

File No. 111342

Committee Item No. 1  
Board Item No. 22

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: January 11, 2012

Board of Supervisors Meeting

Date: 1/24/12

**Cmte Board**

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget & Legislative Analyst Report          |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ethics Form 126                              |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |

**OTHER**

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Completed by: Victor Young  
Completed by: Victor Young

Date: January 6, 2012  
Date: 1-18-12

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Accept and Expend Grant - Intertie Project - \$1,098,202]

2  
3 **Resolution authorizing the San Francisco Public Utilities Commission to retroactively**  
4 **accept and expend a California Department of Public Health administered grant in the**  
5 **amount of \$1,098,202 for the San Francisco Public Utilities Commission share of an**  
6 **San Francisco Public Utilities Commission/East Bay Municipal Utility District Intertie**  
7 **Project.**

8 WHEREAS, On April 8, 2003, the San Francisco Public Utilities Commission (SFPUC),  
9 as part of Resolution 03-00062, approved the Joint Powers Agreement (JPA) between the  
10 SFPUC, the East Bay Municipal Utility District (EBMUD) and the City of Hayward for the  
11 design and construction of the SFPUC / EBMUD Intertie Facility ("Intertie Facility"); and

12 WHEREAS, On September 28, 2004, the SFPUC, as part of Resolution 04-0164,  
13 approved Amendment 1 to the JPA to address the roles and responsibilities of each part for  
14 the design and construction and terms of a certain Ground Lease for the parcel of real  
15 property commonly known as 22488 Skywest Drive, related to an Intertie Facility; and

16 WHEREAS, On July 10, 2007, the SFPUC as part of Resolution 07-0130, approved  
17 Amendment 2 to the JPA to address the roles and responsibilities of each part for the design  
18 and construction, cost sharing and payment for the Oak Rate Control Station Improvements  
19 and receipt and sharing of Grant funds related to an Intertie Facility; and

20 WHEREAS, Amendment 2 to the JPA identified the responsibilities of the parties  
21 related to the receipt and sharing of \$2,550,000 in California Department of Public Health  
22 (CDPH) Proposition 50 Grant funds; and,

23 WHEREAS, CDPH Grant funds in the amount of \$2,550,000 were awarded to EBMUD  
24 on March 29, 2010 and the SFPUC portion of that, which amounts to \$1,098,202.20, was  
25 distributed to the SFPUC on January 14, 2011; and,

1           WHEREAS, Funding for the required matching funds of \$1,098,202.20 is available from  
2 the Water System Improvement Program (WSIP) Project No. CUW-38901 0 SFPUC/EBMUD  
3 Intertie Project; and,

4           WHEREAS, the SFPUC/EBMUD Intertie Project connected the SFPUC and EBMUD  
5 respective water supply systems by jointly constructing and operating the pumping stations  
6 and related water pipelines; and,

7           WHEREAS, The project was substantially completed and put in service on September  
8 7, 2007, but has yet to be closed out because of ongoing litigation; and,

9           WHEREAS, The City of Hayward is leading on-going litigation efforts, with assistance  
10 from the SFPUC and EBMUD, to address claims submitted by the contractor; and

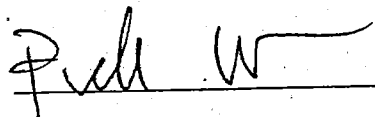
11           WHEREAS, San Francisco Administrative Code Sec. 10.170-(d) states that if indirect  
12 costs are not allowed by the funding agency, this reason shall be stated in the authorizing  
13 resolution and upon approving the acceptance and expenditure, the Board of Supervisors  
14 may waive the requirement for inclusion of reimbursed costs; and,

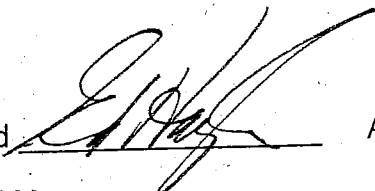
15           WHEREAS, This grant does not include an Annual Salary Ordinance (ASO)  
16 Amendment; now, therefore, be it

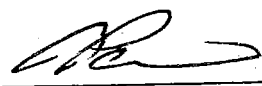
17           RESOLVED, That the General Manager of the San Francisco Public Utilities  
18 Commission, or designee, is authorized to retroactively accept and expend grant funds  
19 totaling \$1,098,202.20 from the California Department of Public Health for the SFPUC share  
20 of the SFPUC/EBMUD Intertie project, and to execute all required agreements, with required  
21 local matching funds of \$1,098,202.20 met through Water System Improvement Program,  
22 Project No. CUW389.01; and, be it

23           FURTHER RESOLVED, that the Board of Supervisors waives the requirement for  
24 inclusion of reimbursement due to indirect costs, given that the funding agency does not allow  
25 for this reimbursement under the circumstances of this grant award, and, be it

1 FURTHER RESOLVED, that the Public Utilities Commission is hereby authorized by  
2 the Board to retroactively accept and expend this grant, pursuant to Administrative Code Sec.  
3 10.170-1.

4  
5 Approved:   
6 for Mayor

7  
8 Recommended   
9 General Manager

Approved:   
Controller



# San Francisco Water Power Sewer

Operator of the Hetch Hetchy Regional Water System

1155 Market Street, 11th Floor  
San Francisco, CA 94103  
T 415.554.3155  
F 415.554.3161  
TTY 415.554.3488

November 22, 2011

The Honorable Ben Rosenfield  
Controller  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 316  
San Francisco, CA 94102

**Subject: Resolution authorizing the SFPUC to retroactively accept and expend a grant of \$1,098,202 from the California Department of Public Health for the SFPUC share of an SFPUC / EBMUD Intertie Project**

Dear Controller Rosenfield:

Attached please find an original copy of a resolution that requires your signature. The resolution authorizes the SFPUC to retroactively accept and expend a grant of \$1,098,202 from the California Department of Public Health for the SFPUC share of an SFPUC / EBMUD Intertie Project.

In this packet you will find:

- Red line original copy of the BOS resolution requiring your signature
- Grant information form
- Grant budget
- Grant award letter from funding agency
- A copy of the Agenda Item from the SFPUC with background information on the resolution, as well as a signed copy of the SFPUC resolution related to this item.

When you have signed this resolution, please forward the original copy to the Mayor's Budget Office, City Hall Room 288, for signature by the Mayor and submittal to the Clerk of the Board of Supervisors.

Sincerely,

Ed Harrington  
General Manager

Edwin M. Lee  
Mayor

Anson Moran  
President

Art Torres  
Vice President

Ann Moller Caen  
Commissioner

Francesca Vietor  
Commissioner

Vince Courtney  
Commissioner

Ed Harrington  
General Manager



**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Nathan Purkiss  
**DATE:** 11/29/2011  
**SUBJECT:** Accept and Expend Resolution authorizing the SFPUC to retroactively accept and expend a grant of \$1,098,202 from the CA Dept. of Public Health for the SFPUC share of an SFPUC / EBMUD Intertie Project.  
**GRANT TITLE:** CA Department of Public Health grant for the SFPUC share of an SFPUC / EBMUD Intertie Project.

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Attached please find the original and 4 copies of each of the following:

- Proposed grant resolution; original signed by Department, Mayor, Controller
- Grant information form, including disability checklist
- Grant budget
- Grant application
- Grant award letter from funding agency
- Other (Explain):

**Special Timeline Requirements:**

**Departmental representative to receive a copy of the adopted resolution:**

Name: Nathan Purkiss, Legislative Affairs Phone: 554-3404

Interoffice Mail Address: 1145 Market Street, 7<sup>th</sup> Floor, San Francisco, 94103

Certified copy required Yes

No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

## Grant Information Form

**File Number:** \_\_\_\_\_  
(Provided by Clerk of Board of Supervisors)

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **SFPUC/EBMUD Intertie Project**
2. Department: **SFPUC**
3. Contact Person: **Nathan Purkiss** Telephone: **(415) 554-3404**
4. Grant Approval Status (check one):  
 Approved by funding agency                       Not yet approved
5. Amount of Grant Funding Approved or Applied for: **\$1,098,202.20 (This is the amount SFPUC received. The total amount of the Grant received by East Bay Municipal Utilities District was \$2,550,000. \$5,100,00 with matching funds)**
6. a. Matching Funds Required: **\$1,098,202.20 (SFPUC share of the matching funds)**  
b. Source(s) of matching funds (if applicable):  
**Funds for the SFPUC match (\$1,098,202.20) will come from the Water System Improvement Program, Project No. CUW389.01.**
7. a. Grant Source Agency: **California Department of Public Health**  
b. Grant Pass-Through Agency (if applicable): **East Bay Municipal Utilities District (EBMUD)**
8. Proposed Grant Project Summary:

**The purpose of the funding is to assist in financing a project which will enhance the protection and security of public water systems and drinking water supplies. Funds may be used only for such eligible project costs as are approved by the Department of Health Services.**

**The SFPUC and the EBMUD, with the cooperation of the City of Hayward, agreed to connect their respective water supply systems by jointly constructing and operating the proposed pumping station and related water pipelines.**

**The major work included:**

- **Constructing Skywest Pump Station**
- **Installing pipelines connecting Skywest Pump Station and EBMUD/Hayward systems**
- **Installing valve replacements along the City of Hayward's 33-inch and 42-inch Aqueducts**
- **Bypass installation at EBMUD Oak Rate Control Station**
- **SFPUC's Newark Turnout Improvements**

9. Grant Project Schedule, as allowed in approval documents, or as proposed:  
**Start-Date: 2/21/06      End-Date: 9/30/07**

**(The project was substantially completed in September 2007)**

10. Number of new positions created and funded: **0**

11. If new positions are created, explain the disposition of employees once the grant ends?

12. Amount budgeted for contractual services: **\$1,098,202.20 (The total Grant was used for construction related costs)**

- a. Will contractual services be put out to bid? **Yes**
- b. If so, will contract services help to further the goals of the department's MBE/WBE requirements? **No. Contract was administered by City of Hayward**
- c. Is this likely to be a one-time or ongoing request for contracting out? **One Time**

13. Does the budget include indirect costs?  Yes  No
- a. If yes, how much? Planning currently evaluating
  - b. How was the amount calculated?
  - c. If no, why are indirect costs not included?

Not allowed by granting agency  To maximize use of grant funds on direct services

Other (please explain):

- c2. If no indirect costs are included, what would have been the indirect costs?

**Full costs to administer the grant will be covered by matching funds.**

14. Any other significant grant requirements or comments:



**\*\*Disability Access Checklist\*\*\***

15. This Grant is intended for activities at (check all that apply):

- Existing Site(s)       Existing Structure(s)  
 Existing Program(s) or Service(s)       Rehabilitated Site(s)  
 Rehabilitated Structure(s)       New Program(s) or Service(s)  
 New Site(s)       New Structure(s)

16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability Reviewer:

Nathan Purkiss, SFPUC ADA Coordinator

(Name)

Date Reviewed: 11/10/2011

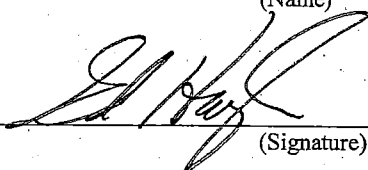
Department Approval:

Ed Harrington,

(Name)

General Manager

(Title)



(Signature)

## Grant Expenditure Plan

The grant funds will be used for the following items:

1. Furnishing and installing all mechanical, structural, instrumentation, electrical, civil, architectural and other items necessary to construct Skywest Booster Pump Station including four 500 hp case pumps, 1,500 kW standby generator with fuel storage tank, connection to new transformer, 480 volt switchgear, VFD's valves and piping, replacement of six existing valves, installation of approximately 7,205 feet of 36-inch transmission pipeline, improvements to the Newark turnout, installation of 900 feet of 12-inch water main and two new valve vaults, flushing of existing 33-inch and 42-inch aqueducts and other improvements at Hesperian Pump Station.
2. Construction Management Services by City of Hayward
3. Construction and Project Management Services by SFPUC

## PUBLIC UTILITIES COMMISSION

City and County of San Francisco

RESOLUTION NO. 11-0159

WHEREAS, On April 8, 2003 this Commission, as part of Resolution 03-0062, approved the Joint Powers Agreement (JPA) between the San Francisco Public Utilities Commission (SFPUC), the East Bay Municipal Utility District (EBMUD) and the City of Hayward for the design and construction of the SFPUC/EBMUD Intertie Facility ("Intertie Facility"); and

WHEREAS, On September 28, 2004 this Commission, as part of Resolution 04-0164, approved Amendment 1 to the JPA to address the roles and responsibilities of each part for the design and construction and terms of a certain Ground Lease for the parcel of real property commonly known as 22488 Skywest Drive, related to an Intertie Facility; and

WHEREAS, On July 10, 2007 this Commission, as part of Resolution 07-0130, approved Amendment 2 to the JPA to address the roles and responsibilities of each part for the design and construction, cost sharing and payment for the Oak Rate Control Station Improvements and receipt and sharing of Grant funds related to an Intertie Facility; and

WHEREAS, Amendment 2 to the JPA identified the responsibilities of the parties related to the receipt and sharing of \$2,550,000 in California Department of Public Health (CDPH), Proposition 50 Grant funds; and

WHEREAS, CDPH Grant funds in the amount of \$2,550,000 were awarded to EBMUD on March 29, 2010 and the SFPUC portion of that, which amounts to \$1,098,202.20, was distributed to the SFPUC on January 14, 2011; and

WHEREAS, Funding for the required matching funds of \$1,098,202.20 is available from the Water System Improvement Program (WSIP) Project No. CUW-38901 - SFPUC/EBMUD Intertie Project; and

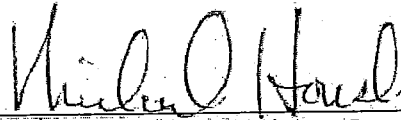
WHEREAS, The SFPUC/EBMUD Intertie Project connected the SFPUC and EBMUD respective water supply systems by jointly constructing and operating the pumping station and related water pipelines; and

WHEREAS, The project was substantially completed and put in service on September 7, 2007 but has yet to be closed out because of ongoing litigation; and

WHEREAS, The City of Hayward is leading on-going litigation efforts, with assistance from the SFPUC and EBMUD, to address claims submitted by the contractor; now, therefore, be it

RESOLVED, That this Commission authorizes the General Manager of the San Francisco Public Utilities Commission to request the approval of the Board of Supervisors to accept and expend its share of California Department of Public Health Grant funds totaling \$1,098,202.20 from EBMUD for the WSIP CUW38901- SFPUC/EBMUD Intertie Project, and to execute all required agreements.

I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of \_\_\_\_\_ September 27, 2011 \_\_\_\_\_



\_\_\_\_\_  
Secretary, Public Utilities Commission



**AGENDA ITEM**  
**Public Utilities Commission**  
*City and County of San Francisco*



DEPARTMENT Wastewater Enterprise AGENDA NO. 10  
MEETING DATE September 27, 2011

**Accept and Expend California Department of Public Health Grant Funds: Regular Calendar**  
**Project Manager: Bryan Dessaure**

**Accept and Expend California Department of Public Health Prop 50 Grant Funds for the SFPUC/EBMUD Intertie Project**

<p><b>Summary of Proposed Commission Action:</b></p>	<p>Authorize the General Manager of the San Francisco Public Utilities Commission (SFPUC) to request approval from the Board of Supervisors to accept and expend SFPUC share of California Department of Public Health Grant funds totaling \$1,098,202 for the SFPUC/East Bay Municipal Utility District (EBMUD) Intertie Project.</p>
<p><b>Background &amp; Project Goals, Objectives &amp; Outcome:</b></p>	<p><b>Background:</b> The SFPUC and the EBMUD are the two major suppliers of water to the San Francisco Bay Area Region. The SFPUC supplies water to both the City of Hayward and the Alameda County Water District (ACWD) from service connections on Bay Division Pipelines 1 &amp; 2, located between the Irvington Tunnel and Newark valve house. The water provided to the City of Hayward and ACWD could be lost during times of emergency or during shutdowns for system maintenance and repair. The SFPUC, EBMUD, ACWD and City of Hayward all must maintain water supplies during emergencies and be able to shut down the SFPUC or the EBMUD water supply lines for extended periods for repair or maintenance.</p> <p>On July 10, 2007, the Commission approved Resolution 07-0130 which authorized the General Manager of the SFPUC to execute the Second Amendment of the Joint Powers Agreement (JPA) between SFPUC, EBMUD and the City of Hayward for the design and construction of the SFPUC/EBMUC Intertie Facility ("Intertie Facility").</p> <p>The amended JPA identified the responsibilities of the parties related to the receipt and sharing of \$2,550,000 in California Department of Public Health, Proposition 50 Grant funds. The Grant required local matching</p>

**APPROVAL:**

DEPARTMENT /  
BUREAU

Mike Housh

COMMISSION  
SECRETARY

FINANCE

Todd L. Rydstrom

GENERAL  
MANAGER

Ed Harrington

funds of \$2,550,000, for a total project value of \$5,100,000. The actual construction cost was \$17,413,000. EBMUD led the grant application effort, obtained the funds and distributed them according to the JPA. The SFPUC's share was \$1,098,202\* and will be used for construction expenditures.

\*Rounded to the nearest dollar value.

**Project Goals and Objectives:**

The SFPUC and the EBMUD, with the cooperation of the City of Hayward, agreed to connect their respective water supply systems by jointly constructing and operating the proposed pumping station and related water pipelines.

The major work included:

- Constructing Skywest Pump Station;
- Installing pipelines connecting Skywest Pump Station and EBMUD/Hayward systems;
- Installing valve replacements along the City of Hayward's 33-inch and 42-inch Aqueducts;
- Installing a bypass at the EBMUD Oak Rate Control Station; and
- Improving the SFPUC Newark Turnout.

Specific objectives of the project, which incorporate the individual agency's mission statements, included:

- Providing redundancy and reliability to the regional system in the event of an emergency;
- Providing a reliable, high quality water supply to customers during an emergency event;
- Reducing direct and indirect costs to customers associated with increased regional system redundancy and reliability;
- Planning, designing, constructing and operating intertie facilities efficiently, effectively and safely, bearing in mind the agencies' responsibility to be a good neighbor and a good steward of the environment; and
- Responsibly managing the resources by reducing impacts to the environment associated with construction and implementation of this project to the extent feasible.

**Project Outcome:**

The Intertie Facility provides water during emergencies and allows the water transmission lines to be shut down for extended periods for maintenance, inspection and repairs, without causing undue disruption of water deliveries to the City of Hayward and to the ACWD. Similarly, the Intertie Facility allows the EBMUD to receive water from the SFPUC,

	<p>should facilities in their service area be damaged by seismic or other events, or when their critical or related facilities are taken out of service for inspection and maintenance.</p> <p>The facility was substantially completed and put in service on September 7, 2007. The project is currently in litigation to address claims submitted by the contractor. The City of Hayward managed the construction and is leading the litigation efforts with assistance from SFPUC and EBMUD legal departments.</p> <p>Section 10.170 of the San Francisco Administrative Code permits the application for federal, state, or other grants upon the approval of the department head. Section 10.170-1 of the San Francisco Administrative Code further states that the acceptance and expenditure of Federal, State or other grant funds is subject to the approval by resolution of the Board of Supervisors.</p>
<b>Schedule:</b>	The project was substantially completed and put in service on September 7, 2007. California Department of Public Health Grant funds were awarded to EBMUD March 29, 2010 and distributed to SFPUC on January 14, 2011.
<b>Result of Inaction:</b>	SFPUC must return the Grant funds.
<b>Budget and Costs:</b>	The Water System Improvement Program, Project No. CUW38901 SFPUC/EBMUD Intertie Project is still open. The construction cost of the project was \$17,413,000. The SFPUC fifty percent (50%) share of that cost was \$8,706,500.
<b>Recommendation:</b>	Authorize the General Manager of the SFPUC to request approval from the Board of Supervisors to accept and expend Grant funds totaling \$1,098,202 from the California Department of Public Health for the SFPUC/EBMUD Intertie Project.
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. SFPUC/EBMUD Amended Joint Powers Agreement and Prop 50 Grant Application</li> <li>2. Resolution No. 07-0130</li> <li>3. Prop 50 Grant Award to EBMUD</li> </ol>

## **PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 11-0159

WHEREAS, On April 8, 2003 this Commission, as part of Resolution 03-0062, approved the Joint Powers Agreement (JPA) between the San Francisco Public Utilities Commission (SFPUC), the East Bay Municipal Utility District (EBMUD) and the City of Hayward for the design and construction of the SFPUC/EBMUD Intertie Facility ("Intertie Facility"); and

WHEREAS, On September 28, 2004 this Commission, as part of Resolution 04-0164, approved Amendment 1 to the JPA to address the roles and responsibilities of each part for the design and construction and terms of a certain Ground Lease for the parcel of real property commonly known as 22488 Skywest Drive, related to an Intertie Facility; and

WHEREAS, On July 10, 2007 this Commission, as part of Resolution 07-0130, approved Amendment 2 to the JPA to address the roles and responsibilities of each part for the design and construction, cost sharing and payment for the Oak Rate Control Station Improvements and receipt and sharing of Grant funds related to an Intertie Facility; and

WHEREAS, Amendment 2 to the JPA identified the responsibilities of the parties related to the receipt and sharing of \$2,550,000 in California Department of Public Health (CDPH), Proposition 50 Grant funds; and

WHEREAS, CDPH Grant funds in the amount of \$2,550,000 were awarded to EBMUD on March 29, 2010 and the SFPUC portion of that, which amounts to \$1,098,202.20, was distributed to the SFPUC on January 14, 2011; and

WHEREAS, Funding for the required matching funds of \$1,098,202.20 is available from the Water System Improvement Program (WSIP) Project No. CUW-38901 – SFPUC/EBMUD Intertie Project; and

WHEREAS, The SFPUC/EBMUD Intertie Project connected the SFPUC and EBMUD respective water supply systems by jointly constructing and operating the pumping station and related water pipelines; and

WHEREAS, The project was substantially completed and put in service on September 7, 2007 but has yet to be closed out because of ongoing litigation; and

WHEREAS, The City of Hayward is leading on-going litigation efforts, with assistance from the SFPUC and EBMUD, to address claims submitted by the contractor; now, therefore, be it



**PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 07-0130

WHEREAS, SFPUC supplies water to the City of Hayward and the Alameda County Water District from the Bay Division Pipelines (BDPL) #1 and #2; and

WHEREAS, Any damage to the BDPLs #1 and #2, which cross both the Calaveras and the Hayward faults, or shutdown due to planned maintenance of these lines, could interrupt supplies to these customers; and

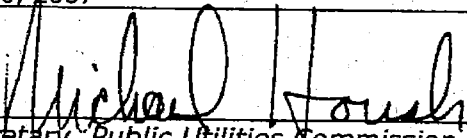
WHEREAS, SFPUC, EBMUD and City of Hayward wish to make their water supply systems more reliable by constructing an Intertie facility to supply each other water during an emergencies or during maintenance activities; and

WHEREAS, This Commission approved the Joint Exercise of Powers Agreement between SFPUC, EBMUD and City of Hayward dated as of April 8, 2003 for the design services and construction of Intertie facility, and the Joint Exercise of Powers Agreement dated as of April 8, 2003 for the Long Term Operations and Maintenance of the Intertie Facility, Resolution No. 03-0062; and

WHEREAS, An Amendment to the Joint Exercise of Powers Agreement between SFPUC, EBMUD and City of Hayward for the Design Services and Construction Agreement and the Long Term Operation and Maintenance Agreement is needed to redefine terms and conditions of the Agreements; now, therefore, be it;

RESOLVED, That this Commission hereby authorizes the General Manager to execute the second amendment to the JPA between SFPUC, EBMUD, Hayward for design and construction of the Intertie, and the first amendment to the JPA between SFPUC, EBMUD, and Hayward for Long Term Operation and Maintenance of the Intertie.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of July 10, 2007*

  
Secretary, Public Utilities Commission



Totals | Payments

Balance: Balanced

Payment Information Find | View All First 2 of 26 Last

Unit: EBMUD Deposit ID: 8401 Date: 04/20/2010

Seq	*Payment ID	*Acctg Date	Amount	Currency	Rate Type	Exch Rt
2	09-116590	04/19/2010	2,550,000.00	USD	CRRNT	1.00000000

Payment Predictor  Journal Directly  Range of References

Payer: STATE OF CALIFORNIA

Description: SFPUC HAYWARD-EBMUD INTERTIE. WSC 455 2001147 4731  
CC: GARTH HALL

Customer Information Find | View All First 1 of 1 Last

Cust ID:	Business Unit:
SubCustomer 1:	SubCustomer 2:
Name:	
Remit From:	Remit From SetID:
Corporate:	Corporate SetID:
MICR ID:	<a href="#">Link MICR</a>

Detail References

Reference Information Customize | Find | View All First 1 of 1 Last

Qual Code	Ref Value	To Ref Value	Event
1			

Save | Return to Search | Notify | Refresh | Add | Update

Totals | Payments

ARDR020526  
4/19/10



# STATE OF CALIFORNIA

WARRANT NUMBER

09-116590

THE TREASURER OF THE STATE WILL PAY OUT OF THE FUND NO. 6031 FUND NAME WATER SECURITY CLEAN


90-1342/1211

TO: EAST BAY MUNICIPAL UTIL DIST

ISSUE DATE  
MO. DAY, YR.  
03:29:2010

DOLLARS	CENTS
***2550000	00

*John Chiang*  
**JOHN CHIANG**  
 CALIFORNIA STATE CONTROLLER



⑆121113423⑆ 091165905⑆

8198312 (907)

### REMITTANCE ADVICE

VENDOR-ID

PAGE 1

STATE OF CALIFORNIA  
DOF

STD. 404C (REV. 4-95)

0000003496-00

THE ENCLOSED WARRANT IS IN PAYMENT OF THE INVOICES SHOWN BELOW

DEPARTMENT NAME	ORG. CODE	INVOICE DATE	INVOICE NUMBER	INVOICE AMOUNT	RPI
CA DEPT OF PUBLIC HEALTH	4265	03/15/10	CLAIM 1	PROP50	
				2550000.00	
DEPARTMENT ADDRESS		CLAIM SCHED. NO.			
PO BOX 997376 MS 1601 SACRAMENTO CA 95899-7376		2194461			
VENDOR					
EAST BAY MUNICIPAL UTIL DIST PAYMENT CENTER PO BOX 1000 OAKLAND CA 94649-0001					
PYMT INQUIRIES: (916)552-8404					
FEDERAL TAX ID NO OR SSAN	RP TYPE	TAXYR	TOTAL REPORTED TO IRS	TOTAL PAYMENT	
			.00	2550000.00	

8401-2

8389-1



**PART C**

	This Period	Total to Date
Amount Earned	\$ 2,550,000.00	\$ 2,550,000.00
Amount Retained	\$ 0.00	\$ 0.00
Previous Payments		\$ 0.00
Amount Due	\$ 2,550,000.00	\$ 2,550,000.00

Estimated Percentage of Job Completed	Is Contractor's construction progress on schedule? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
100 %	Explain:

**PART D**

**1. Certification of Contractor**

According to the best of my knowledge and belief, I certify that all items and amounts shown on the foregoing Claim for Reimbursement (itemized) are correct; that all work has been performed and/or material supplied in full accordance with the requirements of the referenced Contract, and/or duly authorized deviations, substitutions, alterations, and/or additions; that the foregoing is a true and correct statement of the contract account up to and including the last day of the period covered by this claim; that no part of the "Balance Due This Payment" has been received, and that the undersigned and his subcontractors have complied with the nondiscrimination provisions of the Contract with the Department of Water Resources.

East Bay Municipal Utility District  
Contractor  
  
3/12/10  
Date

Michael Tognolini  
Signature of Authorized Representative  
Michael T. Tognolini  
Manager of Water Supply Improvements  
Title

**2. Certification of Engineer**

I certify that I have checked and verified the foregoing Claim for Reimbursement (Itemized); that to the best of my knowledge and belief it is a true and correct statement of work performed and/or material included in this claim; has been inspected by me and/or by my duly authorized representative or assistants and that it has been performed and/or supplied in full accordance with requirements of the referenced contract; and that partial payment claimed and requested by the contractor is correctly computed on the basis of work performed and/or material supplied to date.

John Z. Hall  
Signature Engineer

C36523 Registration Number 9/18/2008 Date

**3. Request for Payment by Public Agency or Water Company**

The construction of the project is progressing satisfactorily, and to the best of my knowledge the amounts contained in the foregoing Claim for Reimbursement (Itemized) are true and correct statements of actual costs incurred for work performed and I hereby request payment of funds from the Safe Drinking Water State Revolving Fund in the amount of \$ 2,550,000.00 for reimbursement of eligible project costs estimated above.

Michael Tognolini Signature 9/18/08 Date