

**RESOLUTION NO. 1979 (2016)**

**IN THE DISTRICT BOARD OF THE WEST BAY SANITARY DISTRICT  
COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**A Resolution of the District Board of the West Bay Sanitary District Authorizing Staff to Begin the Design-Build Request for Qualifications/Requests for Proposals for the West Bay Sanitary District Recycled Water Project - Sharon Heights**

WHEREAS, the Legislature has found and declared that the design-build method of project delivery, using a best value procurement methodology, has been authorized for various agencies that have reported benefits from such projects, including, reduced project costs, expedited project completion, and design features that are not achievable through the traditional design-bid-build method, and

WHEREAS, Chapter 4 (commencing with Public Contract Code section 22160), Local Agency Design-Build Project, of Part 3 of Division 2 of the California Public Contract Code, as well as Public Contract Code section 20194 generally authorizes special districts that operate wastewater facilities, solid waste management facilities, and/or water recycling facilities to use design-build for projects for the construction of regional and local wastewater treatment facilities, regional and local solid waste facilities, and/or regional and local water recycling facilities (excluding projects on the state highway system), and

WHEREAS, subject to the limitations of Chapter 4 (commencing with Public Contract Code section 22160), the West Bay Sanitary District ("District"), if authorized by the District Board, may procure design-build contracts for public works projects in excess of One Million Dollars (\$1,000,000), awarding the contract either the low bid or the best value, and

WHEREAS, the West Bay Sanitary District is organized and existing under the Sanitary District Act of 1924 (Cal. Health & Safety Code §6400, et seq.), and provides wastewater collection and conveyance services to the Cities of Menlo Park, Atherton and Portola Valley, and portions of East Palo Alto, Woodside and unincorporated areas of San Mateo and Santa Clara counties, and

WHEREAS, the Sharon Heights Golf & Country Club ("Club") is a corporation duly organized and existing under the laws of the State of California that owns and operates a golf course and related facilities located within the District's service area at 2900 Sand Hill Road, Menlo Park, and

WHEREAS, pursuant to and in conformance with the principles of the California State Constitution and California Statutory Law and Regulations (Water Code 13550-13551 and Water Code Section 106), the District (in cooperation with the Club) plans to develop and construct a recycled water treatment facility on property owned by the Club using wastewater from the District. The proposed Recycled Water Program Project

would consist of a satellite wastewater treatment plant on the Club property, an influent supply pipeline under Sand Hill Road, a pump station for the influent supply, recycled water distribution pipeline to SLAC National Accelerator Laboratory and the golf course irrigation system, and a solids discharge pipeline to the existing sewer system. The recycled water project would allow the District to treat water for reuse within the service district to meet customer demands. Such project is collectively referred to as the West Bay Sanitary District Recycled Water Project - Sharon Heights ("Project"), and

WHEREAS, on or about November 19, 2014, the District entered into that certain AGREEMENT FOR RECYCLED WATER FACILITIES PLAN BETWEEN WEST BAY SANITARY DISTRICT AND RMC WATER AND ENVIRONMENT (the "Facilities Plan"), in an amount not to exceed One Hundred, Fifty Thousand and 00/100 Dollars (\$150,000), to provide preliminary planning and design services to better define the Project before entering into the design phase of the Project, and

WHEREAS, RMC Water and Environment ("RMC") completed the Facilities Plan describing the recommended facilities and treatment process for the West Bay Sanitary District Recycled Water Project – Sharon Heights, and

WHEREAS, on or about February 6, 2015, the District entered into that certain AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN WEST BAY SANITARY DISTRICT AND RMC WATER AND ENVIRONMENT, in an amount not to exceed Eight Thousand, Nine Hundred, Twenty and 00/100 Dollars (\$8,920), to provide consulting support to enable the eventual construction of a recycled water facility on the golf course grounds owned by the Club and to assign the District as the recycled water purveyor in the specified area, and

WHEREAS, on or about March 25, 2015, the District entered into that certain AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN WEST BAY SANITARY DISTRICT AND RMC WATER AND ENVIRONMENT, in an amount not to exceed One Hundred, Twenty-Three Thousand, Seven Hundred, Eighteen and 00/100 Dollars (\$123,718), to provide consultant services to prepare a Mitigated Negative Declaration in compliance with the California Environmental Quality Act ("CEQA") and including all information necessary for State Water Resources Control Board and U.S. Bureau of Reclamation approval, as part of the Project which anticipates a recycled water treatment facility on the Club's property, and

WHEREAS, on or about April 20, 2015, the District and the Sharon Heights Golf & Country Club (the "Club") entered into that certain MEMORANDUM OF UNDERSTANDING ESTABLISHING PRINCIPLES OF AGREEMENT FOR DESIGN, CONSTRUCTION AND OPERATION OF RECYCLED WATER TREATMENT FACILITY, and

WHEREAS, the Board of Directors, on November 24, 2015, certified the West Bay Sanitary District Recycled Water Project Mitigated Negative Declaration, and

WHEREAS, Staff is considering a Design-Build project delivery methodology, in which both the design and construction of the project are procured from a single entity, and

WHEREAS, Staff recommends utilizing the Design-Build project delivery method for the Project in lieu of a traditional Design-Bid-Build approach to reduce risks for the District, reduce project costs and expedite the design process and project completion, and

WHEREAS, the Project is anticipated to exceed the One Million Dollars (\$1,000,000) statutory threshold, and

WHEREAS, prior to commencing the design-build procurement process, the District shall develop for standard organizational conflict-of-interest policy, consistent with applicable law, regarding the ability of a person or entity, that performs services for the District relating to the solicitation of a design-build project, to submit a proposal as a design-build entity, or to join a design-build team, and

WHEREAS, Staff requests authorization to begin the Design-Build procurement process (including, without limitation, the request for qualifications and request for proposals processes) for the Project,

NOW, THEREFORE, BE IT RESOLVED that the West Bay Sanitary District Board hereby approves the use of the Design-Build procurement method for the West Bay Sanitary District Recycled Water Project - Sharon Heights and authorizes District staff to begin the Design-Build procurement process, including, without limitation, the request for qualifications and request for proposals processes for the Recycled Water Project – Sharon Heights.

PASSED AND ADOPTED by the District Board of the West Bay Sanitary District at a regular meeting thereof held on 13<sup>th</sup> day of January, 2016, by the following votes:

Ayes: MORITZ, DEHN, WALKER, THIELE-SARDINA, KINDER

Noes: NONE

Absent: NONE

Abstain: NONE



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President of the District Board of the  
West Bay Sanitary District of San  
Mateo County, State of California

Attest:



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Secretary of the District Board of the  
West Bay Sanitary District of San Mateo  
County, State of California