

**SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT**

REGULAR MEETING OF BOARD OF DIRECTORS

August 19, 2021

3:00 P.M.

11301 E. Conejo Avenue, Kingsburg, CA 93631

THE BOARD OF DIRECTORS HAS RESUMED MEETINGS IN PERSON. PER PROVISIONS OF EXECUTIVE ORDERS N-25-20 AND N-29-20 ISSUED BY THE GOVERNOR'S OFFICE, THE MEETING WILL ALSO BE AVAILABLE REMOTELY FOR DIRECTORS AND MEMBERS OF THE PUBLIC.

- Members of the public may participate in the meeting remotely by calling 1-805-250-9182 and entering Passcode 997 479 950# at the prompt. They may also attend in person. Comments may also be submitted by email prior to the meeting at akirk@skfcsd.org
- Every effort will be made to read email comments into the record, but repetitive comments may not be read due to time constraints.

Thank you for taking all precautions to prevent the spreading of the COVID-19 virus.

1. CALL TO ORDER AND ROLL CALL

DIRECTORS

Nathan Magsig
Sarah Guerra
David Cárdenas
Buddy Mendes, Vice Chair
Michelle Roman, Chairwoman

STAFF and CONSULTANTS

Ben Muñoz, Jr., General Manager/ Secretary
Alicia Kirk, Executive Assistant to the G.M.
Tricia Miller, Administrative Services/HR Manager
Hilda Cantú Montoy, General Counsel
Veronica Cazares, District Engineer
Scott Aguiar, Operations Supervisor
David Bacon, Information Systems Analyst

2. APPROVAL OF AGENDA

Additions, deletions, substitutions, and adoption of agenda

3. PUBLIC FORUM

At this time, any member of the public may address the Board regarding any item not on the agenda, over which the Board has jurisdiction. No action or discussion will be taken on any item not on the agenda, except to briefly respond to statements or questions by the public. Members of the public shall limit their remarks to three minutes.

4. CONSENT CALENDAR

Items placed on the consent calendar are considered routine in nature. They may be approved by one motion, second and majority vote. Any Board member or member of the public may request removal of any item from the consent calendar for independent consideration.

- A. Minutes of Regular Board Meeting July 8, 2021. *(p.4)*
- B. Warrant List Reports of July 8, 2021 and July 21, 2021. *(p.8)*
- C. Cash Activity Report of July 31, 2021. *(p.11)*

5. UNFINISHED BUSINESS

- A. None.

6. NEW BUSINESS

- A. The Board will consider approval of a professional services agreement with Sampson, Sampson, & Patterson, LLP for auditing services for fiscal year ending June 30, 2021 for \$22,500, for fiscal year ending June 30, 2022 for \$22,750; and for fiscal year ending June 30, 2023 for \$23,000 and authorize the General Manager to execute the agreement. *(p.12) Staff Report Prepared By: Tricia Miller, Administrative Services/HR Manager*

- B. The Board will consider approving the Third Amendment to the Consulting Services Agreement with MKN and Associates Relating to Construction Management and Inspection for District Lift Station Refurbishment D4 and authorize the General Manager to execute the agreement. *(p.13) Staff Report Prepared By: Veronica Cazares, District Engineer.*

7. BOARD MEMBER COMMUNICATION/AGENDA ITEMS

- A. Board members may suggest future agenda items or may give reports.

8. GENERAL MANAGER REPORTS

A. None.

9. CLOSED SESSION

A. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9(d)(2) SW Construction Inc. v. Selma-Kingsburg-Fowler County Sanitation District

10. ADJOURNMENT

Motion to Adjourn

Next Regular Meeting: Thursday, September 9, 2021 at 4:00 p.m.

Next Ordinance: 2021-01

Next Resolution: 2021-08

NOTICE OF AVAILABILITY OF AGENDA MATERIALS: Any writings or documents provided to a majority of the Board of Directors regarding any item on this agenda will be made available for public inspection at the District Office located at 11301 E. Conejo Ave., Kingsburg, CA 93631 during normal business hours of 8:00 a.m. – 4:30 p.m., Mondays through Fridays. Such writings or documents will also be made available on the District website at www.skfcsd.org.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Alicia Kirk at (559) 897-6500 ext. 213. Notification of at least 48 hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to the meeting

**SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT**

**MINUTES OF THE REGULAR BOARD MEETING OF BOARD
MEETING
JULY 8, 2021**

CALL TO ORDER AND ROLL CALL

The Board Meeting of the Selma-Kingsburg-Fowler County Sanitation District was called to order at 4:03 p.m. by Chairwoman Roman.

DIRECTORS

Nathan Magsig (P)@4:15
Sarah Guerra (P)
David Cárdenas (P)@4:07
Buddy Mendes, Vice Chair (P)
Michelle Roman, Chairwoman (P)

STAFF and CONSULTANTS

Ben Muñoz, Jr., General Manager/Secretary
Alicia Kirk, Executive Assistant to the G.M.
Hilda Cantú Montoy, General Counsel
Tricia Miller, Administrative Services/HR Manager
David Bacon, Information Systems Analyst

APPROVAL OF AGENDA

There being no comment from the public, a motion to approve the agenda of the Regular Board meeting of July 8, 2021 was made by Director Mendes, and seconded by Director Guerra, and approved by the following vote:

AYE: Directors Guerra, Vice Chair Mendes, Chairwoman Roman

NO:

ABSENT: Directors Magsig ,Cárdenas

ABSTAIN:

PUBLIC FORUM

None

CONSENT CALENDAR

Items placed on the consent calendar are considered routine in nature. They may be approved by one motion, second and majority vote. Any Board member or member of the public may request removal of any item from the consent calendar for independent consideration.

- A. Minutes of Regular Board Meeting June 10, 2021. (p.4)
- B. Warrant List Reports of June 9, 2021 and June 23, 2021. (p.9)
- C. Cash Activity Report of June 30, 2021. (p.13)

There being no comment from the public, a motion to approve the consent calendar was made by Director Mendes, seconded by Director Guerra, and approved by the following vote:

AYE: Directors Guerra, Vice Chair Mendes, Chairwoman Roman
NO:
ABSENT: Directors Magsig ,Cárdenas
ABSTAIN:

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. The Board will consider approving the amendment for Peters Engineering Group of Clovis, CA for engineering, construction support and administration of the Adams Avenue Sewer Improvement Project, increasing the fee for construction staking services in the amount of \$10,000.00, bringing the total to \$42,084.00; and authorize General Manager Muñoz to execute the necessary agreements. (p.14) Staff Report prepared by Veronica Cazares, District Engineer.

The proposed First Amendment to the agreement with Peters Engineering Group is related to a cost increase for construction staking services that was not identified in the original scope. Staff recommends a cost increase for construction staking services for the Adams Avenue Sewer Improvements in the amount of \$10,000. The previously approved fee was \$32,084.00. The total for this project will be \$42,084.00. The cost increase is to be funded from Fowler Collection System Capital R&R G/L 8013-305-05.

There being no comment from the public, a motion to approve the amendment for Peters Engineering Group of Clovis, CA for engineering, construction support and administration of the Adams Avenue Sewer Improvement Project, increasing the fee for construction staking services in the amount of \$10,000.00, bringing the total to \$42,084.00; and authorize General Manager Muñoz to execute the necessary agreements was made by Director Guerra, and seconded by Director Cárdenas, and approved by the following vote:

AYE: Directors Guerra, Cárdenas ,Vice Chair Mendes, Chairwoman Roman
NO:
ABSENT: Director Magsig
ABSTAIN:

- B. The Board will consider approving amending the FY 2021/22 Budget to add Account # 8173-203-02 in the amount of \$33,000.00 for replacement of Engineering Vehicle V-27, Ford F150. (p.17) Staff Report prepared by Veronica Cazares, District Engineer.

The 2002 Ford F150 (V27, Engineering Department) vehicle transmission is in need of replacement. The Maintenance Department has determined that it is more economical to replace the vehicle due to the repair cost, mileage (140,834 miles), and age. The vehicle was due to be replaced in fiscal year 2023. The budget needs to be amended to add Account # 8173-203-02 and add \$33,000 to the FY 2021/22 Budget. This will affect only the District R&R fund by the cost of the project.

There being no comment from the public, a motion to approve amending the FY 2021/22 Budget to add Account # 8173-203-02 in the amount of \$33,000.00 for replacement of Engineering Vehicle V-27, Ford F150 was made by Director Mendes, and seconded by Director Guerra, and approved by the following vote:

AYE: Directors Guerra, Cárdenas ,Vice Chair Mendes, Chairwoman Roman
NO:
ABSENT: Director Magsig
ABSTAIN:

BOARD MEMBER COMMUNICATION/AGENDA ITEMS

None

GENERAL MANAGER REPORTS

Reservations have been made for the 2021 Annual CASA Conference in San Diego, CA.

The August 12th, 2021 Regular Board meeting will be rescheduled to August 19th at 3:00 p.m. due to the 2021 CASA Conference.

Interim Selma City Manager came on site to join the meeting

ADJOURNMENT

There being no further business to come before the Board, Chairwoman Roman declared the meeting adjourned on a motion made by Director Mendes, and seconded by Director Magsig, and approved by a unanimous voice vote at 4:16 p.m.

Respectfully submitted,

Approved,

Ben Muñoz, Jr. General Manager/
Secretary of the Board

Michelle Roman
Chairwoman of the Board

SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT
WARRANT LIST & SALARY AND FRINGE BENEFIT EXPENDITURE SUMMARY
FOR THE MONTH ENDED JULY 31, 2021

SERVICE AND SUPPLIES EXPENDITURES:

WARRANT LIST ENDING	7/8/2021	\$	254,310.33
WARRANT LIST ENDING	7/21/2021	\$	331,914.30
			586,224.63
SUBTOTAL SERVICE AND SUPPLIES EXPENDITURES			\$ 586,224.63

SALARIES, PERS AND HEALTH INSURANCE EXPENDITURES

TOTAL SALARIES ENDING	7/4/2021	\$	66,451.73
TOTAL SALARIES ENDING	7/18/2021	\$	70,825.88
			137,277.61
SUBTOTAL SALARIES			\$ 137,277.61

TOTAL PERS (EMPLOYERS PORTION)	7/4/2021		8,608.62
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	7/4/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	7/4/2021		16,285.28
TOTAL PERS (EMPLOYERS PORTION)	7/18/2021		8,801.58
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	7/18/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	7/18/2021		16,285.28
SUBTOTAL PERS AND HEALTH INSURANCE EXPENDITURES			\$ 49,980.76
GRAND TOTAL			\$ 773,483.00

**SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT**

July 08, 2021

WARRANT LIST

4 CREEKS INC.	18TH AVE LIFT STATION REFURBISHMENT	369.50
AGUIAR, SCOTT	TRAVEL & TRAINING REIMBURSEMENT	120.00
ALLIANT INSURANCE SERVICES	GENERAL INSURANCE	2,132.00
AMERICAN EXPRESS	TRAVEL & TRAINING, OUTREACH, NOTARY SERVICE	2,447.60
AMERIPRIDE	UNIFORMS, MATS, MOPS, TOWELS	981.92
ARMANDO BLANCAS	RETIREE HEALTH REIMBURSEMENT	168.56
ARNOLD, STEPHEN	RETIREE HEALTH REIMBURSEMENT	168.56
BACON, DAVID	WELLNESS PROGRAM REIMBURSEMENT	40.00
BSK ASSOCIATES	EXTERNAL LAB SERVICES	625.00
CALPERS	RETIREMENT	46,688.08
CALPERS HEALTH	HEALTH INSURANCE	36,805.99
CWEA	MEMBERSHIPS	576.00
DAVID MICHEL	RETIREE HEALTH REIMBURSEMENT	168.56
DONNA STUCKY	RETIREE HEALTH REIMBURSEMENT	181.48
DSD BUSINESS SYSTEMS	SOFTWARE SUPPORT	828.75
ELECTRIC MOTOR SHOP, INC.	EQUIPMENT MAINTENANCE	115.16
ELIDIO SILVA	EQUIPMENT MAINTENANCE	92.68
FISHER SCIENTIFIC	SAFETY SUPPLIES	153.25
FRESNO COUNTY TREASURER	CHEMICALS	375.75
GARY HELM	RETIREE HEALTH REIMBURSEMENT	168.56
GISELA ROSALES	EQUIPMENT MAINTENANCE	150.00
HOME DEPOT CREDIT SERVICES	BUILDING & GROUNDS MAINTENANCE	253.19
JAIME RUIZ	RETIREE HEALTH REIMBURSEMENT	168.56
JAMES HORNE	RETIREE HEALTH REIMBURSEMENT	168.56
JIM OLINGER	RETIREE HEALTH REIMBURSEMENT	168.56
JIMENEZ, GABRIEL	CERTIFICATION REIMBURSEMENT	91.00
JIMMY GARCIA	RETIREE HEALTH REIMBURSEMENT	424.87
LAURA VOSS	WELLNESS PROGRAM REIMBURSEMENT	40.00
LIEBERT CASSIDY WHITMORE	MEMBERSHIPS	1,630.00
LUCERO, JULIAN	RETIREE HEALTH REIMBURSEMENT	168.56
MICHAEL FONG	RETIREE HEALTH REIMBURSEMENT	206.97
MID VALLEY DISPOSAL	WASTE DISPOSAL UTILITIES	877.51
MKN	NORTH ST. PUMP STATION PANEL REPLACEMENT	231.75
NAPA AUTO PARTS	EQUIPMENT MAINTENANCE	124.10
NELSON'S ACE HARDWARE	SMALL TOOLS, EQUIPMENT MAINTENANCE	349.12
NORTH AMERICAN BENEFITS CO	LIFE INSURANCE	436.96
PACIFIC GAS & ELECTRIC COMPANY	18TH AVE D4 LIFT STATION REFURBISHMENT	2,489.43
PG&E	ELECTRIC UTILITIES	16,853.52
QUADIENT LEASING USA, INC.	RENT & LEASE EQUIPMENT	717.42
ROBERT CURRIE	RETIREE HEALTH REIMBURSEMENT	168.56
SALLY RODRIGUEZ	RETIREE HEALTH REIMBURSEMENT	168.56
SARA J. STAUNTON	RETIREE HEALTH REIMBURSEMENT	168.56
STAPLES CREDIT PLAN	OFFICE SUPPLIES	570.76
STEVE JENSEN	RETIREE HEALTH REIMBURSEMENT	181.48
SW CONSTRUCTION INC.	18TH AVE D4 LIFT STATION REFURBISHMENT	117,125.31
TARGET SPECIALTY	CHEMICALS	630.46
TELSTAR INSTRUMENTS, INC.	EQUIPMENT MAINTENANCE	6,262.67
TOTAL COMPENSATION SYSTEMS	OPEB VALUATION SERVICES	1,800.00
TRANSWESTERN INS ADMIN	DENTAL / VISION INSURANCE	2,317.00
UNWIRED BROADBAND, INC.	COMMUNICATIONS	749.99
VALLEY SECURITY ALARM	COMMUNICATIONS	657.00
VIDEO INSPECTION SPECIALISTS	KINGSBURG MISCELLANEOUS SEWER LINE REPAIRS	4,752.50

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MAS 200 Total Checks

\$254,310.33

**SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT**

**July 21, 2021
WARRANT LIST**

*CARDENAS, DAVID	DIRECTOR'S FEE	127.63
ALL STAR GLASS	EQUIPMENT REPAIRS & MAINTENANCE	276.28
ARAMARK	UNIFORMS,MATS,MOPS,TOWELS	978.42
BPS SUPPLY GROUP	EQUIPMENT REPAIRS & MAINTENANCE	723.31
BSK ASSOCIATES	EXTERNAL LAB SERVICES	2,350.00
CALIFORNIA DEPARTMENT OF TAX & FEE ADMIN	USE TAX	696.00
CALIFORNIA WATER SERVICE	WATER UTILITIES	36.26
CALPERS HEALTH	HEALTH INSURANCE	36,808.87
CENTRAL VALLEY CULLIGAN, INC.	DRINKING WATER, LAB SUPPLIES	245.00
COMCAST	COMMUNICATIONS	109.95
CSRMA	WORKERS COMP INSURANCE, GENERAL INSURANCE	248,842.05
CWEA	MEMBERSHIPS	384.00
DATCO	PROFESSIONAL MEDICAL SERVICES	292.50
ERNEST C MENDES	DIRECTOR'S FEE	127.63
FAMILY HEALTHCARE NETWORK	PROFESSIONAL MEDICAL SERVICES	95.01
FISHER SCIENTIFIC	LAB SUPPLIES	2,915.97
GONZALES, RALPH	CERTIFICATION FEE REIMBURSEMENT	96.00
HCL MACHINE WORKS	EQUIPMENT REPAIRS & MAINTENANCE	746.94
HOME DEPOT CREDIT SERVICES	BUILDING & GROUNDS MAINTENANCE	270.20
KENNETH D. SCHMIDT	PROFESSIONAL ENGINEERING SERVICES	1,365.56
KINGSBURG, CITY OF	WATER UTILITIES	64.50
MICHELLE ROMAN	DIRECTOR'S FEE	127.63
MID VALLEY DISPOSAL	WASTE UTILITIES	210.00
MORGAN BROTHERS INC	PEST CONTROL	149.00
NAPA AUTO PARTS	EQUIPMENT REPAIRS & MAINTENANCE	1,049.45
NATHAN MAGSIG	DIRECTOR'S FEE	127.63
NELSON'S ACE HARDWARE	SAFETY SUPPLIES	10.84
NICK'S CUSTOM GOLF CARS	EQUIPMENT REPAIRS & MAINTENANCE	363.58
NORTH AMERICAN BENEFITS CO	LIFE INSURANCE	409.36
ROBERT V JENSEN, INC.	LUBRICANTS	4,347.55
SAM'S SHOE STORE	SAFETY SUPPLIES	152.04
SARAH GUERRA	DIRECTOR'S FEE	127.63
SILVAS OIL CO. INC.	FUEL	2,933.93
STEINHAUER, KAREN	CERT FEE REIMB., LAB SUPPLIES REIMB.	171.92
SWRCB-ELAP FEES	PERMIT FEES	2,800.00
SYNCB/AMAZON	INFORMATION SYSTEMS, EMPLOYEE RECOGNITION PROGRAM	245.45
TELSTAR INSTRUMENTS, INC.	EQUIPMENT REPAIRS & MAINTENANCE	3,582.55
THE GAS CO	GAS UTILITIES	61.57
THOMAS & ASSOCIATES	EQUIPMENT REPAIRS & MAINTENANCE	8,022.17
TOSHIBA FINANCIAL SERVICES	COPIER LEASES	642.44
TRANSWESTERN INS ADMIN	DENTAL / VISION INSURANCE	4,017.37
VERIZON WIRELESS	COMMUNICATIONS	1,068.99
WILSON FIRE SPIRNKLER CO INC.	EQUIPMENT REPAIRS & MAINTENANCE	3,495.00
ZEE MEDICAL SERVICE	SAFETY SUPPLIES	246.12

MAS 200 Total Checks

\$331,914.30

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SKF COUNTY SANITATION DISTRICT
 CASH ACTIVITY REPORT
 Month: JULY
 Fiscal Year: 2021-22

Cash Account Description	End of Month Cash Balance as of June 30, 2021	End of Month Cash Balance 7/31/2021
Cash in Treasury: Operations & Maintenance	\$ 4,849,753.43	\$ 4,470,868.70
Cash in Bank: Operations & Maintenance	\$ 29,164.97	\$ 29,206.04
Cash in Bank: Payroll	\$ 202.85	\$ 202.87
Petty Cash	\$ 700.00	\$ 700.00
Total Operations & Maintenance	\$ 4,879,821.25	\$ 4,500,977.61
Cash in County Treasury:Expansion	\$ 3,355,773.82	\$ 3,504,914.92
Cash in County Treasury: R&R	\$ 2,916,929.82	\$ 2,854,418.72
Cash in County Treasury:Selma	\$ 2,086,379.20	\$ 2,101,214.66
Cash in County Treasury:Kingsburg	\$ 2,948,693.41	\$ 2,958,030.19
Cash in County Treasury:Fowler	\$ 1,614,363.12	\$ 1,630,500.82
Total Cash Balance	\$ 17,801,960.62	\$ 17,550,056.92

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MEMORANDUM
(August 19, 2021)

To: S-K-F CSD Board of Directors
From: Ben Muñoz, Jr., General Manager
Date Prepared: July 27, 2021
Staff Report Prepared By: Tricia Miller, Administrative Services/HR Manager
Subject: Professional Services Agreement for Auditing Services

Agenda Item: 6-A
Action: Action

DIRECTORS' SUMMARY

Staff has solicited proposals for a three-year agreement for independent auditing services from several accounting firms. Two firms responded. Staff recommends accepting the proposal from Sampson, Sampson & Patterson, LLP for total fees not to exceed \$68,250.

STAFF RECOMMENDATION

Staff recommends that the Board approve the professional services agreement with Sampson, Sampson, & Patterson, LLP for auditing services for fiscal year ending June 30, 2021 for \$22,500, for fiscal year ending June 30, 2022 for \$22,750; and for fiscal year ending June 30, 2023 for \$23,000 and authorize the General Manager to execute the agreement.

ACTION

Motion to approve the professional services agreement with Sampson, Sampson, & Patterson, LLP for auditing services for fiscal year ending June 30, 2021 for \$22,500, for fiscal year ending June 30, 2022 for \$22,750; and for fiscal year ending June 30, 2023 for \$23,000 and authorize the General Manager to execute the agreement.

BACKGROUND

In July 2021, staff solicited competitive proposals from qualified accounting firms to provide auditing services for the District. Two proposals were received by the deadline of July 23, 2021, Sampson, Sampson & Patterson, LLP and Price Paige & Company Accountancy Corporation.

Sampson, Sampson & Patterson, LLP submitted a fee proposal with a total of \$68,250 over the three-year term and Price Paige & Company submitted a fee proposal of \$92,720 over the three-year term. Both proposals include the Annual Report to the State Controller's Office.

	Sampson, Sampson & Patterson, LLP	Price Paige & Company
FYE 2021	\$22,500	\$30,500
FYE 2022	\$22,750	\$30,500
FYE 2023	<u>\$23,000</u>	<u>\$31,720</u>
TOTAL	\$68,250	\$92,720

Both proposals were comparable. I am recommending entering into an agreement with Sampson, Sampson & Patterson, LLP, as they were the lower proposer.

MEMORANDUM
(Augusts 19, 2021)

To: S-K-F CSD Board of Directors
From: Ben Muñoz, Jr., General Manager
Date Memo Prepared: July 29, 2021
Staff Report Prepared By: Veronica Cazares, District Engineer

Agenda Item: 6-B
Action: Motion

SUBJECT: Third Amendment to the Consulting Services Agreement with MKN and Associates Relating to Construction Management and Inspection for District Lift Station Refurbishment D4

DIRECTORS' SUMMARY

On June 26, 2020 the District and MKN and Associates entered into a Consulting Services Agreement ("Agreement") for on call consulting services. On August 13, 2020, the District and MKN and Associates entered into a First Amendment to the Agreement which included the following projects: (i) Construction Management and Inspection for District Lift Station Refurbishment D4; (ii) Sewer Improvement Willow/Thompson & Floral and Chandler, Tucker/E. Front & 2nd/Center in Selma, Tulare Street Alley in Kingsburg, East Fresno Street Alley (iii) North St. PS Panel Replacement. On February 11, 2021, the District and MKN entered a Second Amendment to the Agreement increasing the amount of the Agreement to \$96,042.22.

The proposed Third Amendment to the current on-call consulting services agreement with MKN and Associates is related to a proposed increase in cost for construction management services specifically for construction management services for District Lift Station Refurbishment D4. Staff recommends amending the Agreement: (i) to allow for the cost increase for construction management services for the District Lift Station Refurbishment D4 in the amount of \$57,800 and (ii) to extend the Agreement through fiscal year 2022. This will bring the total cost for the Agreement including all amendments to \$153,842.20. The cost increase is to be funded from District R&R, 8155-203-02, District Expansion 8071-203-01.

The cost increase is for additional observation. The construction is taking longer than anticipated, including delays and coordination with PG&E.

STAFF RECOMMENDATION

General Manager Muñoz recommends that the Board approve the Third Amendment to the Consulting Services Agreement with MKN and Associates to extend the Agreement to June 30, 2022 and to increase the contract amount by \$57,800 for a total cost of \$153,842.20. and authorize the General Manager to execute the Third Amendment to Agreement.

ACTION

Motion to approve the Third Amendment to the Consulting Services Agreement with MKN and Associates to extend the Agreement to June 30, 2022, and to increase the contract amount by \$57,800 for a total contract cost of \$153,842.20 and authorize the General Manager to execute the Third Amendment to Agreement for on call consulting services.

BACKGROUND

The Board of Directors approved a consulting service agreement for on call engineering services with MKN and Associates in March 2020. Each on call request for engineering services will begin with a

proposal that outlines the services to be provided and an hourly not to exceed cost. The complexity of each proposal will be tailored to match the services to be provided and brought before the Board of Directors for approval. On call services to include capital project engineering and construction management services for fiscal year 2020 and 2021.

On June 26, 2020 the District and MKN and Associates entered into a Consulting Services Agreement for on call consulting services. On August 13, 2020, the District and MKN and Associates entered into a First Amendment to the Consulting Services Agreement which include the following projects: (i) Construction Management and Inspection for District Lift Station Refurbishment D4; (ii) Sewer Improvement Willow/Thompson & Floral and Chandler, Tucker/E. Front & 2nd/Center in Selma, Tulare Street Alley in Kingsburg, East Fresno Street Alley (iii) North St. PS Panel Replacement.

The Second Amendment to the Agreement increased the cost by \$20,337.22. The construction management and inspection of the District Lift Station Refurbishment D4 was approved at the February 11, 2021 Board meeting. The cost increase is for additional observation. The contractor's construction is taking longer than anticipated, including delays and coordination with PG&E.

The proposed Third Amendment extension is recommended because the District completed two projects in coordination with member city paving projects in FY 2020-2021 that were not part of the budget, sewer installation inspection of several developments, and construction of the District Lift Station Project.

Previously approved projects and amounts:

	Design and Construction Support	Construction Management/Inspection	Fund
Construction Management and Inspection for District Lift Station Refurbishment D4		\$96,042.22	District R&R, 8155-203-02, District Expansion 8071-203-01
Sewer Improvement Willow/Thompson & Floral and Chandler, Tucker/E. Front & 2 nd /Center in Selma, Tulare Street Alley in Kingsburg, East Fresno Street Alley	\$126,982	\$30,513*	City of Selma R/R 8022-305-03 and 8023-305-03, City of Kingsburg R&R 8019-305-04, City of Fowler R&R 8012-305-05.
North St. PS Panel Replacement	\$14,405		District R&R 8164-203-02
Total not to exceed cost	\$217,092		

*This item was not approved by the Board; however, the cost of construction management and inspection is presented here as a planning tool in the event staff availability is impacted by COVID-19 during construction of the project.

Attachments: Third Amendment to consulting services agreement between the SKFCSD and MKN and Associates

**THIRD AMENDMENT TO
CONSULTING SERVICES AGREEMENT BETWEEN
SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT AND
MKN AND ASSOCIATES**

This Third Amendment to Consulting Services Agreement Between Selma-Kingsburg-Fowler County Sanitation District (“Third Amendment”) is effective as of _____ by and between Selma-Kingsburg-Fowler County Sanitation District, (hereinafter called “District”) and MKN and Associates (hereinafter called “Consulting Engineer”). District and Consulting Engineer are each a “Party” and collectively the “Parties.

Whereas, the District and Consulting Engineer entered into a Consulting Services Agreement effective June 26, 2020 (the “Agreement”); and

Whereas, the Scope of Services provides for on call general engineering services; and

Whereas, on August 13, 2020, the District and Consulting Engineer entered into a First Amendment to the Consulting Services Agreement which include the following projects: (i) Construction Management and Inspection for District Lift Station Refurbishment D4; (ii) Sewer Improvement Willow/Thompson & Floral and Chandler, Tucker/E. Front & 2nd/Center in Selma, Tulare Street Alley in Kingsburg, East Fresno Street Alley (iii) North St. PS Panel Replacement; and

Whereas, on February 11, 2021, the District and Consulting Engineer entered into a Second Amendment to the Consulting Services Agreement increasing the amount of the Agreement to \$96,042.22; and

Whereas, the Parties desire to further amend the Agreement to reflect a cost increase for the Construction Management and Inspection for District Lift Station Refurbishment D4; and

Whereas, the cost increase is for additional hours of observation, PG&E coordination and facilitation; and

Whereas, the District and Consulting Engineer agree that the Agreement should be extended through June 30, 2022 to finalize the projects mentioned in this amendment; and the extension of time is due to the District completing two projects in coordination with member city paving projects in FY 2020-2021 that were not part of the budget, sewer installation inspection of several developments, and construction of the District Lift Station Project; and

Whereas, the cost increase is \$57,800 for a total cost of \$153,842.20.

Now, therefore, District and Consulting Engineer agree as follows.

1. The foregoing recitals are expressly made a part of this Agreement.
2. The Agreement is amended to include the increased cost of \$57,800 and Exhibit A of the Agreement is hereby amended to include the scope of work as shown therein by new Exhibit A which is attached hereto and incorporated herein by reference.
3. Except as amended by this Third Amendment, the Agreement, as amended by the First and Second Amendment remains unchanged and in full force and effect.

IN WITNESS THEREOF, the Parties hereto amend the Agreement as follows:

**SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT**

MKN and Associates

By: _____
Ben Muñoz, Jr.

General Manager

Date: _____

By: _____

_____ Title

Date: _____

Any Applicable Professional License:

Number: _____

Name: _____

Date of Issue: _____