

SAN JOSÉ / SANTA CLARA WATER POLLUTION CONTROL PLANT

October 11, 2007

TREATMENT PLANT ADVISORY COMMITTEE

The Honorable Mayor and City Council
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Dear Mayor Reed and City Council:

At its meeting of October 11, 2007, the Treatment Plant Advisory Committee (TPAC) reviewed the items concerning the Water Pollution Control Plant on the San Jose City Council agenda for October 16, 2007.

These items are listed below along with the TPAC recommendation for San Jose City Council action.

Approval of Change Order

- 2.8 1. Approval of a change order for the project entitled, "San José/Santa Clara Water Pollution Control Plant Reliability Improvements Project," for a total negotiated amount of \$339,469 with no change to the term of contract with Kiewit Pacific Company.

Report of Bids

- 2.7 2. Report on bids and award of construction contract for the project entitled, San José/Santa Clara Water Pollution Control Plant, FY 2007/2008 Capital Improvement Program, East Primary Influent Channel Repair Project," to the low bidder, Anderson Pacific Engineering Construction, Inc. in the amount of \$699,000, and approval of a contingency in the amount of \$70,000.

Report of Bids

- 7.2 3. Report on bids and award of two contracts for the project entitled, "Fuel Cell System," to the sole responsive bidder, Manuel Bros., Inc. for a design-build contract in the amount of \$7,724,100 and approval of budget contingency of 10% at \$772,400; and a service contract with a five year term and an annual cost of \$203,932.80 commencing upon acceptance of the Fuel Cell System, as well as resulting Appropriation Ordinance amendments in the San José/Santa Clara Treatment Plant Capital Fund;

Adoption of a Resolution

- 7.2 4. Adoption of a resolution authorizing the Director of Environmental Services to execute an option to replace the Fuel Cell System Module in the amount of \$1,200,000, subject to future appropriation of funds by the Council; and

Adoption of a Resolution

- 7.2 5. Adoption of a resolution authorizing the Director of Environmental Services to negotiate and execute a Self-Generation Incentive Program contract with Pacific Gas and Electric, to receive a rebate of up to \$4.5 million upon certification of the fuel cell system by Pacific Gas and Electric; and

Adoption of Appropriation

- 7.2 6. Adoption of Appropriation Ordinance amendments in the San José/Santa Clara Treatment Plant Capital Fund to increase the Fuel Cell System appropriation by \$4,917,000; and decrease the Ending Fund Balance by \$4,917,000

Sincerely,



Patricia Mahan, Chairperson
Treatment Plant Advisory Committee