



NOTICE OF SPECIAL MEETING OF THE BOARD OF DIRECTORS

MEETING DATE: 05-24-2022

TIME: Meeting begins at **5:00 p.m. (Public)**
Closed Session begins at or after 5:01 p.m. **(Board and Staff)**
Open Session convenes at 5:31 p.m. **(Public)**

LOCATION: This meeting will be held virtually, pursuant to Assembly Bill (AB) 361.

To participate online, go to the following Zoom link: <https://us06web.zoom.us/j/84797288745>

You can also participate by phone by calling **1-669-900-6833** and entering the **webinar ID#: 847 9728 8745**.

PARTICIPATION DURING MEETINGS: During the public comment periods, the public may comment by clicking the “raise hand” button on the bottom of the Zoom screen; if you are joining by phone and would like to comment, press *9 and we will call on you as appropriate.

AGENDA ITEMS

RECOMMENDATIONS

Call to Order and Roll Call at 5:00 p.m.

Public Comment – Only on Closed Session Item

Comments will be limited to three (3) minutes per speaker, and time limits may be reduced by the board president to accommodate the number of speakers and ensure that the meeting is conducted in an efficient manner.

Convene to Closed Session at or after 5:01 p.m.
(Only the Board of Directors and staff will participate)

CLOSED SESSION ITEM

- 1. Conference with Legal Counsel – Anticipated Litigation**
Significant exposure to litigation pursuant to § 54956.9(b)

Number of Cases: One Case

Convene to Open Session at or after 5:31 p.m.

AGENDA ITEMS**RECOMMENDATIONS****Report out from closed session****DISCUSSION ITEM**

- | | |
|---|----------------|
| 2. Resolution Awarding Contract No. 1965 for the First Phase of the Pine Mountain Tunnel Tanks Replacement Project to Maggiora and Ghilotti, Inc. | <i>Approve</i> |
|---|----------------|

STRATEGIC WATER SUPPLY ASSESSMENT WORKING SESSION III

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| 3. Strategic Water Supply Assessment
<i>(Public Comments will occur at the end of the discussion)</i> |
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Adjournment (8:00 p.m. – Time Approximate)

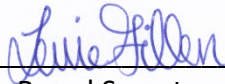
ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

In accordance with the Americans with Disabilities Act (ADA) and California Law, it is Marin Water’s policy to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are an individual with a disability and require a copy of a public hearing notice, an agenda, and/or agenda packet in an appropriate alternative format, or if you require other accommodations, please contact Board Secretary Terrie Gillen at 415.945.1448, at least two days in advance of the meeting. Advance notification will enable the Marin Water to make reasonable arrangements to ensure accessibility.

INFORMATION AGENDAS ARE AVAILABLE FOR REVIEW AT THE CIVIC CENTER LIBRARY, CORTE MADERA LIBRARY, FAIRFAX LIBRARY, MILL VALLEY LIBRARY, MARIN WATER OFFICE, AND ON THE MARIN WATER WEBSITE (MARINWATER.ORG)

FUTURE BOARD MEETINGS:

- ❖ Wednesday, May 25, 2022
Communications & Water Efficiency Committee/Board of Directors (Communications & Water Efficiency) Special Meeting
9:30 a.m.
- ❖ Thursday, May 26, 2022
Finance & Administration Committee/Board of Directors (Finance & Administration) Meeting
9:30 a.m.


Board Secretary

Approval Item

TITLE

Award of Contract No. 1965, for the first phase of the Pine Mountain Tunnel Tanks Replacement Project (Project), to Maggiora and Ghilotti, Inc., to perform site clearing, excavation, grading, drainage improvements and construction of a soil nail wall in support of the District's Capital Improvement Program, on Marin Water Watershed

RECOMMENDATION

Approve a resolution awarding Contract No. 1965, for the first phase of the Pine Mountain Tunnel Tanks Replacement Project to Maggiora and Ghilotti, Inc.

SUMMARY

The Operations Committee reviewed this item on April 15, 2022, and referred it to a future Meeting of the Board of Directors to proceed with the project. The Board of Directors subsequently reviewed this item at the Regular Bi-Monthly Meeting on May 17, 2022 and referred this item for further discussion to a future Board Meeting.

On May 10, 2022, the District received and opened eight (8) bids for the Project to perform site clearing and grubbing, excavation of approximately 45,000 cubic yards of hillside, site grading, site drainage improvements and construction of a soil nail retaining wall. Maggiora and Ghilotti, Inc. submitted the lowest responsive and responsible bid in the amount of \$5,257,575. Therefore, staff recommends that the Board of Directors approve a resolution awarding Contract No. 1965 to Maggiora and Ghilotti, Inc. in the amount of \$5,257,575 and authorizing the General Manager to execute any necessary amendments to Contract No. 1965, which do not exceed \$1,128,000.

DISCUSSION

The Pine Mountain Tunnel Tanks Replacement Project is a multi-year two-phased project that will replace the existing Pine Mountain Tunnel. The Pine Mountain Tunnel is an 8,700-foot long tunnel built in 1919 to convey and treat water from Alpine Lake to San Rafael and the Ross Valley, now known as the Ross Valley System, which serves approximately 44,000 District customers or roughly 23% of the District's service area. Due to regulatory constraints, the District abandoned the tunnel as a conveyance system in 1971, but retained the tunnel to provide storage (approximately 3 million gallons) and surge protection. The tunnel is well beyond its useful life. The District is in continuous communication with the State Water Resources Control Board regarding the District's progress for the tunnel's replacement.

As part of the Water System Master Plan, the District and its consultant, Woodard & Curran (Consultant), conducted a focused evaluation of the storage needed to replace Pine Mountain Tunnel and support the larger Ross Valley system, including a detailed review of the previous

studies and assumptions to improve storage capacity and reliability in the Ross Valley system. A sizing study for the Ross Valley system determined the appropriate sizing (estimated at 3 to 4 MG) for the storage needed to replace Pine Mountain Tunnel and elevations to achieve the District's standard criteria for pressure zone sizing. Project siting alternatives were developed, with sites including locations that were previously analyzed as well as new potential storage site locations. The preferred project location for a storage facility to replace Pine Mountain Tunnel that best meets the District's needs is at Concrete Pipe Road near drainage culvert No. 5, also known as "CP5". These results were presented to the Operations Committee on May 21, 2021.

As discussed at the May 21st Operations Committee meeting, the next step for the Pine Mountain Tunnel Tanks Replacement Project was to integrate the engineering design with the environmental review needed for the project by preparing the preliminary design of the project to the 30% design level. The preliminary design of the Project was completed by the Consultant which allowed Environmental Science Associates to prepare the Draft and Final Initial Study/Mitigated Negative Declaration (Final IS/MND) along with a Mitigation Monitoring and Reporting Program (MMRP) Consistent with requirements of the California Environmental Quality Act for the District to proceed with the Project. On December 14, 2021 the Board of Directors adopted the Final IS/MND for the Pine Mountain Tunnel Tanks Replacement Project.

On January 4, 2022, the Board of Directors authorized the General Manager to execute an amendment to the contract with Consultant for the final design package and bidding support services of the Project. The Consultant has completed the final design of the first phase of the Project and has supported staff with the advertisement of the first phase bid documents. The Consultant will now begin the final design of the second phase of the Project.

This first phase of Project construction includes clearing and grubbing of the site, installation of site drainage improvements, installation of guardrail along Sky Oaks Road, excavation of approximately 45,000 cubic yard of the tank site to rough tank pad grades including off-hauling and disposal of approximately 10,000 cubic yards of Phytosphthora contaminated soil, and the construction of a soil nail retaining wall. The construction season for the Project is required to occur between August 1st through January 31st to protect the Northern Spotted Owl nesting season, which spans from February 1st through July 31st. Owl surveys will be performed to determine if work may extend beyond this construction season. Construction for this first phase is anticipated to span two construction seasons.

On May 10, 2022, the District received and opened eight (8) bids for the Project. Bid results are provided in the Bid Results table shown on the next page.

Bid Results
Pine Mountain Tunnel Tanks Replacement Project - Phase 1

Bid Rank	Contractor Name	Bid Amount
1.	Maggiora and Ghilotti Inc.	\$5,257,575
2.	Ghilotti Brothers Inc.	\$5,757,790
3.	Rege Construction, Inc.	\$6,193,388
4.	Ghilotti Construction Company Inc.	\$7,246,100
5.	CATS4U Inc.	Non-responsive
6.	CWS Construction Inc.	Non-responsive
7.	Michael Paul Co.	Non-responsive
8.	W.R. Forde Associates, Inc.	Non-responsive

Contract No: 1965
 Project No: D21043
 Engineer's Estimate: \$4,502,000

Maggiora and Ghilotti, Inc. submitted the lowest responsive and responsible bid. They hold a Class A – General Engineering License, License No. 226767, which is current and active and expires on 03/31/23. As required by State Law, Maggiora and Ghilotti, Inc. is registered with the California Department of Industrial Relations under PWCR Number 1000007991. Following contract award, District staff will register the Project with the California Department of Industrial Relations.

Summaries of the estimated Project costs and schedule are provided below.

Budget:

Contract Award:	\$5,257,575
Contingency:	\$1,128,000
Materials and Professional Fees:	\$500,000
District Labor/Inspection:	\$480,000
Escalate to Mid-Point of Construction*:	\$369,000
Total Budget:	\$7,734,575
* Assumed 5% annual escalation until mid-point of construction	
Budgetary Category:	A1A11

Project Implementation:

Project Advertisement:	April 5, 2022
Bid Opening:	May 10, 2022
Project Award:	May 24, 2022
Estimated Completion Date:	January 31, 2024
Duration:	617 days

ENVIRONMENTAL REVIEW

On December 14, 2021, the Board of Directors adopted the Final IS/MND for the Pine Mountain Tunnel Tanks Replacement Project and approved the project conditioned upon completion of the MMRP. Staff will assure compliance with the MMRP.

PUBLIC OUTREACH EFFORTS

The District’s multi-step process for notifying customers about this Project began in 2021 when District staff initiated the public review period of the IS/MND and began discussion with the County of Marin. Further public outreach steps are described in the table below.

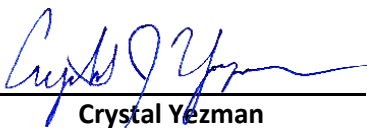

Department	Action
Engineering	Upon approval of the contract by the Board, send Project information letter with a map to all customers near the project area.
Public Information	Issue news release to local media (print and online outlets).
Public Information	Post on MMWD website.
Public Information	Post on MMWD Nextdoor page for affected neighborhoods.
Public Information	Send notice to Marin County and Town of Fairfax for posting on their website.
Engineering	Provide signage at Project site throughout construction period.

FISCAL IMPACT

The total cost to complete Phase 1 of the Pine Mountain Tanks Project is estimated at \$7,734,575. The District has also received \$1,000,000 in funding from Assembly Member Marc Levine’s office in support of this project.

ATTACHMENTS

1. Proposed resolution
2. Site Map

DIVISION OR DEPARTMENT	DIVISION MANAGER	APPROVED
Engineering	 Crystal Yezman Director of Engineering	 Ben Horenstein General Manager

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 1965 TO MAGGIORA AND
GHILOTTI, INC. FOR THE FIRST PHASE OF THE CAPITAL IMPROVEMENT PROJECT PINE
MOUNTAIN TUNNEL TANKS REPLACEMENT PROJECT**

WHEREAS, on December 14, 2021, the Board of Directors adopted the Final Initial Study/Mitigated negative Declaration for the Pine Mountain Tunnel Tanks Replacement Project (Project) and approved the project conditioned upon completion of the Mitigation Monitoring and Reporting Program; and

WHEREAS, on April 5, 2022, the District advertised Contract No. 1965, for the first phase of the Pine Mountain Tunnel Tanks Replacement Project (D21043), which will involve site clearing and grubbing, excavation of approximately 45,000 cubic yards of hillside, site grading, site drainage improvements and construction of a soil nail retaining wall in preparation for the second phase of construction of the two (2) two million gallon Pine Mountain Tanks; and

WHEREAS, the District received and publicly opened eight (8) bids on May 10, 2022, of which Maggiora and Ghilotti, Inc. bid of \$5,257,575 was the lowest responsive and responsible bid.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The bid of \$5,257,575 submitted by Maggiora and Ghilotti, Inc., for the first phase of the Pine Mountain Tunnel Tanks Replacement Project under Contract No. 1965 ("Contract") was the lowest responsive and responsible bid submitted therefor, and said bid is hereby accepted.
2. A Contract for the Project be awarded to said low bidder, and the General Manager is authorized and directed to execute said Contract on behalf of the District upon receipt of a performance bond, payment bond, proof of insurance, and the executed contract for the work from said bidder.
3. The General Manager is authorized to execute any and all future amendments to the Contract, which he deems necessary, without further Board approval, so long as those amendments to the Contract amount does not exceed \$1,128,000.

4. Upon complete execution of said Contract, the bonds and/or checks of the other bidders are to be returned to said other bidders, and all bids other than that of Maggiora and Ghilotti, Inc., are to be rejected.

PASSED AND ADOPTED this 24th day of May, 2022, by the following vote of the Board of Directors.

AYES:

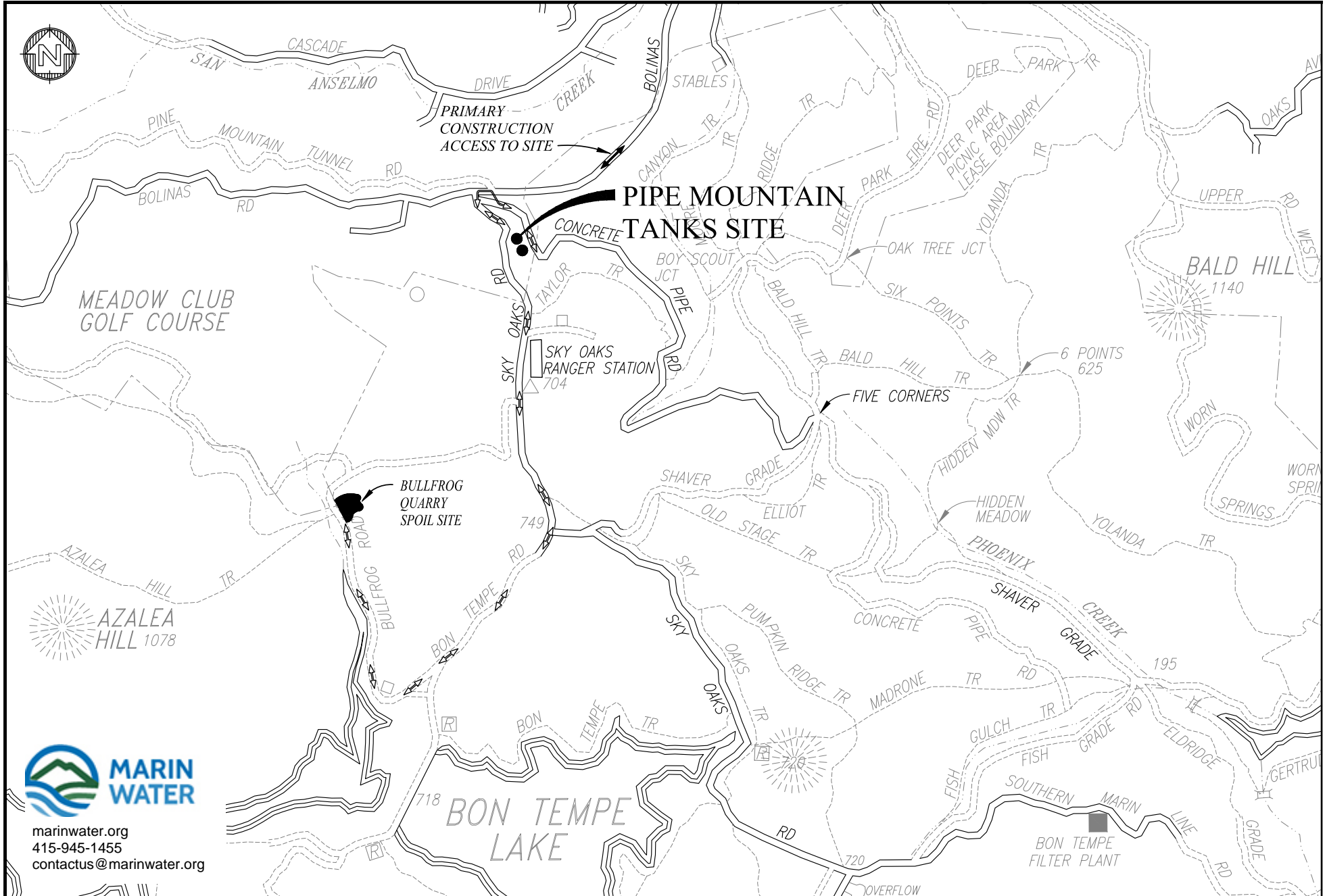
NOES:

ABSENT:

Larry L. Russell
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary



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contactus@marinwater.org



Informational Item

TO: Board of Directors

FROM: Paul Sellier, Water Resources Director

THROUGH: Ben Horenstein, General Manager

DIVISION NAME: Operations

ITEM: Strategic Water Supply Assessment – Board Working Session III

SUMMARY

In September 2021, the District faced historically low reservoir levels as a result of a severe two-year drought. In response to this drought, the District pursued developing the Emergency Intertie Project under a CEQA Statutory Emergency Exemption. Water storage levels have greatly improved since then, allowing the District to pursue a full environmental analysis of the proposed intertie project under CEQA and to perform a comparative analysis on water supply resiliency solutions. The Strategic Water Supply Assessment will build upon extensive previous planning efforts to evaluate supplemental water supply options that will address the impacts from hydrologic extremes such as droughts, with the result of this effort being a roadmap for implementation. During the meeting, the project team will provide the board a presentation on drought scenarios and an evaluation of the baseline demand scenario.

DISCUSSION

The Strategic Water Supply Assessment will be additive to past planning efforts and is designed to update and integrate previous water supply planning efforts to comprehensively assess water supply resiliency in areas such as demand management, local storage, recycled water, and desalination. The Assessment will also seek to fill in gaps on water supply alternatives.

Scenario planning is the approach that the project team is using to help the District visualize and plan for uncertainty around future hydrologic conditions. Traditional planning involves the use of past data to predict future conditions. Scenario planning recognizes that there are uncertainties that affect future water supply conditions that cannot accurately and individually be predicted. However, it is possible to construct a range of plausible future water supply conditions. Identifying solutions that will be successful against of a broad range of possible future hydrologic conditions will provide the District with the options and agility necessary to respond to uncertainties and to ensure water supply resiliency into the future.

FISCAL IMPACT

None

ATTACHMENT(S)
None