructed system conveying water to such a reservoir. Finally, the bill proposed to require the State Board to adopt regulations for “raw water augmentation” direct potable reuse and the planned placement of recycled water into a raw or untreated water distribution system serving a public water system by December 2022 instead of December 2021.

AB 574 was passed by the Senate on a vote of 40 to 0 and by the Assembly on a vote of 78 to 0. The bill is currently on the Governor’s desk.

IRWD had support AB 574 throughout the year and has written to the Governor requesting that he sign AB 574 into law.

AB 1000 (Friedman): Water Conveyance: Use of Facility with Unused Capacity:

Earlier this year, Assemblymember Laura Friedman (D-Burbank) introduced AB 1667. AB 1667 would have required an urban water supplier to install dedicated irrigation meters for various types of properties within its service area. Due to technical concerns raised with the author’s office, Assemblymember Friedman “gutted and amended” AB 1667 in April. Instead of dealing with water meters, the bill was amended to relate to agricultural water management planning.

While AB 1667 was amended to no longer deal with water meters, Assemblymember Friedman “gutted and amended” AB 1000 midway through the session to deal with water meters. AB 1000 would have authorized the California Energy Commission to adopt regulations establishing performance standards for water meters installed in residential and nonresidential buildings. On July 3, 2017, AB 1000 was “gutted and amended” a second time. As amended, the bill specifically sought to prohibit water from the Cadiz Valley Water Conservation, Recovery & Storage Project from being placed into an existing water conveyance facility unless the State Lands Commission found that there would be no adverse affect on the natural or cultural resources.

At the end of session, AB 1000 was held on the Senate Appropriations Committee Suspense File. IRWD had a “watch” position on AB 1000.

SB 252 (Dodd, D-Napa): Well Permits:

SB 252, authored by Senator Bill Dodd (D-Napa), will require a city or county overlying a critically overdrafted groundwater basin to establish a well permitting process for new groundwater wells. Specifically, the bill would require that certain information about the well, as outlined below, be collected by the city or county as part of its permitting process.

Under SB 252, an applicant for a new well permit in a critically overdrafted basin would be required to provide estimates of the following:

- A map of the location, as well as information including, but not limited to, the global positioning system coordinates and elevation of the proposed well;
- The proposed well depth;
- The proposed well's capacity, estimated pumping rate, anticipated pumping schedule, and estimated annual extraction volume;
- The geologic siting information, including, but not limited to, water table depth, seasonal fluctuations, recharge area and rate, if known, and location to flood plain;
- The distance from any potential sources of pollution onsite and on adjacent properties, including, but not limited to, existing or proposed septic systems, wells, animal or fowl enclosures, transmission lines, or sewer lines;
- The distance from ponds, lakes, and streams within 300 feet;
- Any existing wells on the property, including well use, depth, diameter, screen interval, pumping rate, estimated or measured annual extraction volume, and, if available, information on specific capacity or other pumping tests completed;
- For a well below Corcoran clay, a map showing the location of canals, ditches, pipelines, utility corridors, and roads within two miles;
- The estimated cumulative extraction volume before January 1, 2020;
- The size in acres of the area to be served by the well; and
- The planned category of water use, such as irrigation, stock, domestic, municipal, industrial, or other.

SB 252 will be applicable to the 21 critically overdrafted groundwater basins in California. The Kern County sub-basin of the San Joaquin Valley Groundwater Basin, the basin in which IRWD's water banking facilities are located, is one of the 21 critically overdrafted basins. As a result, IRWD sought and obtained an amendment to SB 252, which would eliminate the need for water banking and conjunctive use projects to duplicate the analysis, information and public review processes already in place for such projects.

On June 28, SB 252 was amended so that the reporting requirements no longer apply to:

“A public agency that substantially meets or exceeds the requirements of this article through another requirement of law. In order to be exempt, the applicant shall document the laws that substantially meet or exceed the requirements of this article and how the requirements of those laws were met.”

SB 252 was passed by the Assembly on a 46-to-31 vote and by the Senate on a 25-to-14 vote. The bill is currently on the Governor's desk. IRWD has a "watch" position on the bill.

SCA 4: Proposition 218 Reform:

Since *Capistrano Taxpayers Association, Inc. v. City of San Juan Capistrano*, there has been significant discussion in Sacramento regarding Proposition 218 and tiered water rates. Earlier this year, Senator Bob Hertzberg introduced SCA 4, a constitutional amendment, which was sponsored by ACWA and meant to put forth a constitutional amendment related to lifeline and tiered water rates. ACWA continued to work with Senator Hertzberg's staff throughout the year to develop language for SCA 4, but no language was agreed to and the bill was not moved forward. It remains a two-year bill.

2017 State Regulatory Update:

AB 401 Implementation:

AB 401 (Dodd, 2015) requires the State Board to develop a plan for a statewide Low-Income Rate Assistance Program (LIRA) by February 1, 2018. As a result, the State Board is holding a series of public meetings seeking input on various scenarios, which would provide low-income rate assistance to up to 34 percent of Californians. The State Board's effort is based on the following philosophy:

"Californian's have a right to safe water. State policy through AB 685 (2012) aims to ensure universal access to water by declaring that "every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." However, water is becoming more expensive. California's growing economy and population create continued demand for water. Meanwhile, drought and water leaks tighten available supplies. In addition, pipes and aging infrastructure result in expensive repairs or replacements. These conditions contribute to higher costs. The result is that more low-income households have unaffordable drinking water." (http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/assistance/)

As a result, the State Board's AB 401 Implementation Plan will include the following:

- A description of the method for collecting moneys to support and implement the program, with a discussion of any constitutional restrictions on public water agency rate-setting;
- A description of the mechanism for providing funding assistance under the program. This could include direct credits to program participants, reimbursements to water service providers, a method for verifying income eligibility of low-income ratepayers, clarification of the role of the Public Utilities Commission and water utilities in determining and verifying customer eligibility, and recommendations regarding the structure of the program;

- A description of the method to be used to determine the amount of moneys that may need to be collected from water ratepayers to fund the program; and
- A set of recommendations and best practices that cover cost-savings measures and aim to ensure that water utilities are keeping rates low.

State Board staff continues to examine and explore options for a statewide LIRA Program. Staff will provide an oral update on the discussions taking place at the State Board.

Little Hoover Commission Study of Special Districts:

As previously reported, the Little Hoover Commission initiated a new study of California special districts last year. Last summer, the Commission held a hearing regarding California special districts. The hearing covered a wide range of issues related to special districts including property taxes, reserves, and consolidations. Following the initial hearing, the Commission announced that its study of special districts would focus on how special districts are incorporating climate change adaptation into current and long-term allocations of property tax revenues, fee revenues, and reserves, and on health care districts.

On August 24, 2017, the Little Hoover Commission unanimously approved the final report on the study initiated on special districts one year ago. While the report was generally more positive than the Commission's previous study on special districts 10 years ago, the final report did contain 20 recommendations related to special districts. The recommendations related to state oversight of special districts, improving transparency of special districts, health care districts, and climate change adaptation. An executive summary of the report, which contains a summary of the recommendations, is attached as Exhibition "C".

A copy of the full report can be viewed at <http://www.lhc.ca.gov/sites/lhc.ca.gov/files/Reports/239/Report239.pdf>.

2017 Legislative Planning

CMUA's Call for Legislative Proposals:

Each year the California Municipal Utilities Association (CMUA) solicits legislative proposals from CMUA members, which it considers at its Annual Planning Meeting in the fall. In order to have a proposal considered, CMUA requires the proposal to be submitted by October 18, 2017.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on October 5, 2017.

RECOMMENDATION:

RECEIVE AND FILE.

LIST OF EXHIBITS:

Exhibit "A" – IRWD Legislative Matrix

Exhibit "B" – 2017 Legislative Update Report Links to Bill Texts

Exhibit "C" – Executive Summary of "Special Districts: Improving Oversight & Transparency"

EXHIBIT "A"
IRWD 2016 LEGISLATIVE MATRIX
Updated 09/25/2017

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 18 Garcia E (D)	Clean Water, Climate, and Coastal Protection Act		Enacts the California Clean Water, Climate, Coastal Protection and Outdoor Access For All Act, which would authorize the issuance of bonds to finance a clean water, climate, and coastal protection and outdoor access for all program. Provides for the submission of these provisions to the voters at the statewide direct primary election.	08/31/2017 - In SENATE. Joint Rule 62(a) suspended.;08/31/2017 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on GOVERNANCE AND FINANCE.;08/31/2017 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS.
AB 22 Bonta (D)	Secretary Of State: Storing and Recording Media		Approves and adopts uniform statewide standards for the purpose of storing and recording permanent and nonpermanent documents in electronic media. Requires those standards to include a requirement that a trusted system.	09/19/2017 - Enrolled.
AB 52 Cooper (D)	Public Employee: Orientation And Informational Programs		Requires the public employers regulated by specified acts to provide all employees an orientation and to permit an exclusive representative to participate.	04/19/2017 - In ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY: Not heard.
AB 151 Burke (D)	California Global Warming Solutions Act		Amends the Global Warming Solutions Act. Requires the Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan. Requires the State Board to report to the Legislature on the need for increased education, career technical education, job training, and workforce development in ensuring that statewide greenhouse gas emissions are reduced by a specified level.	08/24/2017 - In ASSEMBLY. From third reading. To Inactive File.
AB 161 Levine (D)	Department of Finance: Infrastructure Investment		Authorizes the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return on investment for an investment made in that infrastructure project by the Public Employees' Retirement System.	08/21/2017 - In SENATE Committee on APPROPRIATIONS: Not heard.

IRWD 2016 LEGISLATIVE MATRIX
Updated 09/25/2017

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 166</u> Salas (D)	Building Homes and Jobs Act: Recording Fee		Authorizes a property owner to request a refund based on hardship of a fee if he or she files a claim with the county recorder, in the county in which the fee was collected. Authorizes county recorders to issue a refund of this fee. Requires the county recorder to deduct any amount issued for a refund from the amount to be remitted to the Department of Housing and Community Development and to annually report to the department on the number of hardship refunds granted pursuant to these provisions.	09/16/2017 - In ASSEMBLY. Joint Rule 62(a) suspended.;09/16/2017 - From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Recommend concurrence in SENATE amendments.;09/16/2017 - In ASSEMBLY. Assembly Rule 63 suspended.
<u>AB 176</u> Salas (D)	Water Project: Friant-Kern Canal		Appropriates a specified sum from the General Fund for the Reverse Flow Pump-back Facilities on the Friant-Kern Canal Restoration Project. Makes legislative findings and declarations as to the necessity of a special statute for the Friant-Kern Canal.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 196</u> Bigelow (R)	Greenhouse Gas Reduction Fund: Water Supply		Amends the Global Warming Solutions Act, which creates the Greenhouse Gas Reduction Fund and authorizes specified investments, including water use and supply. Authorizes the use of the moneys in the fund for electric pump efficiency, water and wastewater systems, pump and pump motor efficiency improvements, and drinking water transmission and distribution systems' water loss if the investment furthers the regulatory purposes of the act and is consistent with law.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 241</u> Dababneh (D)	Personal Information: Privacy: State and Local Breach		Relates to state and local breaches of privacy. Requires a state or local agency, if it was the source of a computer breach of information, to provide appropriate identity theft prevention and mitigation services at no cost to a person whose personal information, including social security number, driver license or identification card number.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 277</u> Mathis (R)	Water and Wastewater Loan and Grant Program		Authorize the State Water Resources Control Board to establish the Water and Wastewater Loan and Grant Program to provide funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment. Authorizes a county or qualified	09/18/2017 - Enrolled.

IRWD 2016 LEGISLATIVE MATRIX
Updated 09/25/2017

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			nonprofit organization to apply to the board for a grant to award loans or grants, or both, to an eligible applicant. Authorizes the board to use a specified funding source.	
AB 305 Arambula (D)	School Accountability Report Card: Drinking Water		Amends the Classroom Instructional Improvement and Accountability Act to require a specified school accountability report card to include an assessment of the drinking water access points at each school site. Requires the State Department of Education to compile the assessments and transmit them to the State Water Resources Control Board.	02/13/2017 - To ASSEMBLY Committees on EDUCATION and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
AB 313 Gray (D)	Water		Establishes a Water Rights Division within the Office of Administrative Hearings. Provides for hearing requirements. Authorizes the State Water Resources Control Board to issue a complaint seeking an order requiring a person to cease and desist from diverting or using water.	09/19/2017 - Enrolled.
AB 321 Mathis (R)	Groundwater Sustainability Agencies		Includes farmers, ranchers, and dairy professionals in the agricultural users whose interests a groundwater sustainability agency is required to consider for sustainability plans.	07/17/2017 - Signed by GOVERNOR.;07/17/2017 - Chaptered by Secretary of State. Chapter No. 2017-67
AB 408 Chen (R)	Eminent Domain: Final Offer of Compensation		Provides that if a court finds that the offer of the plaintiff was a certain percentage of the compensation awarded in the eminent domain proceeding, then the court would be required to include the defendant's litigation costs in the costs allowed.	03/20/2017 - From ASSEMBLY Committee on JUDICIARY without further action pursuant to JR 62(a).
AB 429 Grayson (D)	State Water Policy: Water Rights: Use/Transferability		Makes nonsubstantive changes to existing law concerning water policy, water use, rights and transferability of those rights.	02/13/2017 - INTRODUCED.
AB 472 Frazier (D)	Employer Liability: Small and Micro Business		Prohibits the state OSHA division from commencing any enforcement action for any nonserious violation, as defined, against any employer where the employer is a small business or microbusiness, as defined. Requires written notification to the employer and providing the employer a certain number of days to	09/12/2017 - Withdrawn from SENATE Committee on NATURAL RESOURCES AND WATER.;09/12/2017 - Re-referred to SENATE Committee on RULES.

IRWD 2016 LEGISLATIVE MATRIX

Updated 09/25/2017

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			correct the violation. Authorizes the division to assess a reasonable fee to cover its costs.	
AB 474 Garcia E (D)	Hazardous Waste: Spent Brine Solutions		Exempts spent brine solutions that are byproducts of the treatment of groundwater to meet California drinking water standards from Hazardous Waste Control Law requirements if certain conditions are met. Requests surface impoundments used for the treatment of spent brine solutions to maintain financial assurances consistent with requirements of the Hazardous Waste Control Law.	09/19/2017 - *****To GOVERNOR.
AB 494 Bloom (D)	Land Use: Accessory Dwelling Units		Amends the Planning and Zoning Law. Provides that an accessory dwelling unit may be rented separately from the primary residence. Requires that parking requirements for accessory dwelling units not exceed a certain number per unit. Removes the prohibition on specified off-street parking where that parking is not allowed anywhere else in the jurisdiction.	09/18/2017 - Enrolled.
AB 524 Bigelow (R)	Public Utilities: Fines and Settlements		Appropriates moneys resulting from specified citations, relating to the 2015 Butte Fire, to the Department of Forestry and Fire Protection to be expended for the department's program known as the State Responsibility Area Fire Prevention Fund and Tree Mortality Grant Program.	09/19/2017 - *****To GOVERNOR.
AB 530 Cooper (D)	Public Employment: Collective Bargaining: Officers		Expands the jurisdiction of the Public Employment Relations Board to include resolving disputes and statutory duties and rights of persons who are employed by public agencies and who are peace officers. Authorizes a peace officer to bring an action to seek injunctive relief. Excepts the employee relations commissions of the County of Los Angeles and the City of Los Angeles from the application of these provisions.	09/19/2017 - *****To GOVERNOR.
AB 551 Levine (D)	Political Reform Act of 1974: Postemployment		Amends the Political Reform Act, which prohibits certain elected officials from acting as agents or attorneys for certain persons, and which excludes from that prohibition certain appearances and	08/25/2017 - Enrolled.;08/25/2017 - *****To GOVERNOR.;09/01/2017 - Signed by GOVERNOR.;09/01/2017 -

IRWD 2016 LEGISLATIVE MATRIX
Updated 09/25/2017

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			communications. Specifies that the one-year prohibition applies to independent contractors of a local government agency or a public agency who are appearing or communicating on behalf of that agency.	Chapered by Secretary of State. Chapter No. 2017-196
AB 554 Cunningham (R)	Desalination: Statewide Goal		Relates to desalination projects and opportunities for state assistance and funding. Establishes a goal to desalinate specified acre-feet of drinking water per year.	06/20/2017 - In ASSEMBLY. Coauthors revised.
AB 567 Quirk-Silva (D)	School Facilities: Drinking Water Fountains		Requires a school district to ensure that every drinking water fountain at each school under its jurisdiction is equipped with both a water fountain and a spigot, or a combination water fountain and spigot, for filling water bottles.	03/14/2017 - From ASSEMBLY Committee on EDUCATION with author's amendments.;03/14/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on EDUCATION.
AB 574 Quirk (D)	Potable Reuse	SUPPORT	Specifies that direct potable reuse includes raw water augmentation and treated drinking water augmentation. Changes surface water augmentation to reservoir water augmentation. Requires the State Water Resources Control Board to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation. Requires the Board to establish an expert review panel. Authorizes the Board to reconvene or reestablish such panel after adopting the initial uniform water recycling criteria.	09/19/2017 - *****To GOVERNOR.
AB 577 Caballero (D)	Disadvantaged Communities		Amends existing law which defines a disadvantaged community as a community with an annual median household income that is less than a certain percentage of the statewide annual median household income for various purposes, that include, but are not limited to, the Water Quality, Supply, and Infrastructure Improvement Act of 2014. Expands the definition of disadvantaged community.	03/09/2017 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;03/09/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

IRWD 2016 LEGISLATIVE MATRIX
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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 589 Bigelow (R)	Water Diversion: Monitoring: University of California		Relates to any water diverter, who has completed an instructional course regarding the devices or measurement method administered by the UC Cooperative Extension, to be considered a qualified individual when installing and maintaining devices or implementing methods of measurement for the diverter's diversion. Requires a diverter to recomplete the course at a specified period. Requires the UC Cooperative Extension and the board to develop the curriculum of the course and the proficiency test.	09/18/2017 - Enrolled.
AB 594 Irwin (D)	Water Supply Planning: Photovoltaic Energy Facility		Amends existing law which requires a city or county that determines that a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment.	02/27/2017 - To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and LOCAL GOVERNMENT.
AB 664 Steinorth (R)	Political Reform Act: Campaign Expenditure		Prohibits the payment of financial or material compensation from campaign funds held by a controlled committee of an elected officer or candidate for elective office, in exchange for services rendered, to any vendor that is majority-owned or controlled by any spouse or domestic partner, parent, grandparent, sibling, child, or grandchild of that officer or candidate.	04/26/2017 - In ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Failed passage.;04/26/2017 - In ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Reconsideration granted.
AB 672 Jones-Sawyer (D)	Utility Services		Relates to civil actions brought by an electrical, gas, or water utility against a person who commits the diversion of utility services. Authorizes a defendant that prevails upon judgment to recover reasonable attorney's fees and costs of the suit from the utility.	05/01/2017 - From ASSEMBLY Committee on JUDICIARY with author's amendments.;05/01/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
AB 732 Frazier (D)	Levee Maintenance		Extends indefinitely the operation of the authorization to advance funds to reimburse local agencies under a program for the maintenance or improvement of project or nonproject levees. Postpones the operation of certain related provisions.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.

IRWD 2016 LEGISLATIVE MATRIX
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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 791 Frazier (D)	Sacramento-San Joaquin Delta: Conveyance Facility	OPPOSE	Relates to the State Water Project and federal Central Valley Project. Requires, before a water contractor enters into a contract to pay for these costs, that the lead agency provide the breakdown of costs for each water contractor entering into a contract and what benefits each contractor will receive based on the proportion it has financed of the proposed conveyance project.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 792 Frazier (D)	Sacramento-San Joaquin Delta Plan: Certification	OPPOSE	Prohibits the Delta Stewardship Council from granting a certification of consistency with the Sacramento-San Joaquin Delta Plan until the State Water Resources Control Board has completed its update of a specified water quality control plan.	03/28/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/28/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
AB 793 Frazier (D)	Sacramento-San Joaquin Delta: Financing	OPPOSE	States that the maintenance and repair of the Sacramento-San Joaquin Delta are eligible for the same forms of financing as other water collection and treatment infrastructure and would specify the maintenance and repair activities that are eligible are limited to certain cleanup and abatement-related restoration and conservation activities.	03/27/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/27/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
AB 869 Rubio (D)	Sustainable Water Use: Recycled Water		Requires long-term standards for urban water conservation and water use to include a credit for recycled water. Prohibits an urban retailer water supplier from being required to reduce the amount of recycled water it produces, sells, or distributes for beneficial potable or nonpotable uses during a period when water conservation measures are in effect.	08/24/2017 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.;08/24/2017 - In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.
AB 851 Caballero (D)	Local Agency Contracts		Authorizes the Santa Clara Valley Water District to use the design build procurement process when contracting for the construction of a building, or buildings, and any directly related improvements. Authorizes the utilization of the design build procurement process by the Santa Clara Valley Water District for the purposes of flood	09/19/2017 - Enrolled.

IRWD 2016 LEGISLATIVE MATRIX
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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			protection improvements, habitat restorations or enhancements, and enhancement of surface water facilities.	
AB 884 Levine (D)	Dams and Reservoirs: Inspections		Requires the Department of Water Resources to make annual physical inspections of dams and reservoirs at state expense for the purpose of determining their safety.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 891 Mayes (R)	Tribal Gaming: Compact Ratification		Provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. Ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State and specified Indian tribes. Requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report.	09/19/2017 - Enrolled.
AB 898 Frazier (D)	Property Taxation: Revenue Allocations: Fire District		Requires the auditor of the County of Contra Costa to allocate certain ad valorem property tax revenues to the East Contra Costa Fire Protection District that would otherwise be allocated to the county's Education Revenue Augmentation Fund.	04/04/2017 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;04/04/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
AB 947 Gallagher (R)	Fish and Wildlife: Streambed Alteration Agreements		Relates to streambed alteration agreements of the Department of Fish and Wildlife. Defines river and stream for purposes of provisions requiring certain notification.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.
AB 967 Gloria (D)	Human Remains Disposal: Alkaline Hydrolysis: Licensure		Requires the Cemetery and Funeral Bureau to license and regulate hydrolysis facilities. Enacts requirements applicable to hydrolysis facilities substantially similar to those applicable to crematoria. Requires a local registrar of births or deaths to issue permits for the disposition of hydrolyzed remains. Requires an applicant for hydrolysis facility to present to the bureau any state or locally required permits for business operation and to employ a certified hydrolysis chamber.	09/19/2017 - Enrolled.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 968 Rubio (D)	Retail Water Use: Water Efficiency	CO- SPONSOR & SUPPORT	Requires the Urban Stakeholder Committee to submit a report to the Legislature recommending for potential adjustments to water efficiency targets and commercial, industrial, and institutional performance measures. Requires the Department of Water Resources to recommend appropriate water efficiency measures for various segments of the commercial, industrial, and institutional water use sector. Requires each urban retail water supplier to develop a water efficiency target. Revises definitions.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 975 Friedman (D)	Natural Resources: Wild and Scenic Rivers		Specifies that certain rivers that possess scenic, recreational, fishery, wildlife, historical, cultural, geological, or other similar values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state.	06/05/2017 - In ASSEMBLY. To Inactive File.
AB 1000 Friedman (D)	Water Conveyance: Unused Facility Capacity	WATCH	Prohibits a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
AB 1008 McCarty (D)	Employment Discrimination: Conviction History		Repeals the prohibition on a state or local agency from asking an applicant for employment to disclose information regarding criminal conviction. Provides that it is an unlawful employment practice for an employer with a specified number of employees, to include on any application for employment any question that seeks the disclosure of an applicant's conviction history, to inquire into, or to consider the conviction history of an applicant until that applicant has received a conditional offer.	09/19/2017 - Enrolled.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 1030 Ting (D)	Energy Storage Systems		Establishes energy policy goals of the state with respect to energy storage. Requires the Public Utility Commission to undertake specified actions with respect to customer- and load-sited energy storage systems in order to achieve those energy policy goals, including a rebate program dedicated to energy storage that carves out a portion of funding for low-income customers and disadvantaged communities.	05/24/2017 - From ASSEMBLY Committee on UTILITIES AND ENERGY without further action pursuant to JR 62(a).
AB 1041 Levine (D)	Transportation Funding: Transportation Improvement Fee		Amends the Road Repair and Accountability Act of 2017 which imposes a transportation improvement fee on each vehicle. Requires that the revenues from fees be available for expenditure only on specified transportation purposes. Provides for provisions to be added by SB 1 to correct an erroneous cross-reference in these provisions.	04/24/2017 - Re-referred to ASSEMBLY Committee on TRANSPORTATION.
AB 1050 Allen T (R)	Endangered Species Act: Delta Smelt		Requires the Fish and Game Commission to remove the Delta smelt from the endangered species list.	03/28/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/28/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
AB 1066 Aguiar-Curry (D)	Public Works: Definition		Expands the meaning of the term public works to include specific types of tree removal work. Expands the scope of a crime.	09/19/2017 - Enrolled.
AB 1089 Mullin (D)	Local Elective Offices: Contribution Limitations		Prohibits a person from making to a candidate for local elective office a contribution totaling more than a certain amount. Authorizes a county, city, special district, or school district to impose a different limitation.	06/20/2017 - In ASSEMBLY. Coauthors revised.
AB 1132 Garcia (D)	Nonvehicular Air Pollution: Order for Abatement		Authorizes an air pollution control officer, if they find that any person is causing an imminent and substantial endangerment to the public health or welfare, or the environment, by violating requirements related to the emission of air pollutants by stationary	08/07/2017 - Signed by GOVERNOR.;08/07/2017 - Chaptered by Secretary of State. Chapter No. 171

IRWD 2016 LEGISLATIVE MATRIX
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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			sources, to issue an interim order for abatement pending a hearing before the hearing board of the air district. Requires the air pollution control officer to notify the alleged violator and establishes procedure for a hearing.	
AB 1133 Dahle (R)	California Endangered Species Act		Provides that the California Endangered Species Act (CESA) prohibits the taking of an endangered or threatened species. Provides that a person who obtains a federal enhancement of survival permit requires no further authorization to take that species as identified in the enhancement of survival permit. Provides that it is the intent of the Legislature that the department should undertake appropriate public outreach before introducing species that is designated as an experimental population under FESA.	09/12/2017 - *****To GOVERNOR.
AB 1180 Holden (D)	Los Angeles County Flood Control District		Authorizes the Los Angeles County Flood Control District to levy a tax or impose a fee or charge to pay the costs and expenses of carrying out projects and programs to increase stormwater capture and reduce stormwater and urban runoff pollution in the district. Specifies that projects funded by the revenues may include projects that increase water supply and improve water quality.	09/22/2017 - *****To GOVERNOR.
AB 1235 Daly (D)	Santa Ana River Conservancy Program		Appropriates a specified sum from the General Fund to the conservancy to be expended for the purposes of the the Santa Ana River Conservancy Program.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 1271 Gallagher (R)	Dams and Reservoirs		Amends the existing law which requires the Department of Water Resources to supervise the maintenance and operation of dams and reservoirs as necessary to safeguard life and property. Requires the department to order the owner to take action to remove the resultant danger to life and property. Provides for continuously appropriating the moneys in the fund to the department for the administration of the dam safety program.	03/21/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/21/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 1323 Weber (D)	Sustainable Water Use and Demand Reduction		Requires the Department of Water Resources to convene a stakeholder workgroup. Requires the workgroup to develop, evaluate, and recommend proposals for establishing new water use targets for urban water suppliers and report to the Governor and the Legislature. Requires all expenses to be the responsibility of the nonstate agency stakeholders.	08/21/2017 - In SENATE Committee on APPROPRIATIONS: To Suspend File.
AB 1333 Dababneh (D)	Political Reform Act: Local Government Agency Notices		Requires every local government agency to prominently post on its Internet Web site a notice of any upcoming election in which voters will vote on a tax measure or proposed bond issuance of the agency. Requires every local government agency that publishes an electronic newsletter to include the notice in the electronic newsletter.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 1342 Flora (R)	Greenhouse Gas Reduction Fund: Appropriations		Appropriates from the fund to the Department of Forestry and Fire Protection for healthy forest programs that reduce greenhouse gas emissions caused by uncontrolled wildfires. Appropriates from the fund to the Department Resources Recycling and Recovery for instate organic waste recycling projects that reduce greenhouse gas emissions.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 1369 Gray (D)	Water Quality and Storage		Requires the Department of Water Resources to increase statewide water storage capacity by a certain percent by a specified year. Provides for the appropriation of moneys from the Greenhouse Gas Reduction Fund. Requires all groundwater basins designated as high- or medium-priority basins by the department that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan.	03/27/2017 - To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and NATURAL RESOURCES.
AB 1420 Aguilar-Curry (D)	Water Rights: Small Irrigation Use		Requires State Water Resources Control Board to give priority to adopting general conditions that permit a registrant to store water for small irrigation use during times of high streamflow in exchange for the registrant reducing diversions during periods of low streamflow. Exempts an entity from the requirement to enter	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			into a lake or streambed alteration agreement with the department under specified circumstances.	
AB 1427 Eggman (D)	Water: Underground Storage		Revises the declaration to additionally provide that certain uses of storage water while underground constitute beneficial use. Provides that the forfeiture periods of a water right do not apply to water being beneficially used or being held in storage for later beneficial use.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 1438 Env Safety & Toxic Material Cmt	State Water Resource Control Board		Amends the Environmental Laboratory Accreditation Act. Updates obsolete references. Authorizes the state board to require an owner of a laboratory under these provisions to provide certain information or records to the state board. Amends the California Safe Drinking Water Act. Authorizes the state board to suspend or revoke a permit if the state board determines that the permittee is in violation of the act.	09/13/2017 - *****To GOVERNOR.
AB 1479 Bonta (D)	Public Records: Supervisor of Records: Civil Penalties		Amends the Public Records Act. Requires public agencies to designate a person or office to act as the agency's custodian of records who is responsible for responding to any request made under the Act and any inquiry from the public about a decision by the agency to deny a request for records. Requires specified state and local agencies to establish written guidelines for accessibility of records.	09/19/2017 - *****To GOVERNOR.
AB 1490 Gray (D)	State Water Resources Control Board: School Water		Requires the State Water Resources Control Board to prepare and submit to the Legislature a report evaluating potential adverse impacts resulting from the implementation of the Bay-Delta Water Quality Control Plan on the quality and supply of drinking water provided to schools in disadvantaged communities in the state, including a summary describing any measures that may be implemented to address any adverse impacts identified in the report. Relates to school financial assistance.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 1524 Brough (R)	Political Reform Act: Mass Mailing Prohibitions		Amends the Political Reform Act of 1974 which prohibits the sending of a mass mailing by either a candidate or an agency. States violation of the act's provisions is punishable as a misdemeanor.	03/16/2017 - To ASSEMBLY Committee on ELECTIONS AND REDISTRICTING.
AB 1529 Thurmond (D)	Cross Connection or Backflow Prevention Inspectors		Requires valid and current certifications for cross connection inspection or backflow prevention device inspection, testing, and maintenance that meet specified requirements for competency to be considered approved certification tests, until the Water Resources Control Board promulgates specified regulations or by a specified date. Prohibits a water supplier from refusing to recognize certifications tests that meet standards set by regulations of the board.	09/15/2017 - In SENATE. Read third time. Failed to pass SENATE.;09/15/2017 - In SENATE. Motion to reconsider.;09/15/2017 - In SENATE. Reconsideration granted.;09/15/2017 - In SENATE. From third reading. To Inactive File.
AB 1548 Fong (R)	Occupational Safety and Health: Penalties		Expands the application of an existing law which authorizes certain entities to apply for a refund of civil penalties assessed against them if specified conditions are met and which requires moneys in a certain fund to be expended to assist schools in establishing effective occupational injury and illness prevention programs.	03/16/2017 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
AB 1605 Caballero (D)	Maximum Contaminant Levels: Replacement Water		Deems a person that causes or permits, or threatens to cause or permit, any waste to be discharged that contributes to the exceedance of the maximum contaminant level for nitrate in drinking water to not have caused pollution or a nuisance or to not be liable for negligence or trespass, if the person or entity takes certain actions relating to replacement water until the maximum contaminant level for nitrate is no longer exceeded.	04/27/2017 - From ASSEMBLY Committee on JUDICIARY with author's amendments.;04/27/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
AB 1654 Rubio (D)	Water Conservation	CO- SPONSOR & SUPPORT	States the intent of the Legislature to enact legislation necessary to help make water conservation a California way of life.	07/19/2017 - Re-referred to SENATE Committee on RULES.
AB 1667 Friedman (D)	Water Management Planning	OPPOSE	Requires the State Water Resources Control Board to adopt long-term standards for urban water conservation and water use on or	07/11/2017 - In SENATE Committee on NATURAL RESOURCES AND

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			before the specified date. Requires the board to adopt performance measures for commercial, industrial, and institutional water use on or before that date. Require an urban water supplier to calculate a water use target beginning the calendar year after the board adopts long-term standards for urban water conservation and water use. Relates to submission of specified information.	WATER: Heard, remains in Committee.
AB 1668 Friedman (D)	Water Management Planning	OPPOSE UNLESS AMENDED	Requires the State Water Resources Control Board to adopt long term standards for the efficient use of water and performance measures for certain water uses. Requires the department to conduct necessary studies. Establishes a specified number of gallons as a standard for indoor residential water use effective until a specified date. Requires use of available data to identify small water suppliers and rural communities that may be at risk of drought and water shortage no later than a specific date.	09/15/2017 - From SENATE Committee on APPROPRIATIONS: Do pass to Committee on RULES.
AB 1669 Friedman (D)	Urban Water Conservation Standards and Use Reporting		Requires the State Water Resources Control Board, in consultation with the Department of Water Resources, to adopt long-term standards for urban water conservation and water use by a specified date. Provides for the adoption of interim standards. Requires the board, before adopting an emergency regulation, to provide a certain number of days for the public to review and comment on the regulation and requires the board to hold a public hearing.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 1671 Caballero (D)	Backflow Protection and Cross-Connection Controls		Requires a public water system to implement a cross-connection control program that complies with applicable regulations and standards. Requires the State Water Resources Control Board to adopt standards for backflow protection and cross-connection control. Authorizes the Board to do so through the adoption of a policy handbook.	09/19/2017 - Enrolled.
AB 1673 Aguiar-Curry (D)	The California Water Plan		Makes technical, nonsubstantive changes to existing law which requires the Department of Water Resources to update every five years, the plan for the orderly and coordinated control,protection,	02/17/2017 - INTRODUCED.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			conservation, development and use of the water resources of the state.	
SB 5 de Leon (D)	California Drought, Water, Parks, Climate		Enacts the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018. Authorizes the issuance of bonds of a specified sum pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all programs. Reallocates a specified portion of the unissued bonds to finance the purposes of drought, water, parks, climate, coastal protection, and outdoor access, upon voter approval.	09/22/2017 - *****To GOVERNOR.
SB 24 Portantino (D)	Political Reform Act of 1974: Economic Interest		Amends the Political Reform Act which requires certain disclosures to include a statement indicating the fair market value of investments or interests in real property and the aggregate value of income received from each reportable source. Revises the dollar amounts associated with these ranges.	08/31/2017 - In ASSEMBLY. To Inactive File.
SB 49 de Leon (D)	Environmental and Workers' Defense Act		Relates to the California Environmental, Public Health, and Workers Defense Act of 2017. Relates to clean air, drinking water, discharge of pollutants into the atmosphere and waters, and endangered species. Requires specified agencies to take prescribed actions to maintain and enforce standards pertaining to air, water, and protected species. Prohibits a state agency from amending rules to be less stringent in protection of workers' rights and workers' safety than established by federal law.	09/12/2017 - From ASSEMBLY Committee on RULES with author's amendments.;09/12/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on RULES.
SB 62 Jackson (D)	Affordable Senior Housing Act		Establishes the Affordable Senior Housing Program for the purpose of guiding and serving as a catalyst for the development of affordable senior housing and supportive care campuses. Requires the director of GO-Biz to undertake various actions in implementing the program, including establishing and implementing a process for identifying and convening public and	09/01/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			private stakeholders and assisting participants in identifying locations and funding sources, obtaining permits, and other matters.	
SB 72 Mitchell (D)	Budget Act of 2017		Makes appropriations for the support of state government for the 2017-18 fiscal year.	05/26/2017 - From SENATE Committee on BUDGET AND FISCAL REVIEW with author's amendments.;05/26/2017 - In SENATE. Read second time and amended. Re-referred to Committee on BUDGET AND FISCAL REVIEW.
SB 80 Wieckowski (D)	California Environmental Quality Act: Notices		Amends the California Environmental Quality Act. Requires a lead agency to post certain notices on the agency's Internet Web site and to offer to provide those notices by e-mail. Requires a county clerk to post notices regarding an environmental impact report or a negative declaration on the county's Internet Web site. Requires the filing of a notice in certain cases.	09/18/2017 - Enrolled.;09/18/2017 - *****To GOVERNOR.
SB 146 Wilk (R)	Water Resources: Permit To Appropriate		Amends an existing law which prohibits the taking or possession of a fully protected fish, except as provided, and designates the unarmored threespine stickleback as a fully protected fish. Prohibits the issuance of a new permit to appropriate water from any river source or stream that has, or is reasonably suspected to have, a population of unarmored threespine stickleback.	04/25/2017 - In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.
SB 205 Governance and Finance Cmt	Local Government Omnibus Act of 2017		Repeals the exclusion of a residential dwelling eligible for the property tax postponement program any residential dwelling subject to a PACE bond. Amends existing law to rename the Vallejo Sanitation and Flood Control District Act as the Vallejo Flood and Wastewater District Act and to rename the district as the Vallejo Flood and Wastewater District.	09/12/2017 - *****To GOVERNOR.
SB 206	Validations		Enacts the First Validating Act of 2017, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	07/10/2017 - Signed by GOVERNOR.;07/10/2017 - Chaptered

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				by Secretary of State. Chapter No. 2017-57
SB 207 Governance and Finance Cmt	Validations		Enacts the Second Validating Act of 2017, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	07/10/2017 - Signed by GOVERNOR.;07/10/2017 - Chaptered by Secretary of State. Chapter No. 2017-58
SB 208 Governance and Finance Cmt	Validations		Enacts the Third Validating Act of 2017, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	07/10/2017 - Signed by GOVERNOR.;07/10/2017 - Chaptered by Secretary of State. Chapter No. 2017-59
SB 210 Leyva (D)	Heavy Duty Vehicle Inspection and Maintenance Program		Authorizes the State Air Resources Board to develop and implement a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty on road motor vehicles. Authorizes the state board to assess a fee and penalty as part of the program. Creates the Truck Emission Check Fund and the Diesel Emission System Inspection and Smoke Test Account in the fund, with all the moneys deposited in each fund to be available upon appropriation.	08/28/2017 - In ASSEMBLY. Suspend Assembly Rule 96.;08/28/2017 - Re-referred to ASSEMBLY Committee on RULES.
SB 224 Jackson (D)	Personal Rights: Sexual Harassment		Amends existing law which establishes liability for sexual harassment when the plaintiff proves specified elements and existing law which states that a relationship may exist between a plaintiff and certain persons. Includes an investor among those listed persons who may be liable to a plaintiff for sexual harassment.	08/21/2017 - From SENATE Committee on APPROPRIATIONS with author's amendments.;08/21/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.;08/21/2017 - Withdrawn from SENATE Committee on APPROPRIATIONS.;08/21/2017 - Re-referred to SENATE Committee on RULES.
SB 229 Wieckowski (D)	Accessory Dwelling Units		Authorizes an ordinance creating accessory dwelling units in single family and multi family residential zones to prohibit the sale or other conveyance of the unit separate from the primary residence. Extends the use of the maximum standards to a proposed accessory	09/22/2017 - *****To GOVERNOR.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			dwelling unit on a lot zoned for residential use. Extends authorization of replacement parking spaces for units converted from a garage or carport. Prohibits special districts and water corporations from considering these units as new residential.	
SB 231 Hertzberg (D)	Local Government: Fees and Charges		Relates to a provision of the California Constitution that requires that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Defines the term sewer for these purposes. Makes findings and declarations relating to the definition of the term sewer for these purposes.	09/06/2017 - *****To GOVERNOR.
SB 252 Dodd (D)	Water Wells	WATCH	Requires a city or county overlying a critically overdrafted basin to request estimates of certain information from an applicant for a new well located within a critically overdrafted basin as part of an application for a well permit. Requires this information to be made available to both the public and to groundwater sustainability agencies and easily accessible.	09/19/2017 - *****To GOVERNOR.
SB 372 Cannella (R)	San Joaquin River Exchange Contractors Groundwater		Creates the San Joaquin River Exchange Contractors Groundwater Sustainability Agency as the exclusive groundwater sustainability agency and successor agency. Establishes the initial boundaries of the agency and authorizes the agency's boundaries to be changed.	09/21/2017 - *****To GOVERNOR.
SB 423 Cannella (R)	Indemnity: Design Professionals		Amends an existing law which provides, with respect to certain contracts and amendments to contracts with a public agency for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments that purport to require the professional to defend the agency under an indemnity agreement are unenforceable, except for certain cases. Makes such provisions applicable to all design professional services.	03/29/2017 - Re-referred to SENATE Committee on JUDICIARY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
SB 427 Leyva (D)	Community Water Systems: Lead User Service Lines		Requires a community water system to provide the timeline for replacement of known lead user service lines in use in its distribution system to the State Water Resources Board. Requires certain public water systems to provide related findings. Authorizes the application and enforcement of these provisions under the Safe Drinking Water Act.	09/11/2017 - Chaptered by Secretary of State. Chapter No. 238
SB 450 Hertzberg (D)	Public Bodies: Bonds: Public Notice		Requires the governing body of a public body to obtain and disclose specified information regarding the issuance of bonds in a meeting open to the public. Requires the information to be obtained as a good faith estimate from an underwriter, financial advisor, or private lender or from a third party borrower, as specified, if the public body issuing bonds is a conduit financing provider, as defined.	09/22/2017 - *****To GOVERNOR.
SB 454 Moorlach (R)	Public Employees' Health Benefits		Relates to the Public Employees' Medical and Hospital Care Act. Provides that, for state employees who are first employed and become members of the retirement system on or after a specified date, the employer contribution for annuitants shall be limited to a certain percent of the weighted average of the health benefit plan premiums for an active employee enrolled for self-alone. Makes other changes concerning employer contributions and prefunding of retiree health care.	04/24/2017 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Failed passage.;04/24/2017 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Reconsideration granted.
SB 473 Hertzberg (D)	California Endangered Species Act		Amends the California Endangered Species Act which prohibits the taking of an endangered or threatened species. Provides that the accidental take of candidate, threatened, or endangered species resulting from acts that occur on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the act.	09/08/2017 - In ASSEMBLY. To Inactive File.
SB 506 Nielsen (R)	Department of Fish and Wildlife: Lake or Streambed		Requires the Department of Fish and Wildlife to periodically upgrade the information on its Internet Web site regarding lake or streambed alteration agreements, to update its "Frequently Asked	07/21/2017 - Vetoed by GOVERNOR.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Questions" document and other appropriate sources of information regarding the lake and streambed alteration program, and to provide guidance on its Internet Web site to facilitate members of the public in obtaining individualized guidance regarding the lake and streambed alteration program.	
SB 564 McGuire (D)	Water Bill Savings Act		Enacts the Water Bill Savings Act. Authorizes a joint powers authority to provide funding for a customer of a local agency in specified counties or its publicly owned utility to acquire, install, or repair a water efficiency improvement on the customer's property served by the local agency or its publicly owned utility. Requires the customer to repay the authority through an efficiency charge on the customer's water bill.	09/19/2017 - *****To GOVERNOR.
SB 580 Pan (D)	Water development projects: Sacramento-San Joaquin		Revises authorization for flood control projects along the American and Sacramento Rivers.	09/19/2017 - *****To GOVERNOR.
SB 606 Skinner (D)	Water Management Planning	OPPOSE UNLESS AMENDED	Requires an urban retail water supplier to calculate an urban water use objective and its actual urban water use by specified dates and requires a report. Imposes civil liability for a violation of an order or regulation issued pursuant to certain provisions. Authorizes the State Water Resources Control Board to issue a regulation or information order requiring a wholesale water supplier, urban retail water supplier, or distributor of a public water supply to provide a monthly report of certain information.	09/13/2017 - Withdrawn from ASSEMBLY Committee on RULES.;09/13/2017 - In ASSEMBLY. Ordered to third reading.;09/13/2017 - In ASSEMBLY. Suspend Assembly Rule 96.
SB 623 Monning (D)	Water Quality: Safe and Affordable Drinking Water Fund	OPPOSE	Establishes the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the state board. requires the state board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible applicants with projects relating to safe and affordable drinking water.	09/01/2017 - Re-referred to ASSEMBLY Committee on RULES.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
SB 634 Wilk (R)	Santa Clarita Valley Water Agency		Repeals the Castaic Lake Water Agency Law. Recognizes the Newhall County Water District and the Castaic Lake Water Agency into the Santa Clarita Valley Water Agency which prohibits the Castaic Lake Water Agency and the Newhall County Water District from operating as separate entities or exercising independent functions.	09/22/2017 - *****To GOVERNOR.
SB 638 Leyva (D)	Heavy Duty Motor Vehicles		Requires the State Air Resource Board to adopt regulations that require owners or operators of heavy duty motor vehicles used for commercial purposes to perform regular inspections of their vehicles for compliance with emission standards of the State board. Requires a fleet of these vehicles to comply with the State boards emission standards in order for any vehicle of the fleet to be registered.	03/02/2017 - To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY.
SB 667 Atkins (D)	Riverine and Riparian Stewardship		Requires the Department of Water Resources to establish a program to implement watershed-based riverine and riparian stewardship improvements by providing technical and financial assistance in support of projects with certain benefits. Requires the program to support the purposes of and be coordinated with the Urban Stream Restoration Program, fish passage improvements, and other similar programs.	09/20/2017 - *****To GOVERNOR.
SB 686 Wilk (R)	Public Contracts: Claims Resolution		Requires a public entity to conduct a meet and confer conference within a specific period for the settlement of disputes.	03/09/2017 - To SENATE Committee on JUDICIARY.
SB 700 Wiener (D)	Energy Storage Initiative		Requires the Public Utilities Commission and the governing boards of local publicly owned electric utilities to establish an Energy Storage Initiative to provide rebates to customers of electrical corporations for the installation of energy storage systems consistent with certain requirements. Requires the PUC to ensure an orderly transition of the funding for energy storage systems from the self-generation incentive program to the Energy Storage Initiative to minimize disruption.	07/05/2017 - From ASSEMBLY Committee on UTILITIES AND ENERGY with author's amendments.;07/05/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
SB 740 Wiener (D)	Onsite Treated Water		Requires the State Water Resources Control Board to adopt regulations for a comprehensive risk-based standards for local jurisdictions permitting programs for onsite recycling of water in multifamily residential, commercial, and mixed-use buildings for nonpotable use. Requires the regulations to address specified issues and practices relating to the management, monitoring, and treatment of recycled water for nonpotable use.	05/25/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
SB 748 Glazer (D)	Public Contracts		Amends an existing law which requires a state agency or department to follow specified rules regarding the negotiation of fees and execution of contracts for professional consulting services of a private architectural, engineering, land surveying, environmental, or construction project management firm. Requires certain negotiations to begin within a specified time period.	03/09/2017 - To SENATE Committee on GOVERNMENTAL ORGANIZATION.
SB 771 de Leon (D)	California Environmental Quality Act		Relates to The California Environmental Quality Act. Establishes a continuing education requirement for employees of public agencies who have primary responsibility to administer the act.	09/13/2017 - In ASSEMBLY. To Inactive File.
SB 778 Hertzberg (D)	Safe Drinking Water Fund		Requires the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems that have occurred on or after a certain date. Requires the published information to include the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.	09/01/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
SB 780 Wiener (D)	Water Conservation in Landscaping Act		Requires the Department of Water Resources to establish guidelines for designing landscapes consistent with the watershed approach to landscaping. Requires funding to provide preference for projects that comply with the guidelines. Requires the Department to promote this approach by providing education, and training for persons who plan, develop, or implement landscaping	05/25/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			projects. Authorizes the promotion of application of compost to assist with projects that follow these guidelines.	
SCA 4 Hertzberg (D)	Water Conservation		Declares the intent of the Legislature to amend the California Constitution to provide a program that would ensure that affordable water is available to all Californians and to ensure that water conservation is given a permanent role in California's future.	02/16/2017 - To SENATE Committee on RULES.
HR 23 Valadao (R)	Gaining Responsibility on Water Act		Amends the Gaining Responsibility on Water Act of 2017, provides drought relief in the State of California.	07/18/2017 - In SENATE. Read second time.;07/18/2017 - To SENATE Committee on ENERGY AND NATURAL RESOURCES.
HR 434 Denham (R)	Water Project Financing Program Pilot Project		Authorizes a pilot project for an innovative water project financing program.	02/07/2017 - In HOUSE Committee on NATURAL RESOURCES: Referred to Subcommittee on WATER, POWER AND OCEANS.
HR 448 Huffman (D)	Conservation Subsidies Water Conservation Exclusion		Amends the Internal Revenue Code of 1986, expands the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures and storm water management measures.	01/11/2017 - INTRODUCED.;01/11/2017 - To HOUSE Committee on WAYS AND MEANS.

Exhibit "B"

2017 Legislative Update Report: Links to Bill & Regulatory Texts (as of September 25, 2017)

Bill Number/Version Date	Link to Bill Text
AB 574 (Quirk), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB574
AB 869 (Rubio), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB869
AB 968 (Rubio), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB968
AB 1000 (Friedman), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB968
AB 1323 (Weber), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1323
AB 1654 (Rubio), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1654
AB 1667 (Friedman) as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1667
AB 1668 (Friedman) as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1668
AB 1669 (Friedman) as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1669

SB 252 (Dodd), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB252
SB 606 (Hertzberg/Skinner), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB606
SB 623 (Monning), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB623
SCA 4 (Hertzberg), as introduced	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SCA4

Executive Summary

Special districts, the workhorses of public service delivery created by the California Legislature during the earliest days of statehood, represent the most common form of local government. They have prevailed through endless upheaval as California morphed from a state of rural open spaces into one of the world's most powerful economic engines and home to nearly 40 million people. Today special districts generate some \$21 billion in annual revenues and employ more than 90,000 local government workers.¹

In 2016 and 2017, the Little Hoover Commission reviewed and analyzed California's 2,071 independent special districts and the State of California's role and responsibility in overseeing them.² The Legislature not only created special districts and enacted the practice acts by which they are governed, but it retained the power to create new districts and also to dissolve them. In the early 1960s, the Legislature had the foresight to develop a local oversight mechanism, Local Agency Formation Commissions (LAFCOs) tasked with bringing more rational planning practices and reining in inappropriate growth by considering local government boundary decisions. LAFCOs have the authority to initiate dissolutions and consolidations of special districts, although ultimately local voters have the final say. The process is slow -- intentionally slow according to some --and occasionally frustrated parties attempt to bypass the local process by taking issues directly to the Legislature. This tension, in part, prompted the Commission to update its 2000 review of special districts to consider whether the local oversight process works as intended or whether a different process or a greater role for the Legislature would be more effective.

The Commission's review broke new ground, but also revisited issues first identified in its May 2000 report, *Special Districts: Relics of the Past or Resources for the Future?* The 2000 report declared that California's expansive special district sector often amounted to a poorly overseen and largely invisible governing sector serving residents who know little about who runs them or

what they pay in taxes to sustain them. The Commission nearly two decades ago questioned the soundness of special districts' financial management and asked if their numbers might be pared back through consolidations. Yet Commissioners also acknowledged in their 2000 analysis that special districts provide Californians valuable services and are "physically closest to their communities." The Commission concluded that despite its range of criticisms, special districts should remain, in the end, local institutions best served by local decision-making.

In its newest review the Commission heard from some who still contend that special districts are ripe for consolidation and represent convoluted, dispersed, under-the-radar government. Frustrated with the local oversight process, various local special district issues percolated up into bills in the 2015-16 legislative session as the Commission began its study, potentially signifying that the current system of oversight fails to work as well as intended.

In this review, the Commission found special districts themselves could do a better job of telling their own story to overcome the stigma that they function as hidden government. During an advisory committee meeting, Chair Pedro Nava encouraged special districts to "tell your story." There are very few government entities in a position to let people know that they work directly for the public and that the taxes and fees they collect fund local services, he said.

In testimony, the Commission also learned that despite the perception that special districts continue to proliferate in California, the number of special districts has declined 5 percent since 1997, while the number nationally increased by 10 percent.³ Thirty-three states have more special districts per capita than California. Despite frequent calls for dissolving or consolidating these local governments, special districts seem to have pluses that render them tolerable to those they govern and able to forestall movements to purge them or fold their work into city and county governments.

The Commission's 2016-2017 review delved into four primary arenas concerning special districts:

- Oversight of special districts, specifically, opportunities to bolster the effectiveness of Local Agency Formation Commissions (LAFCOs).
- The continued need for districts to improve transparency and public engagement.
- The frequently-controversial evolution of California's healthcare special districts, which in the 1940s and 1950s built a far-ranging system of hospitals that are mostly now gone due to a tremendous transformation in healthcare from hospitalization to preventive care.
- The urgency of climate change adaptation in California and the front-line roles that special districts, particularly water, wastewater treatment and flood control districts, play in preparing their communities and defending them from harm.

Toward Higher-Quality Local Control

As in 2000, the Commission held fast to the concept that special districts are essentially local institutions. Whether their individual endeavors are praised or panned, special districts seemingly reflect the wishes of local voters. They also reflect the politics of LAFCOs, unique oversight bodies in each county with authority to judge their performances and recommend whether they should continue to exist. The Commission again determined that LAFCOs should be the leading voice on the status of special districts in California – and that they need more tools to do the job well.

Commissioners perplexed by the seemingly slow progress in dissolutions and consolidations at one point during the study asked if a lack of money prevented LAFCOs and special districts from initiating consolidations or conducting the mandated Municipal Service Reviews that can identify opportunities for improved efficiency in service delivery. A chorus of stakeholders suggested a small, one-time infusion of grant funding, tied to specified outcomes to ultimately improve efficiency and save taxpayer dollars, was indeed warranted. They also called for various statutory changes that could bolster the effectiveness of LAFCOs.

Clearly, special districts can be improved. Given the routine front-line services they provide, the historic climate challenges these districts face in keeping California stable, as well as the need to provide the best possible healthcare to millions of residents, LAFCOs and the state have obligations to see that they succeed. To that end, the Commission offers 20 recommendations to guide the Legislature and Governor going forward. The first eight of those recommendations address the basic structure and governing issues revolving around special districts:

Recommendation 1: The Legislature and the Governor should curtail a growing practice of enacting bills to override LAFCO deliberative processes and decide local issues regarding special district boundaries and operations.

The Legislature and Governor have reason to be frustrated with slow and deliberative LAFCO processes. But these are local institutions of city, county and special district members often better attuned to local politics than those in the State Capitol. Exemptions where the Legislature gets involved should be few, and in special cases where the local governing elites are so intransigent or negligent – or so beholden to entrenched power structures – that some higher form of political authority is necessary.

Recommendation 2: The Legislature should provide one-time grant funding to pay for specified LAFCO activities, to incentivize LAFCOs or smaller special districts to develop and implement dissolution or consolidation plans with timelines for expected outcomes. Funding should be tied to process completion and results, including enforcement authority for corrective action and consolidation.

The Commission rarely recommends additional funding as a solution. However, a small one-time infusion of \$1 million to \$3 million in grant funding potentially could save California taxpayers additional money if it leads to streamlined local government and improved efficiency in service delivery. This funding could provide an incentive for LAFCOs or smaller districts to start a dissolution or consolidation process. Participants in the Commission's public process suggested the Strategic Growth Council or Department of Conservation could administer this one-time funding.

Recommendation 3: The Legislature should enact and the Governor should sign SB 448 (Wieckowski) which would provide LAFCOs the statutory authority to conduct reviews of inactive districts and to dissolve them without the action being subject to protest and a costly election process.

There has been no formal review to determine the number of inactive special districts – those that hold no meetings and conduct no public business. Rough estimates gauge the number to be in the dozens. Simplifying the LAFCOs’ legal dissolution process would represent a significant step toward trimming district rolls in California. The Commission supports SB 448 and encourages the Legislature to enact the measure and for the Governor to sign the bill.

Recommendation 4: The Governor should sign AB 979 (Lackey), co-sponsored by the California Special Districts Association and the California Association of Local Agency Formation Commissions. The bill would strengthen LAFCOs by easing a process to add special district representatives to the 28 county LAFCOs where districts have no voice.

The Cortese-Knox-Hertzberg Reorganization Act of 2000 (AB 2838, Hertzberg) provided the option to add two special district members to county LAFCOs to broaden local governing perspectives. Nearly two decades later, 30 counties have special district representatives on their LAFCOs alongside city council members and county supervisors. This change provides LAFCOs a more diverse decision-making foundation and stronger finances. But 28 counties, mostly in rural California have not added special district representatives to their LAFCO governing boards, citing scarce resources. Presently, a majority of a county’s special districts must pass individual resolutions within one year supporting a change. This has repeatedly proved itself a formidable obstacle to broadening the outlook of local LAFCOs. AB 979 (Lackey) would allow a simple one-time election process where districts could easily – and simultaneously – decide the question.

Recommendation 5: The Legislature should adopt legislation to give LAFCO members fixed terms, to ease political pressures in controversial votes and enhance the independence of LAFCOs.

The California Association of Local Agency Formation Commissions (CALAFCO) testified on August 25, 2016, that

individual LAFCO members are expected to exercise their independent judgment on LAFCO issues rather than simply represent the interests of their appointing authority. But this is easier said than done when representatives serve on an at-will basis. The CALAFCO hearing witness said unpopular votes have resulted in LAFCO board members being removed from their positions. Fixed terms would allow voting members to more freely exercise the appropriate independence in decision-making.

Recommendation 6: The Legislature should convene an advisory committee to review the protest process for consolidations and dissolutions of special districts and to develop legislation to simplify and create consistency in the process.

Complicated and inconsistent processes potentially impact a LAFCO’s ability to initiate a dissolution or consolidation of a district. If 10 percent of district constituents protest a LAFCO’s proposed special district consolidation, a public vote is required. If a special district initiates the consolidation, then a public vote is required if 25 percent of the affected constituents protest. Additionally, the LAFCO must pay for all costs for studies and elections if it initiates a consolidation proposal, whereas the district pays these costs if it proposes or requests the consolidation. Various participants in the Commission’s public process cautioned against setting yet another arbitrary threshold and advised the issue warranted further study before proposing legislative changes. They called for more consistency in the process.

Recommendation 7: The Legislature should require every special district to have a published policy for reserve funds, including the size and purpose of reserves and how they are invested.

The Commission heard a great deal about the need for adequate reserves, particularly from special districts with large infrastructure investments. The Commission also heard concerns that reserves were too large. To better articulate the need for and the size of reserves, special districts should adopt policies for reserve funds and make these policies easily available to the public.

Recommendation 8: The State Controller’s Office should standardize definitions of special district financial reserves for state reporting purposes.

Presently, it is difficult to assess actual reserve levels held by districts that define their numbers one way and the State Controller's Office which defines them another way. The State Controller's Office is working to standardize numbers following a year-long consultation with a task force of cities, counties and special districts. To improve transparency on reserves, a subject that still eludes effective public scrutiny, they should push this project to the finish line as a high priority.

Improving Transparency and Public Involvement

Because there are thousands of special districts in California, performing tasks as varied as managing water supply to managing rural cemeteries, the public has little practical ability to ascertain the functionality of special districts, including the scope of services these local districts provide, their funding sources, the use of such funds and their governance structure. Although publicly elected boards manage independent special districts, constituents lack adequate resources to identify their local districts much less the board members who collect and spend their money.

The Commission saw a number of opportunities for special districts to do a better job communicating with the public, primarily through improvements to district websites and more clearly articulating financing policies, including adopting and making publicly available fund reserve policies. Existing law requires special districts with a website to post meeting agendas and to post or provide links to compensation reports and financial transaction reports that are required to be submitted to the State Controller's Office. The State Controller's Office – despite having a software platform from the late 1990s – attempts to make all the information it receives as accessible as possible.

Many special districts already utilize their websites to effectively communicate with their constituents and voluntarily follow the nonprofit Special District Leadership Foundation's transparency guidelines and receive the foundation's District Transparency Certificate of Excellence. But often, these districts are the exception and not the rule. The Commission makes three recommendations to improve special district transparency and to better engage the public served by the districts:

Recommendation 9: The Legislature should require that every special district have a website.

Key components should include:

- **Name, location, contact information**
- **Services provided**
- **Governance structure of the district, including election information and the process for constituents to run for board positions**
- **Compensation details – total staff compensation, including salary, pensions and benefits, or a link to this information on the State Controller's website**
- **Budget (including annual revenues and the sources of such revenues, including without limitation, fees, property taxes and other assessments, bond debt, expenditures and reserve amounts)**
- **Reserve fund policy**
- **Geographic area served**
- **Most recent Municipal Service Review**
- **Most recent annual financial report provided to the State Controller's Office, or a link to this information on the State Controller's website**
- **Link to the Local Agency Formation Commission and any state agency providing oversight**

Exemptions should be considered for districts that fall under a determined size based on revenue and/or number of employees. For districts in geographic locations without reliable Internet access, this same information should be available at the local library or other public building open and accessible to the public, until reliable Internet access becomes available statewide.

Building on this recommendation, every LAFCO should have a website that includes a list and links to all of the public agencies within each county service area and a copy of all of the most current Municipal Service Reviews. Many LAFCOs currently provide this information and some go further by providing data on revenues from property taxes

and user fees, debt service and fund balance changes for all the local governments within the service area. At a minimum, a link to each agency would enable the public to better understand the local oversight authority of LAFCOs and who to contact when a problem arises.

Recommendation 10: The State Controller's Office should disaggregate information provided by independent special districts from dependent districts, nonprofits and joint powers authorities.

Over the course of this study, the Commission utilized data available on the State Controller's website to attempt to draw general conclusions about independent special districts, such as overall revenues, number of employees and employee compensation. Presently, it is difficult to do this without assistance as information for independent districts is mixed with various other entities.

Recommendation 11: The California Special Districts Association, working with experts in public outreach and engagement, should develop best practices for independent special district outreach to the public on opportunities to serve on boards.

The Commission heard anecdotally that the public does not understand special district governance, does not often participate or attend special district board meetings and often does not know enough about candidates running to fill board positions. Often, the public fails to cast a vote for down-ballot races. Two county registrars provided the Commission information that showed in many instances those who voted for federal or statewide offices did not vote for local government officials at the same rate, whether they were city council positions, special district positions or local school or community college district positions.

What is the Role for Healthcare Districts?

The Commission found in its review that special districts were as diverse as the services provided and the millions of Californians served. To gain deeper insight on one type of local government service provider, the Commission took a closer look at an often-controversial group: healthcare districts that no longer operate hospitals. These entities struggle to explain their relevance within the rapidly evolving healthcare industry,

which emphasizes preventative care over hospitalization. Amid uncertainty about the future of the Affordable Care Act, many of these districts claim they are carving out new roles in preventative care. Yet the Legislature, local grand juries, LAFCOs and healthcare analysts continue to question their relevance and need to exist. Presently, just 37 of 79 California healthcare districts operate 39 hospitals, mostly in rural areas with few competitors or other alternatives – and few suggest the need to dissolve those districts.

Controversy tends to afflict districts in former rural areas that became suburbanized in recent decades and grew into competitive healthcare markets. The 2015-16 legislative session included a rash of legislation that considered whether to force district dissolutions or modify district boundaries – even though those decisions are the responsibility of LAFCOs. Nonetheless, most healthcare districts officials continue to maintain they are more flexible than counties in defining priorities and are pioneering a new era of preventative care under the umbrella of “wellness.” Officials say their districts are misunderstood by critics who lack understanding about how much the healthcare landscape is changing. They also say that local voters generally support their local missions and how they allocate their share of property taxes in the community.

As part of its special districts review, the Commission convened a two-hour advisory committee with experts to shed light on healthcare districts. During the course of the Commission's study, the Association of Healthcare Districts convened a workgroup to develop recommendations, in part, in response to legislative scrutiny. These recommendations were considered and discussed during the November advisory committee meeting. Participants analyzed whether counties or healthcare districts are best positioned as local and regional healthcare providers and discussed the role of LAFCOs in consolidating, dissolving or steering healthcare districts toward more relevant roles. During the meeting Commissioners also pushed districts to share and adopt best practices and define better metrics to measure what they are accomplishing with their shares of local property taxes. Three Commission recommendations arose from the discussion as well as numerous interviews with experts during the study:

Recommendation 12: The Legislature should update the 1945 legislative “practice acts” that enabled voters to create local hospital districts, renamed healthcare districts in the early 1990s.

Experts widely agree that statutory language in the acts no longer reflects the evolution of healthcare during the past seventy years, particularly the shift from hospital-based healthcare to modern preventive care models.

Recommendation 13: The Legislature, which has been increasingly inclined to override local LAFCO processes and authority to press changes on healthcare districts, should defer these decisions to LAFCOs.

LAFCOs have shown successes in shaping the healthcare district landscape and should be the primary driver of change. Given the controversies over healthcare districts, the California Association of Local Agency Formation Commissions and LAFCOs should be at the forefront of studying the relevance of healthcare districts, potential consolidations and dissolutions of districts. To repeat a theme of Recommendation 1, the Legislature should retain its authority to dissolve healthcare districts or modify boundaries, but this authority should be limited to cases in which local political elites are so intransigent or negligent – or so beholden to local power structures – that some form of higher political authority is deemed necessary.

Recommendation 14: The Association of California Healthcare Districts and its member districts should step up efforts to define and share best practices among themselves.

A Commission advisory committee meeting discussion clearly showed that not enough thought or interest has been assigned to sharing what works best in rural, suburban and urban areas among members. The association should formally survey its members and collectively define their leading best practices and models for healthcare, as well as guidelines to improve the impacts of grantmaking in communities.

Front-line Roles for Climate Change Adaptation

At the Commission’s August 25, 2016, hearing, Chair Pedro Nava asked a simple question of special district attendees vigorously defending their need for robust reserve funds:

How are they assessing future climate change impacts when amassing reserves for long-range infrastructure spending? That question, rooted in the Commission’s 2014 climate adaptation report *Governing California Through Climate Change*, became the genesis of a deeper exploration of awareness of and preparations for climate change among special districts. In an October 27, 2016, hearing focused on special districts efforts to adapt to climate change, the Commission learned that:

- Special districts, even while vastly outnumbering cities and counties in California, have generally not participated at the levels of cities and counties in the state’s emerging climate adaptation information gathering and strategizing. Often that is because they lack land-use authority. Nonetheless, it is critical that their experienced voices be at the table.
- Many larger infrastructure-intensive water, wastewater and flood control districts stand at the forefront nationally in preparing for the varying, changing precipitation patterns – too much or too little water – at the heart of anticipated climate change impacts.

The Commission found it encouraging that many special districts are reducing the need for imported water by diversifying supplies and producing vastly more recycled water. Districts also are steering more stormwater runoff in wet years into groundwater recharge basins for use in dry years. The actions that all agencies must eventually take are already being done by some. The Commission agreed that these leading-edge actions and infrastructure spending strategies represent models for other districts to follow. Accordingly, the Commission makes six recommendations focused on climate change adaptation:

Recommendation 15: The Legislature should place a requirement that special districts with infrastructure subject to the effects of climate change should formally consider long-term needs for adaptation in capital infrastructure plans, master plans and other relevant documents.

Most special districts, especially the legions of small districts throughout California, have their hands full meeting their daily responsibilities. Many have few resources and little staff time to consider long-range issues, particularly those with the heavy uncertainty of

climate change adaptation. Making climate change a consideration in developing capital infrastructure plans and other relevant planning documents would formally and legally elevate issues of adaptation and mitigation, especially for districts where immediate concerns make it too easy to disregard the future.

Recommendation 16: The California Special Districts Association (CSDA), in conjunction with its member districts, should document and share climate adaptation experiences with the Integrated Climate Adaptation and Resilience Program's adaptation information clearinghouse being established within the Governor's Office of Planning and Research (OPR). Similarly, CSDA and member districts should step up engagement in the state's current Fourth Assessment of climate threats, a state research project designed to support the implementation of local adaptation activities. The CSDA also should promote climate adaptation information sharing among its members to help districts with fewer resources plan for climate impacts and take actions.

The OPR clearinghouse promises to be the definitive source of climate adaptation planning information for local governments throughout California. At the Commission's October 27, 2016, hearing, an OPR representative invited more district participation in state climate adaptation processes. It is critical that special districts and their associations assume a larger participatory role – both within state government and among their memberships – to expand the knowledge base for local governments statewide.

Recommendation 17: The state should conduct a study – by either a university or an appropriate state department – to assess the effect of requiring real estate transactions to trigger an inspection of sewer lines on the property and require repairs if broken.

The responsibility to safeguard California and adequately adapt to climate change impacts falls on every resident of California. This begins at home with maintenance and upgrading of aging sewer laterals. Requiring inspections and repairs during individual property transactions is an optimum way to slowly rebuild a region's collective wastewater infrastructure in the face of climate change. At the community level, repairs will help prevent excess stormwater during major climate events from overwhelming wastewater systems and triggering sewage

spills into public waterways. The Oakland-based East Bay Municipal Utility District has instituted an ordinance that requires property owners to have their private sewer laterals inspected if they buy or sell a property, build or remodel or increase the size of their water meter. If the lateral is found to be leaking or damaged, it must be repaired or replaced. The state should consider implementing this policy statewide.

Recommendation 18: State regulatory agencies should explore the beginnings of a new regulatory framework that incorporates adaptable baselines when defining a status quo as climate impacts mount.

With climate change what has happened historically will often be of little help in guiding regulatory actions. State regulations designed to preserve geographical or natural conditions that are no longer possible or no longer exist already are creating problems for special districts. Wastewater agencies, for example, face conflicting regulations as they divert more wastewater flows to water recycling for human needs and less to streams historically home to wildlife that may or may not continue to live there as the climate changes. While it is not easy for regulators to work with moving targets or baselines, climate change is an entirely new kind of status quo that requires an entirely new approach to regulation.

Recommendation 19: The California Special Districts Association, and special districts, as some of the closest-to-the-ground local governments in California, should step up public engagement on climate adaptation, and inform and support people and businesses to take actions that increase their individual and community-wide defenses.

Special districts are uniquely suited to communicate with and help prepare millions of Californians for the impacts of climate change. Nearly all have public affairs representatives increasingly skilled at reaching residents through newsletters, social media and public forums. District staff grapple constantly with new ways to increase their visibility. Many will find they can build powerful new levels of public trust by helping to prepare their communities for the uncertainty ahead.

Recommendation 20: The California Special Districts Association and special districts should lead efforts to seek and form regional partnerships to maximize climate adaptation resources and benefits.

Water, wastewater and flood control districts are already bringing numerous agencies to the table to pool money, brainpower and resources for big regional projects. The East Bay Municipal Utility District has arrangements with many Bay Area and Central Valley water agencies to identify and steer water to where it is most needed for routine demands and emergencies alike. The Metropolitan Water District and Sanitation Districts of Los Angeles County also increasingly pool their joint resources to steer more recycled water to groundwater recharge basins for dry years. Likewise, the Santa Clara Valley Water district and other state and federal agencies are collectively planning and funding 18 miles of levees to protect the region from sea level rise. These partnerships among special districts and other government agencies clearly hint at what will be increasingly necessary as climate impacts begin to mount.

October 9, 2017

Prepared by: S. Malloy

Submitted by: K. Burton *KLB*

Approved by: Paul A. Cook *PAC*

ACTION CALENDAR

MICHELSON WATER RECYCLING PLANT BIOSOLIDS AND ENERGY RECOVERY FACILITIES CONTRACT CHANGE ORDER NO. 62 AND RETENTION BOND

SUMMARY:

Filanc/Balfour-Beatty (FBB) is constructing the Michelson Water Recycling Plant (MWRP) Biosolids and Energy Recovery Facilities (Biosolids Project). Contract Change Order (CCO) No. 62 includes costs for several electrical and controls items. Staff has negotiated a Retention Bond agreement to assist FBB with cash flow at this stage in the project. Staff recommends that the Board:

- Approve CCO No. 62 in the amount of \$708,162.72 with FBB, and
- Authorize the General Manager to execute the Retention Bond Agreement for the Biosolids Project.

BACKGROUND:

Construction of the Biosolids Project was awarded to FBB in March 2013 in the amount of \$163,465,940. The Biosolids Project will provide biosolids digestion, dewatering, energy production, and on-site sludge drying. The project includes excavation for subsurface structures; installation of foundation piles; three egg-shaped digesters; a state-of-the-art odor control system; a biogas conditioning system and power generation using microturbines; a fats, oil and grease receiving station; and new utility services. These facilities are being constructed on the land north of IRWD's Operations Center, maintenance shops, water quality laboratory, and warehouse.

CCO No. 62:

Staff negotiated with FBB and agrees to the labor and material costs contained in CCO No. 62, which contains the following items:

- *Fats, Oil, and Grease (FOG) Modifications in the amount of \$52,174.90* – Staff reviewed the controls of the FOG station and determined that flexibility was necessary at the local control panel and at SCADA to respond to the actual conditions when FOG is being received. These modifications allow for greater operational flexibility. This item is for the labor and materials to make the necessary modifications.
- *Density Meter Conduit and Cabling Modifications in the amount of \$52,518.11* – Staff decided to add flushing functions for the 11 density meters to prevent clogs. These density meters measure the density of the sludge at the thickening and dewatering

centrifuges. The modifications will increase reliability and reduce maintenance of the system. This item is for the labor and materials to make the modifications.

- *Fiber Optic Modifications in the amount of \$20,607.14* – To increase reliability of the SCADA system during emergencies, staff decided to install communication lines from both the Digester Control Building and the Solids Handling Building to the SCADA back-up servers systems located in the Operations Center.
- *Sludge Screen Pneumatic Control Panel Conduit and Cabling in the amount of \$8,859.95* – During the submittal process, it was discovered that Huber, the manufacturer of the sludge screens, required additional conduit and cabling for the controls and power of the local control panel. This item is for the labor and material to add the additional conduit and cabling.
- *Additional Circuits for Control of the Thickening Centrifuges in the amount of \$376,674.08* – During the submittal process, it was discovered that the centrifuge manufacturer required additional circuits for the control of the four thickening centrifuges. Circuits were added from the thickening centrifuges to the local control panels as well as to the electrical panels on the ground floor in the electrical room. This item is for labor and material to provide the additional electrical, instrumentation, controls and SCADA programming requirements.
- *Power Panel PP-8001 Circuit Breakers in the amount of \$50,135.26* – To allow for full capacity usage for potential future expansion of the FOG system, it was decided that the feeders should be upsized to 480 volts. This item is for the labor and material to upsize the breakers.
- *Electrical Power Feeders to Electric Water Heaters in the amount of \$16,551.27* – The electric water heaters require higher-rated conductors from the original design. This item is for the labor and material to upsize the feeder conductors to 480 volts.
- *Chemical Sump Pump Control Panel Space Heater Wiring Modifications in the amount of \$12,822.26* – Space heaters were added for the protection of the chemical sump pumps. This item is for the wiring modifications to allow the addition of the space heaters.
- *Relocate Electrical Feeders to Generator Bus in the amount of \$22,785.74* – Staff decided that for better reliability in a loss of power event, selected electrical loads should be moved from a non-emergency generator bus to an emergency bus for continued operation. This item is for the labor and material for the modifications.
- *Electrical and Instrumentation Related Components for the Installation of Thin Client at Dryer Facility Pellet Load-Out in the amount of \$49,908.43* – Change Order No. 55 was approved to add a thin client in the pellet load-out bay of the Solids Handling Building

for better operation of the dryer facility. This item is for the labor and materials related to installing the electrical and instrumentation components of the thin client.

- *Polymer Room Eye Wash Station Flow Switches in the amount of \$24,567.89* – For better worker safety, alarm beacons were added at each eye wash. This item is for the labor and material to install the alarm beacons.
- *Chemical Storage and Feed Modifications in the amount of \$13,055.18* – For better operation and preventative maintenance, staff decided to add valve configuration logic to SCADA so it allows enhanced equipment isolation to protect mechanical equipment should an emergency occur.
- *PLC Redundancy Hot Standby Status Register in the amount of \$7,502.51* – Staff decided to add alarms to SCADA in the event that programmable logic controller (PLC) failures occur. These alarms would provide off-site staff enhanced diagnostic information so staff can troubleshoot the issue and prevent PLC down time.

Staff recommends that the Board approve CCO No. 62 in the amount of \$708,162.72, which is attached as Exhibit “A”. Items that do not claim or grant additional time are considered full compensation for those items. If items require additional time, the items included in this change order are full compensation except for time impacts. The Contractor reserves the right to claim time impacts, but the Contractor must show any time impacts to the project's critical path and how IRWD is responsible for these time impacts. Resolution of these time impacts is scheduled for a later date. CCO No. 62 does not extend any of the milestone completion dates. The construction change order summary is attached as Exhibit “B”.

Retention Bond:

On December 12, 2016, the Board reduced the contract retention from 10% to 4.36%. As of the August 25, 2017 progress payment, IRWD is withholding \$7,828,735.72 which is held in a joint IRWD/FBB escrow account. FBB has requested that IRWD further assist them with better cash flow since the project duration has been extended two years from the original completion date.

FBB has proposed providing a bond for a portion of the remaining contract retention. The retention bond would allow the release of funds from the escrow account to FBB and provide IRWD an alternate means of security. If required, IRWD could declare FBB in default and request the bonding company release funds to IRWD within seven business days. The Public Contract Code (PCC) in many other states clearly specifies that retention bonds are an acceptable substitute security for retention, but the California PCC does not clearly authorize their use. IRWD legal counsel has determined that this type of bond is allowable in California, but this may be the first time it would be used.

Attached as Exhibit “C” is the draft version of the proposed Retention Bond Agreement that has been reviewed by legal counsel and is still subject to minor modifications. The Retention Bond Agreement would be for \$6,000,000 or 3.34% of the contract amount. IRWD would still hold

\$1,828,735.72 in cash in the escrow account, or 1.02% of the contract amount. Therefore, this is not a retention reduction, only an alternate method of retention. By allowing the Retention Bond Agreement, it is IRWD's intent that this would be a good-will step to prevent further financial hardship for many of the subcontractors and suppliers at this late stage of the project.

FISCAL IMPACTS:

The MWRP Biosolids and Energy Recovery Facilities Project 04286 is included in the FY 2017-18 Capital Budget. The existing budget is sufficient to fund the change order; however, the remaining budget will be less than \$250,000 with approval of CCO No. 62. Staff will submit a capital budget increase to the Board in October 2017.

ENVIRONMENTAL COMPLIANCE:

The MWRP Biosolids and Energy Recovery Facilities is subject to the California Environmental Quality Act (CEQA) and in conformance with the California Code of Regulations Title 14, Chapter 3, Article 7, a Supplemental Environmental Impact Report (SEIR), SCH # 2011031091, was certified by IRWD at its October 22, 2012 meeting. The City of Irvine Planning Commission approved a conditional use permit for the IRWD Biosolids Project at its December 6, 2012 meeting.

COMMITTEE STATUS:

This item was reviewed by the Engineering and Operations Committee on September 13, 2017.

RECOMMENDATION:

THAT THE BOARD APPROVE CONTRACT CHANGE ORDER NO. 62 IN THE AMOUNT OF \$708,162.72 WITH FILANC/BALFOUR BEATTY FOR ELECTRICAL AND CONTROLS MODIFICATIONS, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE RETENTION BOND AGREEMENT FOR THE MICHELSON WATER RECYCLING PLANT BIOSOLIDS AND ENERGY RECOVERY FACILITIES, PROJECT 04286.

LIST OF EXHIBITS:

- Exhibit "A" – Contract Change Order No. 62 with FBB
- Exhibit "B" – Construction Change Order Summary
- Exhibit "C" – Retention Bond Agreement

CONTRACT CHANGE ORDER

EXHIBIT "A"



Irvine Ranch Water District

15600 Sand Canyon Avenue
 P.O. Box 57000
 Irvine, CA 92619-7000
 (949) 453-5300

C.O. No. 62
 Final
 Project No. 04286

MWRP Biosolids and Energy Recovery Facilities

Date: 09/05/2017

Project Title

THE FOLLOWING CHANGE TO CONTRACT, DRAWINGS AND SPECIFICATIONS IS PROPOSED.	\$ ADDITIONS	\$ DELETIONS	DAYS ±
1. Fats, Oil, and Grease (FOG) Modifications (CR-223A) PR 04286 Task 5.30	\$52,174.90	\$0.00	See Notes
2. Density Meter Conduit and Cabling Modifications (CR-326) PR 04286 Task 5.30	\$52,518.11	\$0.00	See Notes
3. Fiber Optic Modifications (CR-356) PR 04286 Task 5.30	\$20,607.14	\$0.00	See Notes
4. Sludge Screen Pneumatic Control Panel Conduit and Cabling (CR-380) PR 04286 Task 5.30	\$8,859.95	\$0.00	See Notes
5. Additional Circuits for Control of the Thickening Centrifuges (CR-386) PR 04286 Task 5.30	\$376,674.08	\$0.00	See Notes
6. Upsize of Power Panel PP-8001 Circuit Breaker (CR-414) PR 04286 Task 5.30	\$50,135.26	\$0.00	See Notes
7. Electrical Power Feeders to Electric Water Heater (CR-426) PR 04286 Task 5.30	\$16,551.27	\$0.00	See Notes
8. Chemical Sump Pump Control Panel Space Heater Wiring Modifications (CR-461) PR 04286 Task 5.30	\$12,822.26	\$0.00	See Notes
9. Relocate Electrical Feeders to Generator Bus (CR-462) PR 04286 Task 5.30	\$22,785.74	\$0.00	See Notes
10. Electrical and Instrumentation Related Components for the Installation of Thin Client at Dryer Facility (CR-485A) PR 04286 Task 5.30	\$49,908.43	\$0.00	See Notes
11. Polymer Room Eye Wash Station Flow Switches (CR-535) PR 04286 Task 5.30	\$24,567.89	\$0.00	See Notes
12. Chemical Storage and Feed Modifications (CR-563) PR 04286 Task 5.30	\$13,055.18	\$0.00	See Notes
13. PLC Redundancy Hot Standby Status Register (CR-568) PR 04286 Task 5.30	\$7,502.51	\$0.00	See Notes
TOTAL	\$708,162.72	\$0.00	0

DAYS ±

NOTE: The documents supporting this Change Order, including any drawings and estimates of cost, if required are attached hereto and made a part hereof. This Change Order shall not be considered as such until it has been signed by the Owner and the Contractor. Upon final approval, distribution of copies will be made as required. The parties mutually agree the pricing set forth in this Change Order are complete and fair compensation for the entirety of the work authorized under this Change Order and that no additional compensation is warranted nor shall it be allowed.

CHANGES: All workmanship and materials called for by this Change Order shall be fully in accord with the original Contract Documents insofar as the same may be applied without conflict to the conditions set forth by this Change Order. The time for completing the contract will not be extended unless expressly provided for in this Change Order.

1. NET AMOUNT THIS CHANGE ORDER	=	\$708,162.72	0
2. ORIGINAL CONTRACT AMOUNT	=	\$163,465,940.00	1,278
3. TOTAL PREVIOUS CHANGE ORDER(S)	=	\$16,154,915.70	368
4. TOTAL BEFORE THIS CHANGE ORDER (2+ 3)	=	\$179,620,855.70	1,646
5. PROPOSED REVISED CONTRACT AMOUNT TO DATE (1+4)	=	\$180,329,018.42	1,646

We hereby agree to make the above change subject to the terms of this change order for the sum of: _____

-----Seven Hundred Eight Thousand One Hundred Sixty-Two and 72/100 -----Dollars

9/14/17 Date Filanc/Balfour-Beatty Contractor Call Bate for BBE/J.V. By: Harry Cosmos, President

SIGNATURE	DATE	APPROVAL LEVEL REQUIRED
	<u>9/8/17</u> Date	Department Director Approval Required <input type="checkbox"/>
<u>Steve Malloy</u> IRWD Engineer or Consulting Engineer	<u>9-7-17</u> Date	Executive Director Approval Required <input type="checkbox"/>
<u>Karin L. Burt</u> Principal Engineer	<u>9/14/17</u> Date	General Manager Approval Required <input type="checkbox"/>
Executive Director of Engineering & Water Quality	Date	Board Approval Required <input checked="" type="checkbox"/>
General Manager	Date	<u>P.O. 400399</u>
		Purchase Order No.

NOTE: The documents supporting this Change Order, including any drawings and estimates of cost, if required are attached hereto and made a part hereof. This Change Order shall not be considered as such until it has been signed by the Owner and the Contractor. Upon final approval, distribution of copies will be made as required. The parties mutually agree the pricing set forth in this Change Order are complete and fair compensation for the entirety of the work authorized under this Change Order and that no additional compensation is warranted nor shall it be allowed.

CHANGES: All workmanship and materials called for by this Change Order shall be fully in accord with the original Contract Documents insofar as the same may be applied without conflict to the conditions set forth by this Change Order. The time for completing the contract will not be extended unless expressly provided for in this Change Order.

EXHIBIT "B"

**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum. Total C. O. days	Revised Total Contract Days	Revised Completion Date
1	Approved by Exe. Director of Engineering and Water Quality Approved on October 24, 2013 1.1 Modifications to Road to Development Area - Delete AC to Triangle, add AB to Michelson (CR-004)	A	IRWD	\$ 20,202.42	\$20,202.42	\$0.00	\$20,202.42	0.01%	\$163,486,142.42	0	0	0	1,278	10/28/2016
2	Approved by Exe. Director of Engineering and Water Quality Approved on November 13, 2013 2.1 Street Light Conduit Modifications (CR-007)	B	IRWD	\$ 12,475.08	\$12,475.08	\$20,202.42	\$32,677.50	0.02%	\$163,498,617.50	0	0	0	1,278	10/28/2016
3	Approved by Board of Directors Approved on March 10, 2014 3.1 Bid Quantity Adjustment of Bid Item 8.6 Pre-Drill	B	FBB	\$ 745,503.00	\$745,503.00	\$32,677.50	\$778,180.50	0.48%	\$164,244,120.50	0	0	0	1,278	10/28/2016
4	Approved by Exe Dir of Eng & Water Quality Approved on March 14, 2014 4.1 Installation of Five Additional Groundwater Wells and Monitoring – (CR-006) PR 21146 (4286) Task 3505 4.2 Brace Bay Modifications at the FOG Station – (CR-015) PR 21146 (4286) Task 3505 4.3 Grounding Extension at Nitrogen and Mineral Oil System (CR-025) PR 21146 (4286) Task 3510	A	IRWD	\$11,047.81	\$23,029.22	\$778,180.50	\$801,209.72	0.49%	\$164,267,149.72	0	0	0	1,278	10/28/2016
5	Approved by Exe Dir of Eng & Water Quality Approved on March 14, 2014 5.1 Unidentified Utility - Meter Shop Discharge (CR-008) PR 21146 (4286) Task 3505 5.2 Connection Beam Modifications at Solids Handling Facility (CR-014) PR 21146 (4286) Task 3235 5.3 Increased Grating Thickness at Solids Handling Facility (CR-041) PR 21146 (4286) Task 3505	B	IRWD	\$15,225.75	\$24,851.73	\$801,209.72	\$826,061.45	0.51%	\$164,292,001.45	0	0	0	1,278	10/28/2016
6	Approved by General Manager Approved on March 20, 2014 6.1 Additional Costs to Install Piles to the Design Tip (CR-033) PR 21146 (4286) Task 3505	B	FBB	\$31,815.00	\$31,815.00	\$826,061.45	\$857,876.45	0.52%	\$164,323,816.45	0	0	0	1,278	10/28/2016

- A - District Convenience/Initiation - Project Related
- B - Differing Site Conditions
- C - Design Oversight
- D - District Convenience/Initiation - Non-Project Related
- E - Contractor Convenience/Initiation

**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

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				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
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7	Approved by Exe Dir of Eng & Water Quality Approved on April 21, 2014				\$24,725.00	\$857,876.45	\$882,601.45	0.54%	\$164,348,541.45	0	0	0	1,278	10/28/2016
7.1	Meter Shop Discharge Pipe Leak Investigation and Repair (CR-013) PR 21146 (4286) Task 3505	B	IRWD	\$2,542.00						0				
7.2	Additional Reinforcement and Lifting Eyes for Removable Slabs at Solids Handling Building (CR-021) PR 21146 (4286) Task 3505	C	FBB	\$14,059.00						0				
7.3	Increased Grating Thickness at Solids Handling Facility (CR-041) PR 21146 (4286) Task 3505 Additional Conductance Probe Materials for Relay Level Switches for Various Sumps Located at the Microturbine Area PR 21146 (4286) Task 3510	C	FBB	\$8,124.00						0				
8	Approved by General Manager Approved on April 21, 2014				(\$49,990.00)	\$882,601.45	\$832,611.45	0.51%	\$164,298,551.45	0	0	0	1,278	10/28/2016
8.1	Cost Sharing for Project Partnering (CR-Credit for Primavera 7.0 Project Portfolio Management Software (CR-002) PR 21146 (4286) Task 3235	A	IRWD	(\$14,611.00)						0				
8.2	Deletion of Concrete Pad near Development Area (CR-004A) PR 21146 (4286) Task 3235	A	IRWD	(\$3,865.00)						0				
8.3	Deletion of Ground Test Device (CR-034) PR 21146 (4286) Task 3210	A	IRWD	(\$15,579.00)						0				
8.4	Deletion of Existing T-4 Switchgear Level Indicating Switch (CR-035) PR 21146 (4286) Task 3210	A	IRWD	(\$9,167.00)						0				
8.5	Change to NEMA 4X Panels and Modification to NEMA 4X Bar Graph Display (CR-046) PR 21146 (4286) Task 3210	A	IRWD	(\$4,068.00)						0				
8.6														
9	Approved by Exe. Director of Eng. & Water Quality Approved on May 31, 2014				\$24,840.17	\$832,611.45	\$857,451.62	0.52%	\$164,323,391.62	0	0	0	1,278	10/28/2016
9.1	Additional Circuits for Gas Monitors and Re-route of Conduits in Solids Handling Facility (CR-028) PR 21146 (4286) Task 3510	C	FBB	\$1,187.49						0				
9.2	Cantilevered Beam Support Modifications in the Solids Handling Facility (CR-049) PR 21146 (4286) Task 3505	C	FBB	\$4,605.30						0				
9.3	Additional Ethernet Switches (CR-062) PR 21146 (4286) Task 3510	C	IRWD	\$19,047.38						0				
10	Approved by Exe. Director of Eng. & Water Quality Approved on May 31, 2014				\$21,398.99	\$857,451.62	\$878,850.61	0.54%	\$164,344,790.61	0	0	0	1,278	10/28/2016
10.1	Additional Grace Ports for Various PLCs (CR-030) PR 21146 (4286) Task 3510	C	IRWD	\$8,580.62						0				
10.2	Provide H-20 Rated Hatches at WAS Pump Station and Valve Vault (CR-061) PR 21146 (4286) Task 3505	C	IRWD	\$12,818.37						0				

- A - District Convenience/Initiation - Project Related
- B - Differing Site Conditions
- C - Design Oversight
- D - District Convenience/Initiation - Non-Project Related
- E - Contractor Convenience/Initiation

B - 2

**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum. Total C. O. days	Revised Total Contract Days	Revised Completion Date
11	Approved by Exe. Director of Eng. & Water Quality Approved on June 4, 2014				\$24,739.76	\$878,850.61	\$903,590.37	0.55%	\$164,369,530.37	#REF!	0	#REF!	#REF!	10/28/2016
11.1	Waste Activated Sludge (WAS) Pump Station Structural Modifications (CR-023) PR 21146 (4286) Task 3505	C	IRWD	\$12,905.49						0				
11.2	Removable Slab Modifications on the Second Floor of Solids Handling Building (CR-064) PR 21146 (4286) Task 3505	C	IRWD	\$11,834.27						0				
12	Approved by Board of Directors Approved on July 21, 2014				\$156,580.22	\$903,590.37	\$1,060,170.59	0.65%	\$164,526,110.59	0	0	0	1,278	10/28/2016
12.1	Final Bid Quantity Adjustment for Bid Item No. 5.2 – Undocumented Fill (suitable) – Remedial Grading – Remove and Re-compact a net increase of 8,104.7 CY from 51,700 CY to 59,804.7 CY at \$5/CY. PR 21146 (4286) Task 3505	B	N/A	\$40,523.37						0				
12.2	Final Bid Quantity Adjustment for Bid Item No. 5.5 - Undocumented Fill (not suitable) - Remedial Grading - Remove and Export Offsite, a net increase of 60 CY, from 1,800 CY to 1,860 CY at \$25 /CY. PR 21146 (4286) Task 3505	B	N/A	\$1,500.00						0				
12.3	Final Bid Quantity Adjustment for Bid Item No. 5.6 - Geotextile Fabric - Remedial Grading, a net decrease of 5,414 SF, from 181,500 SF to 176,086 SF at \$0.40/SF. PR 21146 (4286) Task 3505	B	N/A	(\$2,165.60)						0				
12.4	Final Bid Quantity Adjustment for Bid Item No. 5.6 - Geotextile Fabric - Remedial Grading, a net decrease of 5,414 SF, from 181,500 SF to 176,086 SF at \$0.40/SF. PR 21146 (4286) Task 3505	B	N/A	(\$6,523.33)						0				
12.5	Final Bid Quantity Adjustment for Bid Item No. 5.8 - Undocumented Fill - Deep Foundations – Removal, a net increase of 966 CY, from 21,650 CY to 22,616 CY at \$5.50/CY. PR 21146 (4286) Task 3505	B	N/A	\$5,313.00						0				
12.6	Final Bid Quantity Adjustment for Bid Item No. 5.9 - Alluvium - Remedial Grading - Removal and Export Offsite, a net increase of 2,076 CY, from 28,154 CY to 30,230 CY at \$35/CY. PR 21146 (4286) Task 3505	B	N/A	\$72,665.98						0				
12.7	Final Bid Quantity Adjustment for Bid Item No. 5.10 - Undocumented Fill Deep Foundations - Compaction of stockpiled materials, a net increase of 3,117 CY, from 11,400 CY to 14,517 CY at \$15/CY. PR 21146 (4286) Task 3505	B	N/A	\$46,755.00						0				
12.8	Final Bid Quantity Adjustment for Bid Item No. 5.11 - Undocumented Fill + Deep Foundations - Export excess offsite a net decrease of 2,151 CY, from 10,250 CY to 8,099 CY PR 21146 (4286) Task 3505	B	N/A	(\$30,114.00)						0				

- A - District Convenience/Initiation - Project Related
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- D - District Convenience/Initiation - Non-Project Related
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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum. Total C.O. days	Revised Total Contract Days	Revised Completion Date
12.9	Final Bid Quantity Adjustment for Bid Item No. 5.12 - Geotextile Fabric - Deep Foundations, a net increase of 9,218 SF, from 51,500 SF to 60,718 SF at \$0.60/SF. PR 21146 (4286) Task 3505	B	N/A	\$5,530.80						0				
12.10	Final Bid Quantity Adjustment for Bid Item No. 5.13 - Aggregate Base - Deep Foundations, a net increase of 513.2 CY, from 2,860 CY to 3,373.2CY at \$45/CY. PR 21146 (4286) Task 3505	B	N/A	\$23,095.00						0				
13	Approved by Exe. Director of Engineering & Water Quality Approved on July 10, 2014				\$10,129.18	\$1,060,170.59	\$1,070,299.77	0.65%	\$164,536,239.77	0	0	0	1,278	10/28/2016
13.1	Modifications to Switchgear 16 (CR-070) PR 21146 (4286) Task 3510	A	FBB	\$10,129.18						0				
14	Approved by General Manager Approved on June 24, 2014				\$44,543.19	\$1,070,299.77	\$1,114,842.96	0.68%	\$164,580,782.96	0	0	0	1,278	10/28/2016
14.1	Slide Gates Clarification Regarding Actuators (CR-039) PR 21146 (4286) Task 3520	A	IRWD	\$44,543.19						0				
15	Approved by General Manager Approval on July 31, 2014				\$45,214.40	\$1,114,842.96	\$1,160,057.36	0.71%	\$164,625,997.36	0	0	0	1,278	10/28/2016
15.1	Provide Masonry Shelf Angle at Digester Control Building (CR-031) PR 21146 (4286) Task 3505	C	FBB	\$27,543.19						0				
15.2	Beam Size Increase for Monorail Runway in Solids Handling Building - (CR-074) PR 21146 (4286) Task 3505	C	FBB	\$1,200.47						0				
15.3	Upsize Odor Control Circulation Pump Motor Disconnects (CR-082) PR 21146 (4286) Task 3510	B	FBB	\$1,184.83						0				
15.4	Additional Deck Support for the Solids Handling Building Roof (CR-044) PR 21146 (4286) Task 3505	C	FBB	\$15,285.91						0				
16	Approved by E&O Committee Approved on August 19, 2014				\$62,037.10	\$1,160,057.36	\$1,222,094.46	0.75%	\$164,688,034.46	0	0	0	1,278	10/28/2016
16.1	Installation of Level 3 Diesel Particulate Filter (DPF) on the Standby Generator - (CR-073) PR 21146 (4286) Task 3520	B	IRWD	\$62,037.10						0				
17	Approved by Board of Directors Approved on August 25, 2014				(\$106,241.99)	\$1,222,094.46	\$1,115,852.47	0.68%	\$164,581,792.47	0	0	0	1,278	10/28/2016
17.1	Modifications to Switchgear 16 (CR-070A) PR 21146 (4286) Task 3510	A	FBB	(\$106,241.99)						0				
18	Approved by Board of Directors Approved on August 25, 2014				\$108,087.55	\$1,115,852.47	\$1,223,940.02	0.75%	\$164,689,880.02	0	0	0	1,278	10/28/2016
18.1	Stormwater Drainage System Modification (CR-017) PR 21146 (4286)	A	IRWD	\$108,087.55						0				

- A - District Convenience/Initiation - Project Related
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- D - District Convenience/Initiation - Non-Project Related
- E - Contractor Convenience/Initiation

B - 4

**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum Total C.O. days	Revised Total Contract Days	Revised Completion Date
19	Approved by Executive Director of Engineering & Water Quality Approved on September 30, 2014				\$72,572.86	\$1,223,940.02	\$1,296,512.88	0.79%	\$164,762,452.88	0	0	0	1,278	10/28/2016
19.1	Modification to Switchgear 16 (CR-070B) PR 21146 (4286) Task 3510	A	IRWD	\$1,125.75						0				
19.2	Alluvium Removal Due to 36-inch Storm Drain Installation (CR-085) PR 21146 (4286) Task 3520	B	N/A	\$14,140.00						0				
19.3	Additional Structural Support for Fats, Oils, and Grease (FOG) Grinders (CR-081) PR 21146 (4286) Task 3505	C	FBB	\$8,323.99						0				
19.4	Portable Lift Truck for 480V ABB Breakers (CR-108) PR 21146 (4286) Task 3510	A	IRWD	\$2,625.12						0				
19.5	Retaining Wall North and West of Biosolids Site (CR-010) PR 21146 (4286) Task 3505	B	IRWD	\$46,358.00						0				
20	Approved by Executive Director of Engineering & Water Quality Approved on November 19, 2014				\$54,485.63	\$1,296,512.88	\$1,350,998.51	0.83%	\$164,816,938.51	0	0	0	1,278	10/28/2016
20.1	Nitrogen Slab Modifications (CR-052) PR 21146 (4286) Task 3505	A	IRWD	\$24,855.80						0				
20.2	Additional Conduits and Circuits for the Access Control Systems for the Solids Handling Building and the Digester Control Building (CR-082) PR 21146	A	IRWD	\$3,412.13						0				
20.3	Digital Power Meters Change for SWGR-14 and SWGR-15 (CR-109) PR 21146 (4286) Task 3510	A	IRWD	\$3,863.22						0				
20.4	Truck Unloading Panel Modifications (CR-115) PR 21146 (4286) Task 3510	A	IRWD	\$12,843.50						0				
20.5	Switchgear SWGR-14 Modifications (CR-116) PR 21146 (4286) Task 3510	A	IRWD	\$9,510.98						0				
21	Approved by General Manager Approved on January 30, 2015				\$ 98,506.19	\$1,350,998.51	\$1,449,504.70	0.89%	\$164,915,444.70	0	0	0	1,278	10/28/2016
21.1	Additional Anchorage for Methane Digesters (CR-051A) PR 21146 (4286) Task 3520	B	FBB	\$92,367.44						0				
21.2	Additional Input/Outputs Review of Master I/O List (CR-136) PR 21146 (4286) Task 3510	C	FBB	\$6,138.75						0				

- A - District Convenience/Initiation - Project Related
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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

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22	Approved by Board of Directors Approved on February 9, 2015				\$964,324.51	\$1,449,504.70	\$2,413,829.21	1.48%	\$165,879,769.21	0	0	0	1,278	10/28/2016
22.1	Electrical Conduit Overfill (CR-055) PR 21146 (4286) Task 3510	C	FBB	\$485,250.28						0				
22.2	Heat Dryer Equipment Escalation Costs (CR-057) PR 21146 (4286) Task 3520	B	FBB	\$333,477.50						0				
22.3	Glass-lining Sludge Density Meters (CR-067) PR 21146 (4286) Task 3510	A	IRWD	\$71,010.74						0				
22.4	Switchgear-16 Enclosure (CR-040) PR 21146 (4286) Task 3510	C	FBB	\$56,882.30						0				
22.5	Propane Gas Tank Foundation Demolition (CR-084) PR 21146 (4286) Task 3505	C	IRWD	\$2,004.98						0				
22.6	Credit for travel costs related to inspection of centrifuges in Germany (CR-091) PR 21146 (4286) Task 3520	A	IRWD	(\$5,573.42)						0				
22.7	Deletion of MMC Switchgear-14 Breaker (CR-092) PR 21146 (4286) Task 3510	A	IRWD	(\$5,032.00)						0				
22.8	Increase of Fiber Optic Conduit Size (CR-097) PR 21146 (4286) Task 3510	C	IRWD	\$23,269.61						0				
22.9	Overtime to perform work in the Solids Handling electrical room (CR-103) PR 21146 (4286) Task 3510	A	IRWD	\$1,384.47						0				
22.10	Credit for modification to the Uninterruptible Power System (CR-118) PR 21146 (4286) Task 3510	A	IRWD	(\$9,771.72)						0				
22.11	Addition of Low Voltage Compartment in SCE Switch "C" (CR-160) PR 21146 (4286) Task 3510	A	IRWD	\$2,156.20						0				
22.12	Addition of input/output points relating to sump pumps located at the Solids Handling Building (CR-161) PR 21146 (4286) Task 3510	A	FBB	\$9,265.57						0				

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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

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Design Engineer: Black & Veatch

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23	Approved by General Manager Approved on February 26, 2015				\$97,005.10	\$2,413,829.21	\$2,510,834.31	1.54%	\$165,976,774.31	0	0	0	1,278	10/28/2016
23.1	Additional Steel Reinforcement the Pellet Storage Silos Anchor Bolts (CR-094) PR 21146 (4286) Task 3505	B	FBB	\$5,514.57						0				
23.2	Differential Pressure Transmitter (CR-094) PR 21146 (4286) Task 3510	A	IRWD	\$2,535.33						0				
23.3	Additional Aluminum Trench Grating in Digester Control Building (CR-107) PR 21146 (4286) Task 3520	A	IRWD	\$7,552.11						0				
23.4	Light Weight Concrete for Electrical Conduits Underneath the Solids Handling Building Electrical Room (CR-113) PR 21146 (4286) Task 3510	A	IRWD	\$30,535.94						0				
23.5	Adding Energysjets Weir Plates to Dewatering Centrifuges – (CR-124) PR 21146 (4286) Task 3520	A	IRWD	\$11,139.25						0				
23.6	Provide Angle Supports for the Removable Slabs at the Solids Handling Building – (CR-137) PR 21146 (4286) Task 3520	A	IRWD	\$20,671.61						0				
23.7	Structural Modification at Solids Handling Building – (CR-140) PR 21146 (4286) Task 3520	C	FBB	\$1,109.42						0				
23.8	Increase of Fiber Optic Conduit Size (CR-097) PR 21146 (4286) Task 3510	A	IRWD	\$5,516.45						0				
23.9	Steel Joist Framing Modifications at Digester Control Building (CR-151) PR 21146 (4286) Task 3505	C	FBB	\$2,286.29						0				
23.10	WAS Valve Vault and Piping Modifications (CR-100) PR 21146 (4286) Task 3520	A	IRWD	\$10,144.13						0				
24	Approved by General Manager Approved on March 6, 2015				\$99,122.95	\$2,510,834.31	\$2,609,957.26	1.60%	\$166,075,897.26	0	0	0	1,278	10/28/2016
24.1	Coating of WAS/Primary Sludge Pump Stations & Sludge Wetwells per RFI-0612A (CR-127) PR 21146 (4286) Task 3505	A	FBB	\$99,122.95						0				
25	Approved by Board of Directors Approved on March 23, 2015				\$280,575.97	\$2,609,957.26	\$2,890,533.23	1.77%	\$166,356,473.23	0	0	0	1,278	10/28/2016
25.1	Lightning Protection for the Methane Digesters (CR-121) PR 21146 (4286) Task 3505	C	FBB	\$158,259.68						0				
25.2	Deflagration Quench Tubes outside of the Dryer Room (CR-143) PR 21146 (4286) Task 3505	B	FBB	\$122,316.29						0				

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- B - Differing Site Conditions
- C - Design Oversight
- D - District Convenience/Initiation - Non-Project Related
- E - Contractor Convenience/Initiation

B - 7

**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
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26	Approved by Exe. Dir. Of Engineering & Water Quality Approved on April 14, 2015				\$74,815.79	\$2,890,533.23	\$2,965,349.02	1.81%	\$166,431,289.02	0	0	0	1,278	10/28/2016
26.1	UPS and Power Fail Alarms per RFI 357 (CR-056) PR 21146 (4286) Task 3510	C	FBB	\$3,646.82						0				
26.2	I/O Points for Methane Digester Sump Pumps per RFI-356 (CR-077) PR 21146 (4286) Task 3510	C	FBB	\$6,489.00						0				
26.3	Loss of Power Alarms to the SCADA Network per RFI-0393B (CR-093) PR 21146 (4286) Task 3510	A	FBB	\$20,297.16						0				
26.4	FOG Flushing and Rock Trap Modifications per RFI-0534 (CR-101) PR 21146 (4286) Task 3510	A	IRWD	\$18,093.61						0				
26.5	Install Grounding Pig Tails in Solids Handling Building Area Electrical Room per RFI 0594 (CR-105) PR 21146 (4286) Task 3510	A	IRWD	\$1,593.10						0				
26.6	Additional Pushbuttons, Light and Relays for the FOG Receiving Control Panel (CR-114) PR 21146 (4286) Task 3510	A	IRWD	\$6,892.40						0				
26.7	Changes to the HMI Enclosures at the Sludge Receiving Area (CR-133) PR 21146 (4286) Task 3510	A	IRWD	\$7,114.17						0				
26.8	Provide Storage Shelf for Keyboard and Mouse to the HMI Enclosures at the Sludge Receiving Area (CR-135) PR 21146 (4286) Task 3510	A	IRWD	\$1,163.26						0				
26.9	Dewatering Feed Pump Station Guardrail Additions (CR-142) PR 21146 (4286) Task 3520	C	FBB	\$4,204.00						0				
26.10	Additional I/O Points for PLC-4300 (CR-156) PR 21146 (4286) Task 3510	C	FBB	\$3,035.28						0				
26.11	Shoring Revision to Roof Slab of Dewatering Feed Pump Station (CR-189) PR 21146 (4286) Task 3510	B	FBB	\$1,286.99						0				
26.12	Coating of the Sludge Receiving Bins (CR-199) PR 21146 (4286) Task 3520	A	FBB	\$1,000.00						0				
27	Approved by Board of Directors Approved on April 27, 2015				\$107,253.26	\$2,965,349.02	\$3,072,602.28	1.88%	\$166,538,542.28	0	0	0	1,278	10/28/2016
27.1	Modifications to Human-Machine Interface (HMI) for the Microturbine Area (CR-078) PR 21146 (4286) Task 3510	A	IRWD	\$29,744.43						0				
27.2	Modifications to the Piping and Automation Features at Fats, Oils, and Grease (FOG) Facility (CR-129) PR 21146 (4286) Task 3510	A	IRWD	\$35,771.81						0				
27.3	Structural Support to the Monorail at the Dewatering Feed Pump Station (CR-152) PR 21146 (4286) Task 3505	C	FBB	\$13,697.51						0				
27.4	Two Additional Magnetic Flowmeters at Polymer Feed System (CR-158) PR 21146 (4286) Task 3510	A	IRWD	\$9,522.81						0				
27.5	Modifications to PLCs at Sludge Receiving Area (CR-180) PR 21146 (4286) Task 3510	A	IRWD	\$18,516.70						0				

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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

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28	Approved by Exe. Dir. Of Eng. & Water Quality Approved on May 15, 2015				\$74,550.35	\$3,072,602.28	\$3,147,152.63	1.93%	\$166,613,092.63	0	0	0	1,278	10/28/2016
28.1	Decanter Control Panel Modifications (CR-215) Task 3520	C	FBB	\$22,451.01						0				
28.2	Additional Structural Support in the Solids Handling Building (CR-075) Task 3505	C	FBB	\$12,028.44						0				
28.3	Additional Sump Pump Drain Line in the Bulk Polymer Storage Area (CR-119) Task 3520	C	FBB	\$1,433.86						0				
28.4	Install Three 5-inch conduits on Southwest Side of the Biosolids Site (CR-120) Task 3510	C	FBB	\$16,033.58						0				
28.5	Provide Power to Several Instruments Located at the Solids Handling Building and Digester Control Building (CR-154) Task 3520	C	FBB	\$3,454.91						0				
28.6	Install Foam Separator Drain at Digester Control Building (CR-167) Task 3520	C	FBB	\$11,013.75						0				
28.7	Install Support for 14-inch Plug Valve at Centrate Treatment Wetwell (CR-197) Task 3520	C	FBB	\$1,715.20						0				
28.8	Trench Modifications at the Sludge Cake Load-Out Area of the Solids Handling Building (CR-123) Task 3505	C	FBB	\$6,419.60						0				
29	Approved by Board of Directors Approved on June 22, 2015				\$225,971.77	\$3,147,152.63	\$3,373,124.40	2.06%	\$166,839,064.40	0	0	0	1,278	10/28/2016
29.1	Foul Air Pipe Supports in the Solids Handling Building Basement (CR-106) PR 21146 (4286) Task 3520	C	FBB	\$119,937.87						0				
29.2	Secondary Circuit Breaker for Transformer T-14 (CR-185) PR 21146 (4286) Task 3510	A	IRWD	\$106,033.90						0				

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30	Approved by Board of Directors Approved on July 27, 2015				(\$47,976.59)	\$3,373,124.40	\$3,325,147.81	2.03%	\$166,791,087.81	0	0	0	1,278	10/28/2016
30.1	Credit for Changing Storm Drain line from Ductile Iron to PVC (CR-042) PR 21146 (4286) Task 3520	A	IRWD	(\$1,890.92)						0				
30.2	Installation of Additional Digester Anchorage (CR-051B) PR21146 (4286) Task 3505	B	FBB	\$118,335.54						0				
30.3	Huber Screens I/O Modifications per RFI-0391 and RFI-0525A (CR-068) PR 21146 (4286) Task 3510	A	IRWD	\$12,579.20						0				
30.4	Credit for FBB's Portion of Partnering (CR-090) PR 21146 (4286) Task	E	FBB	(\$81,948.33)						0				
30.5	Deletion of Waterstops at Methane Digester Complex (CR-102) PR 21146 (4286) Task 3505	A	IRWD	(\$2,505.79)						0				
30.6	Deletion of Bid Item No. 18.4 - Computers and Networking Hardware for the Control System (CR-138) PR 21146 (4286) Task 3510	A	IRWD	(\$200,000.00)						0				
30.7	Electrical and Gas Modifications (CR-146) PR 21146 (4286) Task 3510	C	IRWD	\$363,978.41						0				
30.8	Credit for Changing Heat Dryer Wet Material Mixer from A24 Steel to A36 Steel (CR-157) PR 21146 (4286) Task 3520	E	FBB	(\$2,392.66)						0				
30.9	Credit for Travel Cost of On-Site Inspection for Acid Phase Digester (CR-175) PR 21146 (4286) Task 3520	B	IRWD	(\$683.39)						0				
30.1	Heat Dryer I/O Modifications per RFI-0626 (CR-179) PR 21146 (4286) Task 3510	A	IRWD	\$11,191.41						0				
30.11	Decant Trough I/O Modifications per RFI-0979 (CR-202) PR 21146 (4286) Task 3510	A	IRWD	\$9,960.55						0				
30.12	Deletion of Interior Coating of Methane Digesters (CR-188) PR 21146 (4286) Task 3520	A	IRWD	(\$398,571.00)						0				
30.13	Piping Modifications and Addition of Carbon Canisters (CR-218) PR 21146 (4286) Task 3520	A	IRWD	\$88,076.01						0				
30.14	Pickling and Passivation of Sludge Mixers (CR-248) PR 21146 (4286) Task 3520	C	IRWD	\$73,997.23						0				
30.15	IRWD Costs Associated to Repairing the Pile and Installing Couplers (CR-139) PR 21146 (4286) Task 3505	E	FBB	(\$38,102.85)						0				

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Design Engineer: Black & Veatch

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31	Approved by Exe. Dir. Of Eng. & Water Quality Approved on July 28, 2015				\$74,999.74	\$3,325,147.81	\$3,400,147.55	2.08%	\$166,866,087.55	0	0	0	1,278	10/28/2016
31.1	Provide Circuit and Breaker for Standby Generator in the Microturbine Area (CR-170) PR 21146 (4286) Task 3510	C	FBB	\$4,296.86						0				
31.2	Additional Pipe Support for 14-inch Air Line at the Centrate Facility (CR-226) PR 21146 (4286) Task 3520	C	FBB	\$893.78						0				
31.3	Addition of E-stops (CR-128) PR 21146 (4286) Task 3510	A	FBB	\$57,916.71						0				
31.4	Structural Support of Jib Crane at Dewatering Feed Pump Station Stairwell (CR-243) PR 21146 (4286) Task 3520	C	FBB	\$11,892.39						0				
32	Approved by Exe. Dir. Of Eng. & Water Quality Approved on August 31, 2015				\$74,682.96	\$3,400,147.55	\$3,474,830.51	2.13%	\$166,940,770.51	0	0	0	1,278	10/28/2016
32.1	Additional Conduits and Circuits for Fire Alarm in the Solids Handling Building	A	IRWD	\$21,637.57						0				
32.2	Additional Davit Bases at Centrate Treatment Facility (CR-111) PR 21146 (4286) Task 3520	A	IRWD	\$1,809.77						0				
32.3	Additional Fire Alarm Panel in Digester Control Building (CR-169) PR 21146 (4286) Task 3510	A	IRWD	\$25,153.79						0				
32.4	Modifications to FOG Sump Pumps Controls (CR-177) PR 21146 (4286) Task 3510	A	IRWD	\$5,690.83						0				
32.5	Additional Truck Load-out Conveyor Input and Output (CR-201) PR 21146 (4286) Task 3510	A	IRWD	\$2,220.12						0				
32.6	Additional Spare Conduits in the Microturbine Area (CR-229) PR 21146 (4286) Task 3510	A	FBB	\$14,602.41						0				
32.7	Conduits for Electrical Disconnect Switch for Roll-Up Doors of the Digester Control Building (CR-230) PR 21146 (4286) Task 3510	A	IRWD	\$3,568.47						0				
33	Approved by Executive Director of Engineering & Water Quality Approved on September 30, 2015				\$58,247.75	\$3,474,830.51	\$3,533,078.26	2.16%	\$166,999,018.26	0	0	0	-	1/0/1900
33.1	Realignment of 8-inch Reclaimed Water Line at Gate 2 (CR-225) PR 21146 (4286) Task 3520	B	FBB	\$24,017.48						0				
33.2	Additional Conduits and Wires for Lighting Circuits to Minimize Voltage Drop (CR-228) PR 21146 (4286) Task 3510	C	IRWD	\$32,399.41						0				
33.3	Cable and Conduit Changes at Solids Handling Building and Dewatering Feed Pump Station (CR-231) PR 21146 (4286) Task 3510	C	IRWD	\$1,830.86						0				

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34	Approved by Board of Directors Approved on October 26, 2015				\$164,775.28	\$3,533,078.26	\$3,697,853.54	2.26%	\$167,163,793.54	0	0	0	1,278	10/28/2016
34.1	Credit for Third Submittal Review Through 05/31/2015 (CR-088) PR 21146 (4286) Task 1065	B	IRWD	(\$39,502.50)						0				
34.2	Credit for Overtime Inspection Hours Through 05/31/2015 (CR-089) PR 21146 (4286) Task 3520	E	FBB	(\$80,850.00)						0				
34.3	Credit for Special Inspections for Structural Anchors and Geotechnical Investigation (CR-295) PR 21146 (4286) Task 1065	A	IRWD	(\$27,500.00)						0				
34.4	Change in Knife Gate Valve Manufacturer (CR-187) PR 21146 (4286) Task 3520	E	FBB	\$275,954.90						0				
34.5	Credit for Changes in Low Voltage SWGR-14 Circuit Breaker (CR-163) PR 21146 (4286) Task 3510	A	IRWD	(\$1,978.00)						0				
34.6	Change to Addressable Smoke Detectors (CR-220) PR 21146 (4286) Task 3510	B	IRWD	\$38,650.88						0				
35	Approved by General Manager Approved on November 25, 2015				\$97,980.57	\$3,697,853.54	\$3,795,834.11	2.32%	\$167,261,774.11	0	0	0	1,278	10/28/2016
35.1	Change in Naming Convention for Storm Water Pump Station (Area 1500) SCADA Programming (CR-181) PR 21146 (4286) Task 3510	E	FBB	\$9,027.03						0				
35.2	Valve Status Override Functionality (CR-182) PR 21146 (4286) Task 3510	E	FBB	\$38,999.08						0				
35.3	Control Changes for Primary Sludge and Waste Activated Pump Stations (Area 1900) SCADA Programming (CR-184) PR 21146 (4286) Task 3510	A	IRWD	\$36,772.78						0				
35.4	Motor Protection Relay (CR-239) PR 21146 (4286) Task 3510	A	IRWD	\$13,181.68						0				
36	Approved by General Manager Approved on December 3, 2015				\$86,007.50	\$3,795,834.11	\$3,881,841.61	2.37%	\$167,347,781.61	0	0	0	1,278	10/28/2016
36.1	Light Weight Concrete for Underslab Conduits at Microturbine Area (CR-253) PR 21146 (4286) Task 3510	A	FBB	\$21,117.50						0				
36.2	Outstanding CB&I Items (CR-099A) PR 21146 (4286) Task 3520 - This change order includes: CR-098 (Guard Rail at Biogas Storage Tank); CR-099 (Tube Steel Supports); additional Off-Site Storage Costs; and credit for Use of SS 308 in Lieu of SS 316L Welds.	B	FBB	\$64,890.00						0				

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37	Approved by Exe. Director of Engineering and Water Quality Approved on January 21, 2016				\$47,446.49	\$3,881,841.61	\$3,929,288.10	2.40%	\$167,395,228.10	0	0	0	1,278	10/28/2016
37.1	Additional Pressure Relief Valves in the Digester Control Building Slab (CR-112) PR 21146 (4286) Task 3520	C	IRWD	\$1,065.72						0				
37.2	Change Feeder Circuit Breaker Size in MCC-4102 (CR-165) PR 21146 (4286) Task 3510	C	IRWD	\$4,157.60						0				
37.3	Change Feeder Circuit Breaker Size for the Primary Sludge Pump Variable Frequency Drive (CR-233) PR 21146 (4286) Task 3510	C	IRWD	\$2,430.59						0				
37.4	SCADA Programming Changes Due to Change to Schweitzer Power Quality	A	FBB	\$16,814.00						0				
37.5	Additional Labeling of Parallel Conduits and Cables (CR-262) PR 21146 (4286) Task 3510	A	IRWD	\$8,410.00						0				
37.6	Change in Sludge Receiving Entrance Beacon Operation CR-263) PR 21146 (4286) Task 3510	A	IRWD	\$5,382.19						0				
37.7	Anodize Aluminum Light Fixture Stanchions/Sun Shades (CR-283) PR 21146 (4286) Task 3510	A	IRWD	\$5,911.61						0				
37.8	Hot Tap 8-Inch ACP Potable Water Line (CR-311) PR 21146 (4286) Task 3520	A	FBB	\$3,274.78						0				

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38	Approved by General Manager Approved on February 29, 2016				\$83,345.07	\$3,929,288.10	\$4,012,633.17	2.45%	\$167,478,573.17	0	0	0	1,278	10/28/2016
38.1	Software Control Block Revision for Area 4300 – Dewatering (CR-211) PR 4286 Task 3510	C	FBB	\$18,908.76						0				
38.2	Revised Master List of SCADA Templates (CR-247) PR 4286 Task 3510	C	FBB	\$47,274.54						0				
38.3	Additional Overflow Alarms at Sludge Holding Tanks (CR-280) PR 4286 Task 3510	A	IRWD	\$9,654.54						0				
38.4	Leak Detection at Sulfuric Acid Facility (CR-290) PR 21146 (4286) Task 3510	A	IRWD	\$5,499.97						0				
38.5	Insulation for Acid Phase Gas Piping (CR-218A) PR 21146 (4286) Task 3520	A	IRWD	\$2,007.26						0				
39	Approved by General Manager Approved on March 7, 2016				\$98,006.46	\$4,012,633.17	\$4,110,639.63	2.51%	\$167,576,579.63	0	0	0	1,278	10/28/2016
39.1	SCE Installation - Final Accounting of Work Items Between Negotiated Change Order and Actual Work (CR-146E) PR 4286 Task 3510	B	FBB	\$7,809.51						0				
39.2	Installation of Southern California Gas (SCG) Boxes (CR-146F) PR 4286 Task 3510	A	FBB	\$3,479.81						0				
39.3	Schweitzer SEL-735 Power Monitors for Centrifuge Panels (CR-207) PR 4286 Task 3510	A	IRWD	\$34,274.40						0				
39.4	Hirschmann Ethernet Switches for Centrifuge Panels (CR-208) PR 4286 Task 3510	A	IRWD	\$9,569.15						0				
39.5	Addition of Sample Pump Variable Frequency Drives for Thickening Centrifuges (CR-237) PR 4286 Task 3520	E	IRWD	\$24,496.55						0				
39.6	Upgrade of Exit Signs and Ceiling Lights in the Gas Room of the Digester Control Building to NEC Class 1 Division 1 (CR-313) PR 4286 Task 352	A	IRWD	\$18,377.04						0				
40	Approved by General Manager Approved on April 20, 2016				\$97,287.05	\$4,110,639.63	\$4,207,926.68	2.57%	\$167,673,866.68	0	0	0	1,278	10/28/2016
40.1	Brace Plates in Solids Handling Building (CR-069) PR 4286 Task 3505	C	FBB	\$40,216.76						0				
40.2	Relocation of RIO-50 Panel (CR-186) PR 4286 Task 3510	B	FBB	\$4,818.64						0				
40.3	Addition of Two Doors at the bases of the stairways at Methane Digesters Nos. 1 and No. 2 (CR-232) PR 4286 Task 3505	C	FBB	\$52,251.65						0				

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41	Approved By Board of Directors Approved on May 23, 2016				\$1,103,650.56	\$4,207,926.68	\$5,311,577.24	3.25%	\$168,777,517.24	0	0	0	1,278	10/28/2016
41.1	Additional SCE and SCG Modifications (CR-146A) PR 4286 Task 3510	B	FBB	\$51,238.69						0				
41.2	Additional Potholing Due to SCE and SCG Realignment (CR-146B) PR 4286 Task 3510	B	FBB	\$36,706.57						0				
41.3	Additional Cameras at the Unloading/Loading Area of the Solids Handling Facility (CR-164) PR 4286 Task 3505	A	IRWD	\$61,731.96						0				
41.4	Fire Sprinkler System Modifications – Mechanical (CR-174) PR 4286 Task 3520	B	IRWD	\$154,592.08						0				
41.5	Fire Sprinkler System Modifications – Electrical (CR-166) PR 4286 Task 3510	B	IRWD	\$13,730.06						0				
41.6	Fiber Optic System Modifications (CR-172/CR-306/CR-314) PR 4286 Task 3510	A	IRWD	\$178,879.46						0				
41.7	T-15, T-16, and T-17 Secondary Breakers (CR-185A, CR-185B, and CR-185C) PR 4286 Task 3510	A	IRWD	\$254,941.66						0				
41.8	Cable and Conduit Changes at the Sludge Receiving Area of the Solids Handling Building (CR-203) PR 4286 Task 3510	C	FBB	\$14,338.94						0				
41.9	Concrete Surface Treatment (CR-222) PR 4286 Task 3505	A	IRWD	\$68,714.34						0				
41.1	Heating Water Boiler Control Modifications (CR-246) PR 4286 Task 3510	A	IRWD	\$71,379.00						0				
41.11	SCADA Control Modifications for the Acid Phase Digesters, Methane Digesters, and Sludge Holding Tank (CR-252) PR 4286 Task 3510	A	IRWD	\$50,540.23						0				
41.12	Ambient Gas Analyzer Wiring Modification (CR-264) PR 4286 Task 3510	B	IRWD	\$19,734.51						0				
41.13	Disconnect Switches for Flow Valves in the Solids Handling Building (CR-272) PR 4286 Task 3510	C	IRWD	\$25,550.26						0				
41.14	Centrifuge Pedestal Modifications (CR-301) PR 4286 Task 3505	C	IRWD	\$30,603.14						0				
41.15	SCADA, Instrumentation, and Electrical Modifications (CR-287, CR-294, and CR-322) PR 4286 Task 3510	A	IRWD	\$70,969.66						0				

- A - District Convenience/Initiation - Project Related
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- C - Design Oversight
- D - District Convenience/Initiation - Non-Project Related
- E - Contractor Convenience/Initiation

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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum Total C.O. days	Revised Total Contract Days	Revised Completion Date
42	Approved By Board of Directors Approved on May 23, 2016				(\$199,771.09)	\$5,311,577.24	\$5,111,806.15	3.13%	\$168,577,746.15	0	0	0	1,278	10/28/2016
42.1	Value Engineering of Chemical Pump Systems (CR-054) PR 4286 Task 3520	E	FBB	(\$48,549.90)						0				
42.2	Change in Lightning Protection Installation for Egg-Shaped Digesters (CR-121A) PR 4286 Task 3510	E	FBB	(\$97,141.74)						0				
42.3	Deletion of Seal Water Stations and Seal Water Piping (CR-214) PR 4286 Task 3520	A	IRWD	(\$10,557.28)						0				
42.4	Deletion of Low Pressure Switches for Concentrate Pumps (CR-257) PR 4286 Task 3510	A	IRWD	(\$1,748.17)						0				
42.5	Centrifuge Seismic Restraint Design Costs (CR-345) PR 4286 Task 1065	A	IRWD	(\$24,064.00)						0				
42.6	Credit for Overtime Inspection Hours From 6/1/2015 to Through 12/31/2015 (CR-089B) PR 4286 Task 1065	E	FBB	(\$17,710.00)						0				
43	Approved by Exe. Director of Engineering and Water Quality Approved on May 31, 2016				\$74,731.69	\$5,111,806.15	\$5,186,537.84	3.17%	\$168,652,477.84	0	0	0	1,278	10/28/2016
43.1	Combustible Gas Detection System (CR-234) PR 21146 (4286) Task 3510	E	FBB	\$18,843.39						0				
43.2	Additional Wires and Cables Between MCC-4102 and PLC-4000 (CR-278) PR 21146 (4286) Task 3510	C	FBB	\$1,775.13						0				
43.3	SCADA Programming Modifications (CR-282) PR 21146 (4286) Task 3510	E	FBB	\$49,679.02						0				
43.4	Change of Waste Gas Burner Feeder Circuit Breaker (CR-344) PR 21146 (4286) Task 3510	B	FBB	\$4,434.15						0				
44	Approved by Exe. Director of Engineering and Water Quality Approved on June 29, 2016				\$74,912.99	\$5,186,537.84	\$5,261,450.83	3.22%	\$168,727,390.83	0	0	0	1,278	10/28/2016
44.1	Electrical and Telephonic Modifications for Elevators for Solids Handling Building and Digester Control Building (CR-037A) PR 4286 Task 3510	C	FBB	\$38,882.06						0				
44.2	Odor Control Recirculation Pump Selector Switch SCADA Modifications (CR-343) PR 4286 Task 3510	A	IRWD	\$9,294.71						0				
44.3	SCADA Valve Matrix Tables Animation Clarification for Milestone 1 (CR-353) PR 4286 Task 3510	A	IRWD	\$9,195.86						0				
44.4	PLC Status Object Update (CR-234) PR 4286 Task 3510	B	FBB	\$4,783.14						0				
44.5	Elevator Safety Beam in the Digester Control Building (CR-302) PR 4286 Task 3505	C	FBB	\$3,830.95						0				
44.6	Masonry Changes to the North Retaining Wall (CR-365) PR 4286 Task 3505	B	IRWD	\$8,926.27						0				

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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

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Design Engineer: Black & Veatch

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				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
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45	Approved by Board of Directors Approved on July 25, 2016/December 20, 2016 Recovery Plan PR 4286 Task 3510	B	FBB	\$9,250,000.00	\$9,250,000.00	\$5,261,450.83	\$14,511,450.83	8.88%	\$177,977,390.83	368	0	368	1,646	10/31/2017
46	Approved by General Manager Approved on January 27, 2017				\$94,696.76	\$14,511,450.83	\$14,606,147.59	8.94%	\$178,072,087.59	0	368	368	1,646	10/31/2017
46.1	Additional Masonry Anchor in the Solids Handling Building (CR-200) PR 4286	C	IRWD	\$1,457.22						0				
46.2	Additional Auto Dialer (CR-234A) PR 4286 Task 3510	A	IRWD	\$6,081.90						0				
46.3	Grating and Handrail Modifications at Bulk Polymer Storage Platform (CR-300) PR 4286 Task 3505	A	IRWD	\$5,568.83						0				
46.4	SCADA IP Address Update (CR-309) PR 4286 Task 3510	A	IRWD	\$1,227.96						0				
46.5	Masonry Modifications at Solids Handling Building Stairwell (CR-324) PR 4286 Task 3505	C	FBB	\$5,939.45						0				
46.6	Change in Valve Operator at the Centrate Treatment Facility (CR-329) PR 4286 Task 3520	A	IRWD	\$4,824.29						0				
46.7	Boot Wash Landing Addition (CR-349) PR 4286 Task 3505	C	FBB	\$1,834.60						0				
46.8	Updating Valve Analog SCADA Template (CR-354) PR 4286 Task 3510	A	IRWD	\$692.72						0				
46.9	Additional Light Fixtures and Lamps (CR-355A) PR 4286 Task 3510	A	IRWD	\$8,508.46						0				
46.10	Addition of Rebate Angle in the FOG Unloading Sump Area (CR-363) PR 4286 Task 3505	A	IRWD	\$763.62						0				
46.11	MCC-4103 Hot Water Circulation Pump Breakers Change (CR-366) PR 4286 Task 3510	B	IRWD	\$2,316.03						0				
46.12	MCC-4100/4101 Cake Transfer Pump Breakers Change (CR-370) PR 4286 Task 3510	B	IRWD	\$23,720.61						0				
46.13	MCC-4102 Breaker Change (CR-374) PR 4286 Task 3510	B	IRWD	\$2,316.03						0				
46.14	SCADA Programming Modifications During Benchtest No.1 for Areas 1900 and 2000 (CR-376) PR 4286 Task 3510	A	IRWD	\$24,092.32						0				
46.15	Additional Light Fixture Above Door in Digester Control Building Gas Room (CR-399) PR 4286 Task 3510	A	IRWD	\$1,478.19						0				
46.16	Change in Size of Disconnect Switches for Digested Sludge Mixers (CR-408) PR 4286 Task 3510	B	FBB	\$1,290.10						0				
46.17	Additional Thickening Feed Grinder Control Panel Circuits (CR-438) PR 4286 Task 3510	B	IRWD	\$1,286.63						0				
46.18	Thickness and Glazing Change for Windows (CR-438) PR 4286 Task 3510	C	IRWD	\$1,297.80						0				

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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

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				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum Total C. O. days	Revised Total Contract Days	Revised Completion Date
47	Approved by General Manager Approved on February 28, 2017				\$96,414.36	\$14,606,147.59	\$14,702,561.95	8.99%	\$178,168,501.95	0	368	368	1,646	10/31/2017
47.1	Relocation of Neutralization Tank Drainage Piping PR 4286 Task 3520	B	FBB	\$2,312.08						0				
47.2	Modifications to Digester Control Building Door and Piping Due to Heating Water Expansion Tank Pad Adjustment (CR-221) PR 4286 Task 3505	C	FBB	\$5,500.74						0				
47.3	PLC-3100 Changes (CR-284) PR 4286 Task 3510	C	FBB	\$1,070.38						0				
47.4	Additional Angle Support to Acid Phase Digester Bridges (CR-298) PR 4286 Task 3505	C	FBB	\$4,986.21						0				
47.5	Additional Potable Water Gate Valves (CR-332) PR 4286 Task 3520	A	IRWD	\$3,892.44						0				
47.6	T-4 Kirk Key Interlock Installation (CR-335) PR 4286 Task 3510	B	IRWD	\$6,924.69						0				
47.7	Solids Handling Building Dumpster Room Channel Frames Modifications (CR-338) PR 4286 Task 3505	C	FBB	\$5,093.87						0				
47.8	PCS Server Configuration Clarification (CR-352) PR 4286 Task 3510	A	IRWD	\$6,824.35						0				
47.9	Additional Anchorage Support for Ledgers of the Digester Control Building Roof (CR-361) PR 4286 Task 3505	C	FBB	\$13,794.95						0				
47.10	Change of MCC-4103 Hot Water Circulation Pump Breakers (CR-366B) PR 4286 Task 3510	A	IRWD	\$1,336.13						0				
47.11	Centrate Treatment Facility Pull Boxes Duct Bank Settlement (CR-383) PR 4286 Task 3510	B	FBB	\$3,300.13						0				
47.12	Modifications to the MCC-4100/4101/4102/4103 (CR-405) PR 4286 Task 3510	B	FBB	\$7,418.52						0				
47.13	Cake Storage Hopper Modifications (CR-421) PR 4286 Task 3510	C	FBB	\$2,250.67						0				
47.14	Removing Installed Lighting in the Solids Handling Building (CR-427) PR 4286 Task 3510	A	IRWD	\$8,947.37						0				
47.15	Electrical Changes for Generator MPC (CR-430) PR 4286 Task 3510	A	IRWD	\$10,950.14						0				
47.16	Electrical Modifications to MCC-4100 and 4103 (CR-431) PR 4286 Task 3510	A	FBB	\$4,500.00						0				
47.17	Occupancy Sensors in the Solids Handling Building Shower Areas (CR-444) PR 4286 Task 3510	C	FBB	\$1,601.36						0				
47.18	Digester Gas Pre-Treatment In-Slab Conduit Size Change (CR-454) PR 4286 Task 3510	C	FBB	\$5,710.33						0				

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- E - Contractor Convenience/Initiation

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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum Total C. O. days	Revised Total Contract Days	Revised Completion Date
48	Approved by Board of Directors Approved on March 13, 2017				\$728,237.74	\$14,702,561.95	\$15,430,799.69	9.44%	\$178,896,739.69	0	368	368	1,646	10/31/2017
48.1	Structural Modifications of the Elevator Shafts (CR-037) PR 4286 Task 3505200) PR 4286 Task 3505	B	FBB	\$58,705.90						0				
48.2	SCADA Programming Update of Polymer Feed and Storage System (CR-148A) PR 4286 Task 3510	A	FBB	\$23,685.14						0				
48.3	Stairs and Platform at SHB Load-Out Area (CR-149) PR 4286 Task 3505	C	FBB	\$39,622.65						0				
48.4	Additional Polymer Dilution Flow Meters and Associated Conduits and Cables (CR-159B) PR 4286 Task 3510	A	IRWD	\$38,978.70						0				
48.5	Miscellaneous Andritz Items (CR-205) PR 4286 Task 3520	A	IRWD	\$41,246.71						0				
48.6	RIO-4001 Changes (CR-286) PR 4286 Task 3510	A	IRWD	\$27,889.74						0				
48.7	RIO-3102 Changes (CR-310) PR 4286 Task 3510	A	IRWD	\$18,280.62						0				
48.8	Mini Power Center - Additional Outlet and Data Locations in the SHB (CR-419) PR 4286 Task 3510	A	IRWD	\$13,261.60						0				
48.9	New Lighting in the SHB First Floor Area (CR-427A) PR 4286 Task 3510	A	IRWD	\$102,503.46						0				
48.10	Additional Conduits and Cables for Thermocouples for Several Pumps (CR-424, CR-424A through CR-424F) PR 4286 Task 3510	B	FBB	\$54,982.68						0				
48.11	Additional Wall Panel Framework at the SHB (CR-445) PR 4286 Task 3505	C	FBB	\$128,000.00						0				
48.12	Changes in Uninterruptible Power Supply Units (CR-162/CR-162A) PR 4286 Task 3510	A	IRWD	\$128,052.94						0				
48.13	Addition of Circuit Breaker at Transformer T-14 (CR-474) PR 4286 Task 3510	A	IRWD	\$53,027.60						0				

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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum. Total C. O. days	Revised Total Contract Days	Revised Completion Date
49	Approved by Board of Directors Approved on March 13, 2017				(\$47,099.20)	\$15,430,799.69	\$15,383,700.49	9.41%	\$178,849,640.49	0	368	368	1,646	10/31/2017
49.1	Related Mechanical Piping Modifications Due to Change in Chemical Pumps in CCO No. 42 (CR-054A) PR 4286 Task 3520	E	FBB	(\$23,897.73)						0				
49.2	Changing the Solids Handling Building Roofing from EPDM to PVC (CR-255) PR 4286 Task 3505	E	FBB	(\$9,000.00)						0				
49.3	Net Reduction of Scope of Work in CR-353 – SCADA Valve Matrix Tables Animation Clarifications (CR-353B/353C) PR 4286 Task 3510	A	IRWD	(\$4,429.09)						0				
49.4	Change in Starters for MCC-4100/4101 Cake Transfer Pump Breakers (CR-370A) PR 4286 Task 3510	A	IRWD	(\$4,047.43)						0				
49.5	Deletion of Insulation for the Solids Handling Building Foundation (CR-393) PR 4286 Task 3505	A	IRWD	(\$5,724.95)						0				
50	Approved by Executive Director of Engineering & Water Quality Approved on March 31, 2017				\$72,150.89	\$15,383,700.49	\$15,455,851.38	9.46%	\$178,921,791.38	0	368	368	1,646	10/31/2017
50.1	Electrical Modifications to FOG Local Control Panel 70-LCP-0710 (CR-304) PR 4286 Task 5.30	A	IRWD	\$6,614.77						0				
50.2	Condensate Modifications at Digester Gas Pre-Treatment Area (CR-312) PR 4286 Task 5.31	C	FBB	\$9,826.09						0				
50.3	Installation of Lindapters Instead of Eye Bolts (CR-413) PR 4286 Task 5.29	A	FBB	\$13,346.01						0				
50.4	T-5 Connection to Biosolids Switch-14 (CR-480) PR 4286 Task 5.30	A	IRWD	\$35,170.26						0				
50.5	Polymer Feeder Blender Skids Flow Element Grounding Conductor (CR-482) PR 4286 Task 5.30	C	IRWD	\$7,193.76						0				
51	Approved by Executive Director of Engineering & Water Quality Approved on March 31, 2017				(\$126,390.00)	\$15,455,851.38	\$15,329,461.38	9.38%	\$178,795,401.38	0	368	368	1,646	10/31/2017
51.1	Credit for Overtime Inspection Hours From 1/1/2016 to Through 12/31/2016 (CR-089C) PR 4286 Task 4.0	E	IRWD	(\$97,570.00)						0				
51.2	Credit for Overtime Inspection Hours From 1/1/2017 to Through 03/31/2017 (CR-089D) PR 4286 Task 4.0	E	IRWD	(\$28,820.00)						0				

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**MWRP Biosolids and Energy Recovery Facilities
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52	Approved by General Manager Approved on April 28, 2017				\$98,342.16	\$15,329,461.38	\$15,427,803.54	9.44%	\$178,893,743.54	0	368	368	1,646	10/31/2017
52.1	Removal of Unsuitable Alluvium (CR-146H) PR 4286 Task 5.29	B	FBB	\$3,564.32						0				
52.2	Polymer Dilution Water Flowmeters (CR-159A) PR 4286 Task 5.31	A	IRWD	\$14,090.39						0				
52.3	Aluminum Handrail and Guardrail Modifications at Liquid Chemical and Polymer Areas (CR-171) PR 4286 Task 5.30	A	IRWD	\$13,765.20						0				
52.4	Modifications Due to Solids Handling Building Electrical Room Equipment Clearance Issues (CR-196) PR 4286 Task 5.30	C	FBB	\$9,382.01						0				
52.5	Data and Telephone Outlets in Solids Handling Building (CR-261) PR 4286 Task 5.30	A	IRWD	\$27,620.21						0				
52.6	HVAC Duct Modifications in Dewatering Feed Pump Station (CR-268) PR 4286 Task 5.31	C	FBB	\$16,023.50						0				
52.7	Coating of 8 Roll-up doors (CR-358) PR 4286 Task 5.29	A	IRWD	\$5,710.32						0				
52.8	Upsizing Wire Size of Dewatering Feed Pump Station Main Breaker Light Panel LP-3501 (CR-390) PR 4286 Task 5.30	A	IRWD	\$1,449.75						0				
52.9	Modifications to the Roofs of the Solids Handling Building and Digester Control Building (CR-528) PR 4286 Task 5.29	A	IRWD	\$6,736.46						0				
53	Exe. Director of Water Quality and Engineering Approved on June 5, 2017				\$42,281.96	\$15,427,803.54	\$15,470,085.50	9.46%	\$178,936,025.50	0	368	368	1,646	10/31/2017
53.1	Modifications to Regenerative Thermal Oxidizer (RTO) Drainage and Utility Water Piping (CR-267) PR 4286 Task 5.31	C	IRWD	\$33,814.80						0				
53.2	Modifications to Liquid Chemical Feed Control Panel Wiring (CR-396) per RFI-1602 PR 4286 Task 5.30	C	FBB	\$8,467.16						0				
54	Approved by General Manager Approved on June 19, 2017				\$44,210.51	\$15,470,085.50	\$15,514,296.01	9.49%	\$178,980,236.01	0	368	368	1,646	10/31/2017
54.1	Modifications to Thickening and Dewatering Platforms (CR-195) PR 4286 Task 5.29	C	FBB	\$44,210.51						0				
55	Approved by General Manager Approved on July 3, 2017				\$94,352.43	\$15,514,296.01	\$15,608,648.44	9.55%	\$179,074,588.44	0	368	368	1,646	10/31/2017
55.1	Additional Pipe Supports of 54-Inch Fiberglass Reinforced Air Duct (CR-106A) PR 4286 Task 5.29	C	FBB	\$14,211.18						0				
55.2	Natural Gas Step Down Manifolds and Gas Transition Piping (CR-146G) PR 4286 Task 5.29	B	IRWD	\$20,489.32						0				
55.3	Modifications to the West End Stair Landing of the Solids Handling Building (CR-216) PR 4286 Task 5.29	B	IRWD	\$5,622.11						0				

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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
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Contractor: Filanc/Balfour-Beatty
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				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
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55.4	Regenerative Thermal Oxidizer (RTO) Pad Modifications (CR-400) PR 4286 Task 5.29	C	FBB	\$8,471.16						0				
55.5	Addition of Thin Client at the Dryer Facility (CR-485) PR 4286 Task 5.30	A	IRWD	\$36,874.10						0				
55.6	Change in Size to 2 Check Valves in the Digester Control Building (CR-514) PR 4286 Task 5.31	C	FBB	\$8,684.56						0				
56	Approved by Board Approved on July 24, 2017				\$201,744.33	\$15,608,648.44	\$15,810,392.77	9.67%	\$179,276,332.77	0	368	368	1,646	10/31/2017
56.1	Addition Of Stairs and Platform to RTO (CR-266) PR 4286 Task 5.29	A	IRWD	\$101,744.33						0				
56.2	Microturbine CLC (ESC Capstone) per RFI 1141 (CR-277) PR 4286 Task 5.30	B	FBB	\$100,000.00						0				
57	Approved by General Manager Approval on August 5, 2017				\$98,886.90	\$15,810,392.77	\$15,909,279.67	9.73%	\$179,375,219.67	0	368	368	1,646	10/31/2017
57.1	Additional Support at Digester Control Building (CR-342) PR 04286 Task 5.29	C	IRWD	\$2,522.47						0				
57.2	Pipe and Duct Hanger Modifications (CR-362) PR 04286 Task 5.29	C	IRWD	\$4,083.12						0				
57.3	Increase Wire Size of Main Breaker PP-3501 (CR-418) PR 04286 Task 5.30	C	FBB	\$696.66						0				
57.4	Roof Vent at DCB Elevator/Stair Tower (CR-437) PR 04286 Task 5.29	B	IRWD	\$8,563.72						0				
57.5	T-14 Fixed Type Manual Operator per Submittal 16443-0016A (CR-540) PR 04286 Task 5.31	C	IRWD	\$1,945.62						0				
57.6	Area Classification at Methane Digesters to meet NFPA Table 6.2(a) - Plug Valves Limit Switches (CR-557) PR 04286 Task 5.30	C	FBB	\$64,195.15						0				
57.7	Area Classification at Methane Digesters to meet NFPA Table 6.2(a) - Sump Pump Cable Retrofit PR 04286 Task 5.30	C	FBB	\$16,880.16						0				

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- C - Design Oversight
- D - District Convenience/Initiation - Non-Project Related
- E - Contractor Convenience/Initiation

**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum. Total C. O. days	Revised Total Contract Days	Revised Completion Date
58	Approved by Board of Directors Approval on August 28, 2017				\$182,939.74	\$15,909,279.67	\$16,092,219.41	9.84%	\$179,558,159.41	0	368	368	1,646	10/31/2017
58.1	Concrete Cap over Shallow Pipe Crossings (CR-348) PR 04286 Task 5.31	B	FBB	\$7,923.80						0				
58.2	Additional Conduit and Wiring for Sludge Screen Moisture Sensors (CR-381) PR 04286 Task 5.30	C	FBB	\$8,355.32						0				
58.3	SCADA Programming Modifications (CR-433/476/546/547/551) PR 04286 Task 5.30	A	IRWD	\$15,758.38						0				
58.4	Polymer Storage Power Panels Wire and Breaker Modifications (CR-456) PR 04286 Task 5.30	C	FBB	\$24,238.65						0				
58.5	Odor Control Starter Modifications (CR-466) PR 04286 Task 5.30	B	FBB	\$41,436.09						0				
58.6	Odor Control Fan Remote Temperature Device Revisions (CR-522) PR 04286 Task 5.30	A	IRWD	\$52,484.50						0				
58.7	Re-location of Digester Control Building Gas Room Local Control Panels (CR-534) PR 04286 Task 5.30	A	FBB	\$32,743.00						0				
59	Approved by Exe. Director of Water Quality and Engineering Approval on September 6, 2017				\$98,988.68	\$16,092,219.41	\$16,191,208.09	9.90%	\$179,657,148.09	0	368	368	1,646	10/31/2017
59.1	Modifications to Building 101 (CR-212) PR 04286 Task 5.30	E	FBB	\$26,500.00										
59.2	Change in Conduit Size in Area 20 (CR-292) PR 04286 Task 5.10	C	FBB	\$1,946.70						0				
59.3	Centrifuge Discharge Cake Conveyors Schematic Modifications (CR-422) PR 04286 Task 5.10	C	FBB	\$6,410.04						0				
59.4	Power Monitor Programming Modifications (CR-539) PR 04286 Task 5.10	A	IRWD	\$2,595.60						0				
59.5	SCADA Programming Modifications (CR-547A) PR 04286 Task 5.10	A	IRWD	\$1,574.86						0				
59.6	Change in Area Classification at Methane Digesters to meet NFPA Standards - MOVs (CR-557B) PR 04286 Task 5.10	C	FBB	\$54,736.73						0				
59.7	FOG Heating Disconnect Switch Relocation (CR-559) PR 04286 Task 5.10	C	FBB	\$5,224.75						0				
60	Pending Approved by Exe. Director of Water Quality and Engineering Pending Approval on September 5, 2017				(\$34,540.00)	\$16,191,208.09	\$16,156,668.09	9.88%	\$179,622,608.09	0	368	368	1,646	10/31/2017
60.1	Credit for Overtime Inspection Hours From 4/1/2017 Through 6/30/2017 (CR-089E) PR 04286 Task 4.0	E	FBB	(\$34,540.00)						0				

- A - District Convenience/Initiation - Project Related
- B - Differing Site Conditions
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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum. Total C.O. days	Revised Total Contract Days	Revised Completion Date
61	Approved by Exe. Director of Water Quality and Engineering Approved on September 6, 2017 61.1 Credit for Bulk Polymer Storage Changes per RFI-0863 and Submittal 15140-013B (CR-168) PR 04286 Task 5.16	E	FBB	(\$1,752.39)	(\$1,752.39)	\$16,156,668.09	\$16,154,915.70	9.88%	\$179,620,855.70	0	368	368	1,646	10/31/2017
62	Pending Approval by Board of Directors Pending Approval on September 25, 2017 62.1 Fats, Oil, and Grease (FOG) Modifications (CR-223A) PR 04286 Task 5.30 62.2 Density Meter Conduit and Cabling Modifications (CR-326) PR 04286 Task 5.30 62.3 Fiber Optic Modifications (CR-356) PR 04286 Task 5.30 62.4 Sludge Screen Pneumatic Control Panel Conduit and Cabling (CR-380) PR 04286 Task 5.30 62.5 Additional Circuits for Control of the Thickening Centrifuges (CR-386) PR 04286 Task 5.30 62.6 Upsize of Power Panel PP-8001 Circuit Breaker (CR-414) PR 04286 Task 5.30 62.7 Electrical Power Feeders to Electric Water Heater (CR-426) PR 04286 Task 5.30 62.8 Chemical Sump Pump Control Panel Space Heater Wiring Modifications (CR-461) PR 04286 Task 5.30 62.9 Relocate Electrical Feeders to Generator Bus (CR-462) PR 04286 Task 5.30 62.10 Electrical and Instrumentation Related Components for the Installation of Thin Client at Dryer Facility (CR-485A) PR 04286 Task 5.30 62.11 Polymer Room Eye Wash Station Flow Switches (CR-535) PR 04286 Task 5.30 62.12 Chemical Storage and Feed Modifications (CR-563) PR 04286 Task 5.30 62.13 PLC Redundancy Hot Standby Status Register (CR-568) PR 04286 Task 5.30	A	IRWD	\$52,174.90	\$708,162.72	\$16,154,915.70	\$16,863,078.42	10.32%	\$180,329,018.42	0	368	368	1,646	10/31/2017

- Legend:**
A - District Convenience/Initiation - Project Related
B - Differing Site Conditions
C - Design Oversight
D - District Convenience/Initiation - Non-Project Related
E - Contractor Convenience/Initiation

Total Amount	% of Original Contract
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**MWRP Biosolids and Energy Recovery Facilities
PR 21146 (4286)
Construction Change Order Summary**

Contractor: Filanc/Balfour-Beatty
Design Engineer: Black & Veatch

				Contract Amount						Contract Days				Original Completion Date:
				Original Contract Amount: \$163,465,940.00						Original Days: 1,278				10/28/2016
Change Order	Description	Category	IRWD or FBB	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Orders	Cum. Total C. O. days	Revised Total Contract Days	Revised Completion Date
	A - District Convenience/Initiation - Project Related			\$ 2,354,150.21	1.44%									
	B - Differing Site Conditions			\$ 11,774,029.43	7.20%									
	C - Design Oversight			\$ 2,853,674.41	1.75%									
	D - District Convenience/Initiation - Non-Project Related			\$ -	0.00%									
	E - Contractor Convenience/Initiation			\$ (118,775.63)	-0.07%									
	TOTAL (A + B + C + D)			\$ 16,863,078.42	10.32%									

Category	Total Amount	% of Original Contract
IRWD-Initiation/Driven	\$ 3,129,181.79	1.91%
FBB-Initiation/Driven	\$ 13,563,176.41	8.30%
Not applicable	\$ 170,720.22	0.10%
TOTAL	\$ 16,863,078.42	10.32%

- A - District Convenience/Initiation - Project Related
- B - Differing Site Conditions
- C - Design Oversight
- D - District Convenience/Initiation - Non-Project Related
- E - Contractor Convenience/Initiation

EXHIBIT "C"

Retention Bond

Michelson Water Recycling Plant Biosolids and
Energy Recovery Facilities Project No. 20847/Oracle Project No. 04286

Bond Number: 106772878

WHEREAS, the Irvine Ranch Water District ("Obligee") has previously awarded a contract to Filanc-Balfour Beatty, JV ("Principal" for construction of the Michelson Water Recycling Plant Biosolids and Energy Recovery Facilities Project No. 20847 (the "Contract"), with a current contract price of \$180,329,018.42 including Change Orders 1 through 62; and

WHEREAS, the Obligee is currently withholding retention under the Contract totaling \$7,828,735.72 based on invoices totaling \$164,082,200.97, and has the right to withhold 4.36% retention from subsequent invoices; and

WHEREAS, Principal has offered to provide this Retention Bond, and the Obligee is willing to accept it, as a substitute for a portion of the retention, allowing the Obligee to release a portion of the retention it is holding.

NOW, THEREFORE, Filanc-Balfour Beatty, JV, as principal ("Principal") and Travelers Casualty and Surety Company of America as surety ("Surety"), are held and firmly bound unto Obligee in the amount of six million dollars (\$6,000,000) (the "Bonded Sum"), for payment of which sum Principal and Surety hereby bind themselves and their successors and assigns, jointly and severally.

The following terms and conditions shall apply with respect to this Retention Bond:

1. Within seven business days after delivery of a written notice from the Obligee to Surety stating that the Obligee has declared the Principal in default under the Contract and demanding payment from the Surety, the Surety shall deliver an amount equal to the Bonded Sum (or portion thereof as stated in the Demand) to or for the benefit of the Obligee in accordance with instructions set forth in the Demand. The Obligee may present one or more Demands at any time in its sole discretion, provided that the aggregate amount of such Demands shall not exceed the Bonded Sum.
2. The Surety's failure to make payment as required by this Retention Bond shall cause the Surety to be additionally liable for any and all reasonable costs and expenses, including attorney's fees and interest, incurred by the Obligee in enforcing this Retention Bond, in addition to the Bonded Sum.
3. Upon Surety's receipt of written notification from the Obligee certifying that the Contract is final and complete, and that the Principal has complied with all requirements and procedures applicable to the Contract, this Retention Bond shall automatically become null and void.
4. No alteration, modification or supplement to the Contract or the nature of the work to be performed thereunder, including without limitation any extension of time for performance, shall in any way affect the obligations of Surety under this Retention Bond. Surety waives notice of any alteration, modification, supplement or extension of time.

5. The Obligees rights under this Retention Bond shall be cumulative of any and all other rights that the Obligees may have against the Principal or Surety under the Contract and applicable law, and issuance of this Retention Bond shall not affect the validity of existing payment and performance bonds. The Obligees exercise of any right or remedy hereunder or under any other instrument, or at law or in equity, shall not preclude the concurrent or subsequent exercise of any other right or remedy.
6. This Retention Bond shall not affect Obligees rights to withhold retention on payments of amounts owing to Contractor under any future Contract change order, unless the Obligees, Principal and Surety agree to an increase in the Bonded Sum covering such retention.
7. Correspondence or claims relating to this Retention Bond shall be made in writing and shall be given by a personal delivery or expedited delivery service, postage pre-paid, addressed to the Surety and Principal at the addresses specified below or to such other addresses as shall have been specified by such parties to each of the parties contemplated hereby:

SURETY:

Via Expedited Delivery to:

Aaron Blankenship, Senior Claim Counsel

Travelers Casualty & Surety Company of America

4000 Kruse Way Pl, Building 1, Suite 255

Lake Oswego, OR 97035

Tel 503/534.4295

And with a copy via Email to Surety:

BSIclaims@travelers.com

PRINCIPAL:

Filanc-Balfour Beatty, JV

Crandall Bates, Vice President & Regional Manager

Balfour Beatty Infrastructure, Inc.

5050 Business Center Drive, Suite 250

Fairfield, California 94534

cbates@bbius.com

Tel 707/427-8900

8. No right of action shall accrue on this Retention Bond to or for the use of any entity other than the Obligees or its successors and assigns.
9. The Principal acknowledges and agrees that (a) it has the right to substitute securities for retention in accordance with Public Contract Code section 22300, (b) it has

requested the Obligee to accept this Retention Bond in lieu of exercising its rights under said Section 22300, and (c) this Retention Bond is intended to allow the Obligee benefits that are equivalent to those contemplated by said Section 22300. Principal hereby waives its right to substitute securities for retention under said Section 22300.

IN WITNESS WHEREOF, Principal and Surety have caused this bond to be executed and delivered as of September 18, 2017.

Principal:

Filanc-Balfour Beatty, JV

By: [J R Filanc Construction Company Inc.]

By: _____
Its: _____

By: [Balfour Beatty Construction Company Inc.]

By: _____
Its: _____

Surety:

Travelers Casualty & Surety Company of America

By: Jennifer B. Gullett

Its: Jennifer B. Gullett, Attorney-in-Fact

(Seal)

October 9, 2017

Prepared by: A. Murphy/M. Cortez

Submitted by: K. Burton *K.B.*

Approved by: Paul A. Cook *P. Cook*

ACTION CALENDAR

2017 SEWER REHABILITATION CONSTRUCTION AWARD

SUMMARY:

The 2017 Sewer Rehabilitation project will rehabilitate approximately 3,500 feet of gravity sewer pipeline between eight and 15 inches in diameter at 11 locations in Irvine, Lake Forest and the Newport Coast. Staff recommends that the Board:

- Authorize a budget increase for Project 07100 in the amount of \$126,000, from \$322,000 to \$448,000; and
- Authorize the General Manager to execute a construction contract with Insituform in the amount of \$238,300 for the 2017 Sewer Rehabilitation.

BACKGROUND:

Staff routinely inspects sewer pipelines using remote-controlled camera equipment, documents all discovered issues and performs most sewer repairs. High risk sewer pipeline issues as well as other pipeline issues that are more difficult to repair, e.g. pipelines with an extreme depth of cover or a high number of circumferential pipe cracks in a localized area, are grouped for repair under a capital project. This project will rehabilitate approximately 3,500 feet of gravity sewer pipeline between eight and 15 inches in diameter at 11 locations including four in Irvine, six in Lake Forest and one in Newport Coast. The sewers will be rehabilitated with cured-in-place-pipe (CIPP) lining, requiring the contractor to setup traffic control and install sewer bypass systems to perform the work.

Construction Bid

The project was advertised to a select list of six contractors on August 31, 2017. The bid opening was held on September 28, 2017 with bids received from two contractors: Insituform and Sancon. Insituform is the apparent low bidder with a bid of \$238,300; Sancon's bid was \$317,772.50. The engineers' estimate is \$221,150, and the Bid Summary is attached as Exhibit "A". Insituform's bid is approximately eight percent higher than the engineer's estimate and results from higher unit costs of two items: 15-inch CIPP lining and trench safety measures. Insituform has performed well on previous District projects including the Lake Forest Woods Sewer Rehabilitation project and the Main and Gillette Sewer Rehabilitation project.

FISCAL IMPACTS:

Project 07100 is included in the FY 2017-18 Capital Budget. A budget increase is required to fund the construction and engineering support services for the project as shown in the following table.

Project No.	Current Budget	Addition <Reduction>	Total Budget
07100	\$322,000	\$126,000	\$448,000

ENVIRONMENTAL COMPLIANCE:

This project is exempt from the California Environmental Quality Act (CEQA) as authorized under the California Code of Regulations, Title 14, Chapter 3, Section 15301 which provides exemption for minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. A Notice of Exemption for the project was prepared and filed with the County of Orange on May 26, 2017.

COMMITTEE STATUS:

Construction awards are not routinely taken to Committee prior to submittal to the Board.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE A BUDGET INCREASE IN THE AMOUNT OF \$126,000, FROM \$322,000 TO \$448,000, FOR PROJECT 07100, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH INSITUFORM IN THE AMOUNT OF \$238,300 FOR THE 2017 SEWER REHABILITATION, PROJECT 07100.

LIST OF EXHIBITS:

Exhibit "A" – Bid Summary

