



Santa Clara Valley Water District Board of Directors Meeting

HQ. Bldg. Boardroom, 5700 Almaden Expressway, San Jose, California
Join Zoom Meeting: <https://valleywater.zoom.us/j/84454515597>

***AMENDED/APPENDED REGULAR MEETING AGENDA**

**Tuesday, August 8, 2023
1:00 PM**

***ITEMS AMENDED AND/OR APPENDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA
ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

DISTRICT BOARD OF DIRECTORS

John L. Varela, Chair - District 1
Barbara Keegan, Vice Chair - District
2
Richard P. Santos - District 3
Jim Beall - District 4
Nai Hsueh - District 5
Tony Estremera - District 6
Rebecca Eisenberg - District 7

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

RICK L. CALLENDER, ESQ.
Chief Executive Officer

MICHELE L KING, CMC
Clerk of the Board
(408) 265-2600
Fax (408) 266-0271
www.valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

Santa Clara Valley Water District Board of Directors

***AMENDED/APPEDED AGENDA**

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Expressway, San Jose, California

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IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Ord.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee during public comment or on any item listed on the agenda, may do so by filling out a Speaker Card and submitting it to the Clerk or using the “Raise Hand” tool located in the Zoom meeting application to identify yourself in order to speak, at the time the item is called. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>
- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=ToJpYCxXm0>

Valley Water, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Board of Directors/Board Committee meetings to please contact the Clerk of the Board’s office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water’s bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water’s bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access System for municipal securities disclosures and Valley Water’s Investor Relations website, maintained on the World Wide Web at

h t t p s : / / e m m a . m s r b . o r g / a n d
<https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

Join Zoom Meeting:

<https://valleywater.zoom.us/j/84454515597>

Meeting ID: 844 5451 5597

Join by Phone:

1 (669) 900-9128, 84454515597#

1. CALL TO ORDER/ROLL CALL:

1.1. Roll Call.

2. *NO CLOSED SESSION:

Notice to the Public: The Board of Directors meets in Closed Session in accordance with the Ralph M. Brown Act. Following the conclusion of Closed Session discussion, the Board will return for the remaining items on the regular meeting agenda.

*2.1. (*ITEM REMOVED FROM AGENDA)

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of Litigation

Pursuant to Government Code Section 54956.9(d)(4)

One Potential Case

*2.2. (*ITEM REMOVED FROM AGENDA)

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL

Significant Exposure to Litigation

Pursuant to Government Code Section 54956.9(d)(2)

One Potential Case

*2.3. (*ITEM REMOVED FROM AGENDA)

District Counsel Report on Closed Session.

3. 1:00 PM - TIME CERTAIN

3.1. Pledge of Allegiance/National Anthem.

3.2. Orders of the Day.

A. *Approximate Discussion Time (Board); and*

B. *Adjustments to the Order of Agenda Items.*

3.3. Time Open for Public Comment on any Item not on the Agenda.

Notice to the public: Members of the public who wish to address the Board/Committee on any item not listed on the agenda may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify yourself to speak. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board/Committee. Speakers' comments should be limited to three minutes or as set by the Chair. The law does not permit Board/Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board/Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board/Committee may take action on any item of business appearing on the posted agenda.

- 3.4. Adopt a Resolution Certifying the Final Environmental Impact Report for the Fish and Aquatic Habitat Collaborative Effort Project and Adopting CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Fish and Aquatic Habitat Collaborative Effort Project, and Approve the Staff Recommended Environmentally Superior Alternative as the Fish and Aquatic Habitat Collaborative Effort Project for Implementation.

[23-0792](#)

- Recommendation:
- A. Consider the Potential Environmental Effects of the Fish and Aquatic Habitat Collaborative Effort Project as discussed in the Final Environmental Impact Report;
 - B. Adopt a Resolution CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE FISH AND AQUATIC HABITAT COLLABORATIVE EFFORT PROJECT AND ADOPTING CEQA FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING AND REPORTING PROGRAM; and
 - C. Approve the Staff Recommended Environmentally Superior Alternative as the Fish and Aquatic Habitat Collaborative Effort Project for implementation in the Guadalupe River and Stevens Creek watersheds.

Manager: John Bourgeois, 408-630-2990

Attachments: [Attachment 1: Final EIR Cover Page and Link](#)
[Attachment 2: Final EIR Errata Sheet](#)
[Attachment 3: Resolution with Exhibits](#)
[Attachment 4: Phase 1 Restoration Measures, Potential Schedule](#)
[Attachment 5: FAHCE Overview and Final EIR Presentation](#)
[*Handout 3.4-A: Lucas](#)
[*Handout 3.4-B: NMFS](#)

Est. Staff Time: 5 Minutes.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - *4.16) (Est. Time: 5 Minutes)

Notice to the public: There is no separate discussion of individual consent calendar items. Recommended actions are voted on in one motion. If an item is approved on the consent vote, the specific action recommended by staff is adopted. Items listed in this section of the agenda are considered to be routine by the Board, or delegated to the Board Appointed Officers (BAOs) yet required by law or contract to be Board approved (EL-7.10). Any item may be removed for separate consideration at the request of a Board member. Whenever a resolution is on the consent calendar, a roll call vote will be taken on the entire calendar. Members of the public wishing to address the Board on any consent items may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify themselves to speak.

- 4.1. Adopt a Resolution Designating Authorized Agents for Federal Emergency Management Agency Applications for Federal Financial Assistance.

[23-0157](#)

Recommendation:

- A. Adopt the Resolution DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES; and
- B. Designate the positions of Chief Executive Officer, Chief Operating Officer, Administrative Services, and Chief Financial Officer as the District's designated authorized agents for the purpose of submitting applications for federal financial assistance to Federal Emergency Management Agency, provided all legal requirements have been met.

Manager: Alexander Gordon, 408-630-2637

Attachments: [Attachment 1: Resolution](#)

- 4.2. Adopt Recommended Positions on State Legislation: SB 706 (Caballero) Progressive Design-Build Contracting, and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

[23-0107](#)

Recommendation: Adopt a position of "Support" on: SB 706 (Caballero) Progressive Design-Build Contracting.

Manager: Rachael Gibson, 408-630-2884

- 4.3. Approve the Agreement No. A4759A, with Burns & McDonnell Engineering Company, Inc., to Provide SCADA Cyber Security Auditor Services in Support of the SCADA Cyber Security Vulnerability Assessments Project, Project No.73271004, PlanetBids File No. VW0141, for a Not-to-Exceed fee of \$797,357. [23-0812](#)

Recommendation: Approve the Standard Consultant Agreement A4759A with Burns & McDonnell Engineering Company, Inc., to provide SCADA Cyber Security Auditor services in support of the SCADA Cyber Security Vulnerability Assessments Project, PlanetBids File No. VW0141, for a not-to-exceed fee of \$797,357.

Manager: Alexander Gordon, 408-630-2637

Attachments: [Attachment A: Gov. Code §84308](#)
[Attachment 1: Agreement, Burns & McDonnell](#)

- 4.4. Approve the Agreement No. A4745A, with Panorama Environmental Inc., for the Canal Maintenance Program CEQA and Permitting Support Services for the Small Capital Improvements, Raw Water Transmission Project, Project No. 92764009, PlanetBids File No. VW0198, for a Not-to-Exceed Fee of \$997,772 (Santa Clara County, Districts 1-7). [23-0536](#)

Recommendation: Approve the Agreement No. A4745A, with Panorama Environmental Inc., for the Canal Maintenance Program CEQA and Permitting Support Services for the Small Capital Improvements, Raw Water Transmission Project, Project No. 92764009, PB File No. VW0198, for a Not-to-Exceed Fee of \$997,772.

Manager: Greg Williams, 408-630-2867

Attachments: [Attachment A: Gov. Code §84308](#)
[Attachment 1: Agreement](#)
[Attachment 2: Canals Figure](#)

- 4.5. Approve the Second Amended and Restated Joint Powers Agreement for the San Francisquito Creek Joint Powers Authority, Agreement No. A2247b, Project No. 26284002, (Palo Alto, District 7). [23-0412](#)

Recommendation: Approve the Second Amended and Restated Joint Powers Agreement for the San Francisquito Creek Joint Powers Authority, Agreement No. A2247b, Project No. 26284002.

Manager: Karl Neuman, 408-630-3059

Attachments: [Attachment 1: Agreement](#)

- 4.6. Approve the San Francisquito Creek Joint Powers Authority Operating Budget for Fiscal Year 2023-2024 and Approve Santa Clara Valley Water District Fiscal Year 2023-2024 Financial Contribution of \$422,772.60 (Palo Alto, District 7). [23-0712](#)

Recommendation: A. Approve the San Francisquito Creek Joint Powers Authority Fiscal Year 2023-2024 Operating Budget; and
 B. Approve the Santa Clara Valley Water District's Fiscal Year 2023-2024 financial contribution to the San Francisquito Creek Joint Powers Authority in the amount of \$422,772.60.

Manager: Karl Neuman, 408-630-3059

Attachments: [Attachment 1: SFCJPA FY23-23 Contribution Invoice](#)
 [Attachment 2: SFCJPA FY23-24 Operating Budget](#)

- 4.7. Approve and Authorize the Chief Executive Officer to Execute an Amended and Restated Joint Use Agreement Between City of Sunnyvale and Santa Clara Valley Water District, for the Sunnyvale West Channel and Sunnyvale East Channel Recreational Trails (Sunnyvale, District 3). [23-0474](#)

Recommendation: A. Consider the potential environmental effects of modifications to the Sunnyvale East and West Channels Flood Protection Project, as discussed in the Second Addendum prepared by the City of Sunnyvale, and the First Addendum and Final Environmental Impact Report prepared by the Santa Clara Valley Water District;
 B. Approve and authorize the Chief Executive Officer (CEO) to execute the 2023 Amended and Restated Joint Use Agreement between City of Sunnyvale and Santa Clara Valley Water District Sunnyvale West Channel and Sunnyvale East Channel; and
 C. Delegate authority to the Chief Executive Officer to approve future amendments to the proposed 2023 Amended and Restated JUA between City of Sunnyvale and Santa Clara Valley Water District Sunnyvale West Channel and Sunnyvale East Channel.

Manager: Lisa Bankosh, 408-630-2618

Attachments: [Attachment A: Gov. Code §84308](#)
 [Attachment 1: Joint Use Agreement](#)
 [Attachment 2: 2nd Addendum to Final EIR](#)

- 4.8. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Hale Creek Enhancement Pilot Project (Stage 1), McGuire and Hester, Contractor, Project No. 26164001, Contract No. C0667 (Mountain View, Los Altos, District 7). [23-0570](#)

- Recommendation:
- A. Accept the work on the Hale Creek Enhancement Pilot Project (Stage 1), Project No. 26164001, Contract No. C0667 as complete; and
 - B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder.

Manager: Karl Neuman, 408-630-3059

- Attachments:
- [Attachment 1: Notice of Completion and Acceptance of Work](#)
 - [Attachment 2: Construction Contract Acceptance](#)
 - [Attachment 3: Project Completion Letter](#)
 - [Attachment 4: Construction Summary](#)
 - [Attachment 5: Project Delivery Process Chart](#)

- 4.9. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Permanente Creek Flood Protection Project - Floodwall Retrofit, Anvil Builders, Inc., Project No. 10244001, Contract No. C0689 (Mountain View, District 7). [23-0767](#)

- Recommendation:
- A. Accept the work on the Permanente Creek Flood Protection Project - Floodwall Retrofit, Anvil Builders, Inc., Project No. 10244001, Contract No. C0689 as complete; and
 - B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder.

Manager: Erin Baker, 408-630-2608

- Attachments:
- [Attachment 1: Notice of Completion and Acceptance of Work](#)
 - [Attachment 2: Construction Contract Acceptance](#)
 - [Attachment 3: Project Completion Letter](#)
 - [Attachment 4: Construction Photos](#)
 - [Attachment 5: Project Delivery Process Chart](#)

- 4.10. Consider AECOM Technical Services, Inc.'s Request for Retention Release and Modification of Retention Requirements in Agreement No. A4215A for Planning, Design, and Environmental Documentation and Permitting Support for the Pacheco Reservoir Expansion Project, Project No. 91954002, and Approve Amendment No. 1 to Agreement No. A4215A with AECOM Technical Services, Inc. (Merced County, District 1). [23-0711](#)

Recommendation: A. Consider AECOM Technical Services, Inc.'s Request for Retention Release and Modification of Retention Requirements in Agreement No. A4215A for Planning, Design, and Environmental Documentation and Permitting Support for the Pacheco Reservoir Expansion Project, Project No. 91954002; and
 B. Approve Amendment No. 1 to Agreement No. A4215A with AECOM Technical Services, Inc.

Manager: Ryan McCarter, 408-630-2983

Attachments: [Attachment A: Government Code §84308](#)
 [Attachment 1: Amendment No. 1](#)

- *4.11 Consider and Approve Nominations for Two-Year Committee Appointments to the Santa Clara Valley Water Youth Commission. [23-0870](#)

Recommendation: Consider and approve nominations for two-year appointments to the Santa Clara Valley Water Youth Commission.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: Application, Henry](#)
 [Attachment 2: Application, Mandala](#)
 [Attachment 3: Application, Sadhu](#)
 [Attachment 4: Application, Beck](#)
 [Attachment 5: Application, Liu](#)
 [Attachment 6: Application, Alvarez](#)
 [Attachment 7: SCVWD Resolution Number 17-75](#)
 [*Supplemental Board Agenda Memo](#)
 [*Supplemental Attachment 1: Application, Dang](#)

- 4.12. Denial of Claim of Mark Woodlief. [23-0754](#)

Recommendation: Deny the claim.

Manager: Carlos Orellana, 408-630-2755

Attachments: [Attachment 1: Claim](#)
 [Attachment 2: Exhibit A](#)

- 4.13. Denial of Claim of Guy Trujillo. [23-0755](#)
- Recommendation: Deny the claim.
- Manager: Carlos Orellana, 408-630-2755
- Attachments: [Attachment 1: Claim](#)
[Attachment 2: Exhibit A, Deed](#)
[Attachment 3: Exhibit B, Right of Way Agreement](#)
- 4.14. Update on the Atmospheric River Emergency and Determination that the Emergency Conditions Continue to Constitute an Emergency. [23-0490](#)
- Recommendation: Determine by a four-fifths vote of the Board that there is a need to continue the emergency action declared by the Chief Executive Officer (CEO) on March 9, 2023, pursuant to California Public Contract Code §22050 to address the flood emergency.
- Manager: Tina Yoke, 408-630-2385
- Attachments: [Attachment 1: Declaration of Emergency](#)
- *4.15 Accept the CEO Bulletins for the Weeks of June 28 through July 7, 2023, and July 22 through August 4, 2023. [23-0871](#)
- Recommendation: Accept the CEO Bulletins.
- Manager: Rick Callender, 408-630-2017
- Attachments: [Attachment 1: 070723 CEO Bulletin](#)
[Attachment 2: 080423 CEO Bulletin](#)
- *4.16 Approval of Minutes. [23-0766](#)
- Recommendation: Approve the minutes.
- Manager: Michele King, 408-630-2711
- Attachments: [Attachment 1: 041023 Special CS Meeting Minutes](#)

5. BOARD OF DIRECTORS:

- *5.1. (*ITEM MOVED TO THE 08/22/23 BOARD MEETING)
Consider the June 5, 2023, Board Policy and Planning Committee Recommendation to Approve Revisions to the Board Governance Policy Relating to the Election of the Board Chairperson/Vice Chairperson and Provide Additional Direction on Revisions to the Policies Outlining the Roles and Responsibilities of the Board Chairperson.

- *5.2. Consider the June 9, 2023, Water Storage Exploratory Committee Recommendation to Approve, and Authorize the Chief Executive Officer to Execute, Amendment No. 5 to the Los Vaqueros Reservoir Expansion Project Cost Share Agreement in the Amount of \$1,239,000 to Fund Additional Planning and Design Costs. [23-0770](#)

Recommendation: A. Consider the June 9, 2023, Water Storage Exploratory Committee recommendation to Approve Amendment No. 5 to the Multi-Party Cost Share Agreement for the Los Vaqueros Reservoir Expansion (Project 91251001; Agreement No. A4239S) in the amount of \$1,239,000 to fund additional project planning and design costs through June 2024; and
 B. Authorize the Chief Executive Officer to execute Amendment No. 5.

Manager: Vincent Gin, 408-630-2633

Attachments: [Attachment 1: Amendment No. 5](#)

Est. Staff Time: 10 Minutes.

- *5.3. Board Committee Reports. [23-0819](#)
(*Previously listed as Item 5.2)

Attachments: [*Handout 5.3-A: 051523 CIP, Summary](#)
 [*Handout 5.3-B: 052623 DIAHC, Summary](#)
 [*Handout 5.3-C: 062323 ECCC, Summary](#)
 [*Handout 5.3-D: 062623 WCaDM, Summary](#)
 [*Handout 5.3-E: 062823 RWC, Summary](#)
 [*Handout 5.3-F: 063023 CIP, Summary](#)
 [*Handout 5.3-G: 080123 DCA, Report](#)
 [*Handout 5.3-H: 080723 AWAC, Agenda](#)

Est. Staff Time: 5 Minutes.

6. WATER UTILITY ENTERPRISE:

6.1. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Con-Quest Contractors Inc., for the Snell Pipeline Inspection and Rehabilitation Project, as part of the 10-Year Pipeline Inspection and Rehabilitation Project, Project No. 95084002, Contract No. C0698 in the sum of \$14,988,500 (San Jose, District 1, 4, 6, 7).

[23-0746](#)

(Continued from June 27, 2023)

- Recommendation:
- A. Ratify Addenda No. 1, 2, and 3 to the Contract Documents for the Snell Pipeline Inspection and Rehabilitation Project;
 - B. Award the Construction Contract to Con-Quest Contractors Inc., located in San Francisco, in the sum of \$14,988,500; and
 - C. Approve a contingency of 10% in the amount of \$1,498,850 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Project Delivery Process Chart](#)
[Attachment 2: Project Overview Map](#)

Est. Staff Time: 5 Minutes.

- 6.2. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Con-Quest Contractors Inc., for the Santa Clara Conduit Inspection and Rehabilitation Project - Phase 2, as Part of the 10-Year Pipeline Inspection and Rehabilitation Project, Project No. 95084002, Contract No. C0697 in the sum of \$8,484,651 (Morgan Hill, Gilroy, Unincorporated San Benito County, and Unincorporated Santa Clara County, District 1).
(Continued from June 27, 2023)

[23-0747](#)

- Recommendation:
- A. Ratify Addenda Nos. 1 and 2 to the Contract Documents for the Santa Clara Conduit Inspection and Rehabilitation Project - Phase 2;
 - B. Award the Construction Contract to Con-Quest Contractors, Inc. located in San Francisco, CA, in the sum of \$8,484,651.00; and
 - C. Approve a contingency of 10% in the amount of \$848,465.00 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Project Delivery Process Chart](#)
[Attachment 2: Site Map](#)

Est. Staff Time: 5 Minutes.

- 6.3. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Kiewit Infrastructure West Co., for the Rinconada Water Treatment Plant Reliability Improvement Project Phases 3-6, Project No. 93294057, Contract No. C0688 in the Amount of \$303,900,000 (Los Gatos, District 7). [23-0774](#)

Recommendation: A. Ratify Addenda Nos. 1 through 18 to the Contract Documents for the Rinconada Water Treatment Plant (RWTP) Reliability Improvement Project (RIP) Phases 3-6;
 B. Award the Contract to Kiewit Infrastructure West Co, located in Fairfield, California, in the sum of \$303,900,000; and
 C. Approve a contingency sum of \$30,390,000 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Project Delivery Process Chart](#)
 [Attachment 2: Project Location Map](#)
 [Attachment 3: Final Environmental Impact Report](#)
 [Attachment 4: Addendum No. 4](#)

Est. Staff Time: 10 Minutes.

- 6.4. Approve the Standard On-Call Consultant Agreement No. A4704A with Dabri, Inc. for the On-Call Independent Cost Estimating and Constructability Review Services, PlanetBids File No. VW0019, for a Not-to-Exceed Aggregate Fee of \$5,000,000. [23-0649](#)

Recommendation: Approve the Standard On-Call Consultant Agreement A4704A with Dabri, Inc. for the On-Call Independent Cost Estimating and Constructability Review Services, PB File No. VW0019, for a Not-to-Exceed Aggregate Fee of \$5,000,000.

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment A: Gov. Code §84308](#)
 [Attachment 1: Agreement, Dabri Inc.](#)

Est. Staff Time: 5 Minutes.

6.5. Receive an Update on the Proposed Potable Reuse Project.

[23-0769](#)

Recommendation: Following the May 16 Board meeting, receive an update on a proposed potable reuse pilot project at the Silicon Valley Advanced Water Purification Center and refer follow up to the Recycled Water Committee.

Manager: Kirsten Struve, 408-630-3138

Attachments: [Attachment 1: Potable Reuse Pilot Project Plan](#)

Est. Staff Time: 10 Minutes.

7. WATERSHEDS:

- 7.1. Approve the Agreement No. A4862S, for Construction and Maintenance, and Agreement No. A4832X, for Operations and Maintenance, with Google LLC. for the Moffett Park Green Link Bordeaux-Borregas Bridge Project for a Portion of Santa Clara Valley Water District's Sunnyvale East and West Channels Flood Protection, Project No. 26074002 (Sunnyvale, District 3).

[23-0508](#)

- Recommendation:
- A. Consider the environmental effects of modifications to the Sunnyvale East and West Channels Flood Protection Project, as discussed in the second Addendum to the Final Environmental Impact Report;
 - B. Find that it would be competitively unavailing to advertise and bid the construction of the East Bank and West Bank Floodwalls located near 1212 Bordeaux Drive, Sunnyvale, California (Google Project Reach) using Santa Clara Valley Water District's standard bidding process because competitive bidding would not yield a lower price for constructing these floodwalls than the price negotiated between Google and Santa Clara Valley Water District;
 - C. Approve the Agreement for the Construction and Maintenance of the Moffett Park Green Link Bordeaux-Borregas Bridge Project with Google, LLC (Google) in the amount of \$1,590,608; and
 - D. Approve the Moffett Park Green Link Bordeaux-Borregas Bridge Project: Operation and Maintenance Agreement.

Manager: Lisa Bankosh, 408-630-2618

Attachments: [Attachment A: Gov. Code §84308](#)
[Attachment 1: Location Map](#)
[Attachment 2: Agreement, Cost Share](#)
[Attachment 3: Agreement, O&M](#)
[Attachment 4: CEQA, Addendum No. 2](#)

Est. Staff Time: 5 Minutes

8. **ASSISTANT CHIEF EXECUTIVE OFFICER:**

9. **EXTERNAL AFFAIRS:**

10. **CHIEF EXECUTIVE OFFICER:**

10.1. CEO and Chiefs' Reports.

[23-0826](#)

Attachments: [*Handout 10.1-A: Grants](#)
 [*Handout 10.1-B: OCA, June](#)
 [*Handout 10.1-C: REDI](#)
 [*Handout 10.1-D: OCA, July](#)

Est. Staff Time: 5 Minutes.

11. ADMINISTRATION:

12. DISTRICT COUNSEL:

13. REPORTS/ANNOUNCEMENTS AND OTHER MATTERS:

13.1. Board Member Reports/Announcements.

13.2. Proposed Future Board Member Agenda Items.

[23-0839](#)

Attachments: [Handout 13.2-A: Board Policy Planning Calendar](#)

13.3. Clerk Review and Clarification of Board Requests.

14. ADJOURN:

14.1 Adjourn to the 5:00 p.m. Special meeting on August 22, 2023, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.