

**Donner Summit Public Utility District
Board of Directors Regular Meeting
Agenda
Tuesday, August 16, 2022 - 6:00 P.M.
DSPUD Office, 53823 Sherritt Lane, Soda Springs California**

For the Regular Meeting (Section 54954), August 16, 2022 at 6:00 P.M., the meeting will be conducted via Zoom due to the COVID-19 pandemic and in accordance with Governor Newsom's Executive Order N-29-20 and Assembly Bill 361. **The Zoom Webinar ID 864 1007 6181 Password 621782 If your computer does not have audio or visual capabilities, you may participate in the meeting by phone 1 669-900-6833.**

Any member of the public desiring to address the Board on any matter within the Jurisdictional Authority of the District or on a matter on the Agenda before or during the Boards consideration of that item may do so **by logging into Zoom and using the meeting ID and password or dial in only number referenced above.** After receiving recognition from the Board President, please give your Name and Address (City) and your comments or questions.

Unless specifically noted, the Board of Directors may act upon all items on the agenda.

1. Call to Order

2. Roll Call

3. Clear the Agenda

4. Public Participation – *This is time set aside for the public to address the Board on any matter not on the agenda. Comments related to any item already on the agenda should be addressed at the time that that item is considered. Each speaker will be limited to five minutes, but speaker time may be reduced at the discretion of the Board President if there are a large number of speakers on any given subject.*

5. Consent Calendar

All items listed under the Consent Calendar are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless a member of the Board requests an item to be removed from the Consent Calendar for a separate action. Any items removed will be considered after the motion to approve the Consent Calendar.

A. Approve Finance Report for August 16, 2022

- 1. Cash Disbursements–General, Month of July**
- 2. Cash Disbursements–Payroll, Month of July**
- 3. Schedule of Cash and Reserves, June**
- 4. Accountants Financial Statements, June**

B. Approve Regular Meeting Minutes July 19, 2022

C. Approve Special Meeting Minutes July 27, 2022

D. Approve Monthly Safety Meeting Minutes – July, 2022

6. Department Reports

A. Administration - Steven Palmer, General Manager

B. Operations and Maintenance Summary, July

7. Action Items

- A. Adopt a Resolution to Continue Remote Board Meetings in Accordance with Assembly Bill 361**

- B. Adopt Resolutions Electing to Become Subject to the Uniform Public Construction Cost Accounting Act and Approving the Revised Purchasing Policy**

8. Director Reports: *In accordance with Government Code Section 54954.2(a), Directors may make brief announcements or brief reports on their own activities (concerning the District). They may ask questions for clarification make a referral to staff or take action to have staff place a matter of business on a future agenda.*

9. Adjournment

Schedule of Upcoming Meetings

- Regular Meeting – September 20, 2022
- Regular Meeting – October 18, 2022
- Regular Meeting – November 15, 2022

We certify that on August 12, 2022, a copy of this agenda was posted in public view at 53823 Sherritt Lane Soda Springs, California, and the Soda Springs/Norden Post Office.



Deleane Mehler
Administrative Assistant

Steven Palmer
General Manager

August 16, 2022
Agenda Item: 5A.1

**Donner Summit Public Utility District
Check List**

**August 16, 2022
Agenda Item: 5A.1**

All Bank Accounts
July 1, 2022 - July 31, 2022

Check Number	Check Date	Payee	Amount
Vendor Checks			
10989	07/13/22	ALHAMBRA & SIERRA SPRINGS	35.00
10990	07/13/22	EVERS LAW GROUP	925.00
10991	07/13/22	FED-EX	8.06
10992	07/13/22	GLOBAL OFFICE	121.68
10993	07/13/22	GRAINGER	231.00
10994	07/13/22	HACH COMPANY	136.57
10995	07/13/22	CATHERINE HANSFORD	386.25
10996	07/13/22	HUBER TECHNOLOGY, INC.	1,200.00
10997	07/13/22	THE OFFICE BOSS, INC.	47.52
10998	07/13/22	PANDO PUBLIC RELATIONS	1,878.74
10999	07/13/22	PARAGON PEST CONTROL	65.00
11000	07/13/22	PITNEY BOWES PURCHASE POWER	200.00
11001	07/13/22	SIERRA MOUNTAIN PIPE & SUPPLY	22.03
11002	07/13/22	THE OFFICE BOSS, INC.	146.53
11003	07/13/22	SIERRA MOUNTAIN PIPE & SUPPLY	3,633.99
11004	07/13/22	SOUTH YUBA RIVER CITIZENS LEAGUE	1,000.00
11005	07/13/22	SUMMIT HOME CARE	400.00
11006	07/13/22	TAHOE TRUCKEE SIERRA DISPOSAL-BIN	4,943.61
11007	07/13/22	THATCHER COMPANY OF NEVADA, INC.	1,952.63
11008	07/13/22	UNITED RENTALS (NORTH AMERICA), INC.	1,140.04
11009	07/13/22	USA BLUEBOOK	237.75
11010	07/13/22	EMPLOYER DRIVEN SOLUTIONS	49.50
11011	07/13/22	EMPLOYER DRIVEN SOLUTIONS	175.50
11012	07/13/22	EMPLOYER DRIVEN SOLUTIONS	80.00
11013	07/13/22	HACH COMPANY	436.28
11014	07/13/22	NORTHERN SIERRA AIR QUALITY MGMT	153.46
11015	07/13/22	NORTHERN SIERRA AIR QUALITY MGMT	155.88
11016	07/13/22	UNITED STATES POSTAL SERVICE	102.00
11017	07/13/22	WESTERN NEVADA SUPPLY COMPANY	408.17
11018	07/27/22	UNIVAR SOLUTIONS	4,139.42
11019	07/27/22	PG&E COMPANY	19,903.90
11020	07/27/22	PG&E COMPANY	4,228.98
11021	07/27/22	PG&E COMPANY	2,021.25
11022	07/27/22	PG&E COMPANY	697.39
11023	07/27/22	AT&T	46.43
11024	07/27/22	CPS HR CONSULTING	3,350.00
11025	07/27/22	HERC RENTALS	2,652.49
11026	07/27/22	HERC RENTALS	2,652.49
11027	07/27/22	BARNARD, VOGLER & CO.	3,653.55
11028	07/27/22	BLUE SHIELD OF CALIFORNIA	11,029.39
11029	07/27/22	HUMANA DENTAL INS. CO.	1,456.27
11030	07/27/22	JOSH SHELTON	230.00
11031	07/27/22	PRINCIPAL LIFE INSURANCE COMPANY	794.55
11032	07/27/22	CORBIN WILLITS SYSTEMS, INC.	431.36
11033	07/27/22	GRAINGER	2,245.36
11034	07/27/22	GRAINGER	2,506.74
11035	07/27/22	SIERRA MOUNTAIN PIPE & SUPPLY	1,359.22
11036	07/27/22	SIERRA MOUNTAIN PIPE & SUPPLY	916.01
11037	07/27/22	SIERRA MOUNTAIN PIPE & SUPPLY	654.84
11038	07/27/22	TRUCKEE NAPA AUTO PARTS	48.02
11039	07/27/22	TRUCKEE NAPA AUTO PARTS	35.71
11040	07/27/22	THE OFFICE BOSS, INC.	7.56
11041	07/27/22	USA BLUEBOOK	1,122.98
11042	07/27/22	TRUCKEE SANITARY DISTRICT	912.18
11043	07/27/22	49ER WATER SERVICES	4,410.00
11044	07/27/22	49ER WATER SERVICES	120.00
11045	07/27/22	TUCKER SNO-CAT CORP	24,437.27

Donner Summit Public Utility District
Check List

August 16, 2022
Agenda Item: 5A.1

All Bank Accounts
July 1, 2022 - July 31, 2022

Check Number	Check Date	Payee	Amount
11046	07/27/22	THATCHER COMPANY OF NEVADA, INC.	12,944.00
11047	07/27/22	UNDERGROUND SERVICE ALERT OF NORTHERN CA AND NV	583.12
11048	07/27/22	CASHMAN EQUIPMENT COMPANY	48.19
11049	07/27/22	O'REILLY AUTOMOTIVE, INC.	68.76
11050	07/27/22	AT&T	368.58
Vendor Check Total			<u>130,348.20</u>
Check List Total			<u>130,348.20</u>

Check count = 62

August 16, 2022
Agenda Item: 5A.2

PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS		
	DESCRIPTION	RATE	HOURS	EARNINGS				REIMB & OTHER PAYMENTS	
**** 30 WATER SEWER King, James R 49	Regular			5,910:40	Social Security	366:45	457	150:00	Direct Deposit # 4280
	Vacation		M5:00		Medicare	85:70	Garnishment	1,292:31	Check Amt 0.00
	Sick Accr-Memo				M1:85 Fed Income Tax	708:32			Chkg 730 2,853.63
	Vacation -Memo				M4:62 CA Income Tax	388:98			
					CA Disability	65:01			
	EMPLOYEE TOTAL		5:00	5,910:40		1,614:46		1,442:31	Net Pay 2,853.63
Patrick, Sean M 59	Regular	44:7800	80:00	3,582:40	Social Security	255:50	457	50:00	Direct Deposit # 4281
	Standby			270:00	Medicare	59:75			Check Amt 0.00
	Overtime	67:1700	4:00	268:68	Fed Income Tax	448:48			Chkg 717 2,991.27
					CA Income Tax	270:75			
	EMPLOYEE TOTAL		84:00	4,121:08	CA Disability	45:33			Net Pay 2,991.27
Schott, Paul A 14	Regular	48:8000	80:00	3,904:00	Social Security	272:41	457	850:00	Direct Deposit # 4282
	Standby			270:00	Medicare	63:70	Credit Un 2	150:00	Check Amt 0.00
	Overtime	73:2000	3:00	219:60	Fed Income Tax	574:21			Chkg 019 2,218.16
	Sick Accr-Memo				M1:85 CA Income Tax	216:79			
	Vacation -Memo				M6:15 CA Disability	48:33			
	EMPLOYEE TOTAL		83:00	4,393:60		1,175:44		1,000:00	Net Pay 2,218.16
Shelton, Joshua M... 64	Regular	31:5700	60:00	1,894:20	Social Security	156:59			Direct Deposit # 4283
	Vacation	31:5700	20:00	631:40	Medicare	36:63			Check Amt 0.00
					Fed Income Tax	208:11			Chkg 722 1,983.65
	EMPLOYEE TOTAL		80:00	2,525:60	CA Income Tax	112:84			Net Pay 1,983.65
Vosburgh, Justin E 57	Regular	47:2300	69:50	3,282:49	Social Security	245:42	457	200:00	Direct Deposit # 4284
	Standby			180:00	Medicare	57:40	Loan 2	171:34	Check Amt 0.00
	Sick	47:2300	10:50	495:92	Fed Income Tax	315:66			Chkg 400 2,802.10
					CA Income Tax	122:95			
	EMPLOYEE TOTAL		80:00	3,958:41	CA Disability	43:54			Net Pay 2,802.10
**** 40 BOARD MEMBER Gamick, Philip 28	Regular			250:00	Social Security	66:58			Direct Deposit # 4285
	Health Stipend			823:76	Medicare	15:57			Check Amt 0.00
					Fed Income Tax	57:76			Chkg 486 910.37
					CA Income Tax	11:67			
	EMPLOYEE TOTAL			1,073:76	CA Disability	11:81			Net Pay 910.37
Kaufman, Joan B 67	Regular			275:00	Social Security	79:92			Direct Deposit # 4286
	Health Stipend			1,014:06	Medicare	18:69			Check Amt 0.00

PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS
	DESCRIPTION	RATE	HOURS	EARNINGS			
**** 40 BOARD MEMBER (cont.) Kaufman, Joan B (cont.) 67							
					Fed Income Tax 87.01 CA Income Tax 25.94 CA Disability 14.18		Chkg 974 1,063.32
	EMPLOYEE TOTAL			1,289.06	225.74		Net Pay 1,063.32
Medveczky, Alexan... 58	Regular			250.00	Social Security 54.59 Medicare 12.77 Fed Income Tax 38.23 CA Income Tax 0.44 CA Disability 9.68		Direct Deposit # 4287 Check Amt 0.00 Chkg 111 764.70
	Health Stipend			630.41			
	EMPLOYEE TOTAL			880.41	115.71		Net Pay 764.70
Parkhurst, Dawn E 66	Regular			250.00	Social Security 54.59 Medicare 12.76 Fed Income Tax 13.43 CA Income Tax 11.36 CA Disability 9.68		Direct Deposit # 4288 Check Amt 0.00 Chkg 495 778.59
	Health Stipend			630.41			
	EMPLOYEE TOTAL			880.41	101.82		Net Pay 778.59
Preis, Cathy 44	Regular			300.00	Social Security 56.03 Medicare 13.11 Fed Income Tax 60.62 CA Income Tax 6.41 CA Disability 9.94		Direct Deposit # 4289 Check Amt 0.00 Chkg 011 757.60
	Health Stipend			603.71			
	EMPLOYEE TOTAL			903.71	146.11		Net Pay 757.60
**** 50 ADMIN Mehler, Deleane 51	Regular	39:9600	75:00	2,997.00	Social Security 198.20 ⁴⁵⁷ Medicare 46.35 Fed Income Tax 475.91 CA Income Tax 171.08 CA Disability 35.16	100:00	Direct Deposit # 4290 Check Amt 0.00 Chkg 963 2,170.10
	Sick	39:9600	5:00	199.80			
	EMPLOYEE TOTAL		80:00	3,196.80	926.70	100:00	Net Pay 2,170.10
Palmer, Steven V 65	Regular			6,731.00	Social Security 417.32 ⁴⁵⁷ Medicare 97.60 Fed Income Tax 1,406.94 CA Income Tax 522.20 CA Disability 74.04	201:93	Direct Deposit # 4291 Check Amt 0.00 Chkg 779 3,410.97 Savg 330 600.00
	EMPLOYEE TOTAL			6,731.00	2,518.10	201:93	Net Pay 4,010.97

PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS			
	DESCRIPTION	RATE	HOURS	EARNINGS				REIMB & OTHER PAYMENTS		
COMPANY TOTALS										
12 Person(s)	Regular		364.50	29,626.49	Social Security	2,223.60	457	1,551.93	Check Amt	0.00
12 Transaction(s)	Standby			720.00	Medicare	520.03	Credit Un 2	150.00	Dir Dep	23,304.46
	Overtime		7.00	488.28	Fed Income Tax	4,394.68	Garnishment	1,292.31		
	Health Stipend			3,702.35	CA Income Tax	1,861.41	Loan 2	171.34		
	Sick		15.50	695.72	CA Disability	394.48				
	Vacation		23.00	631.40						
	Sick Accr-Memo									
	Vacation -Memo				3.70					
					10.77					
	COMPANY TOTAL:		412.00	35,864.24		9,394.20		3,165.58	Net Pay	23,304.46
					<i>Employer Liabilities</i>					
					Social Security	2,223.58				
					Medicare	520.04				
					Fed Unemploy	19.10				
					CA Unemploy	136.94				
					CA Emp Train	3.18				
					TOTAL EMPLOYER LIABILITY	2,902.84				
					TOTAL TAX LIABILITY	12,297.04				
(IC) = Independent Contractor										

CASH REQUIREMENTS

CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR ELECTRONIC FUNDS TRANSFERS (EFT) FOR CHECK DATE 07/08/22: \$38,767.08

IMPORTANT COVID-19 INFORMATION: If you filed IRS Form 7200, please notify your Paychex representative to avoid owing a balance at the end of the quarter and ensure your Form 941 is accurate.

TRANSACTION SUMMARY

SUMMARY BY TRANSACTION TYPE -	TOTAL ELECTRONIC FUNDS TRANSFER (EFT)	38,767.08
	CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR EFT	38,767.08
	TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES	1,873.27
	CASH REQUIRED FOR CHECK DATE 07/08/22	40,640.35

TRANSACTION DETAIL

ELECTRONIC FUNDS TRANSFER - Your financial institution will initiate transfer to Paychex at or after 12:01 A.M. on transaction date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		BANK DRAFT AMOUNTS & OTHER TOTALS
07/07/22	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Direct Deposit	Net Pay Allocations	23,304.46	23,304.46
07/07/22	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Readychex®	Check Amounts	3,165.58	3,165.58
					EFT FOR 07/07/22	26,470.04
07/08/22	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Taxpay®	Employee Withholdings		
				Social Security	2,223.60	
				Medicare	520.03	
				Fed Income Tax	4,394.68	
				CA Income Tax	1,861.41	
				CA Disability	394.48	
				Total Withholdings	9,394.20	
				Employer Liabilities		
				Social Security	2,223.58	
				Medicare	520.04	
				Fed Unemploy	19.10	
				CA Unemploy	136.94	
				CA Emp Train	3.18	
				Total Liabilities	2,902.84	12,297.04
					EFT FOR 07/08/22	12,297.04
					TOTAL EFT	38,767.08

PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS	
	DESCRIPTION	RATE	HOURS	EARNINGS				REIMB & OTHER PAYMENTS
**** 30 WATER SEWER King, James R 49	Regular		M8:00	6,217.69	Social Security	393.84 ⁴⁵⁷	150.00	Direct Deposit # 4292
	Retro Pay			34.56	Medicare	92.11	Garnishment 1,292.31	Check Amt 0.00
	Holiday		M8:00		Fed Income Tax	814.37		Chkg 730 3,105.56
	Life Ins Reimb Txble			100.00	CA Income Tax	434.19		
	Vacation		M5:00		CA Disability	69.87		
	Sick Accr-Memo				M1:85			
	Vacation -Memo				M4:62			
EMPLOYEE TOTAL			93.00	6,352.25		1,804.38	1,442.31	Net Pay 3,105.56
Patrick, Sean M 59	Regular	48:0500	60:00	2,883.00	Social Security	312.50 ⁴⁵⁷	50.00	Direct Deposit # 4293
	Retro Pay			52.32	Medicare	73.09	Life Ins EE Post Tax 37.41	Check Amt 0.00
	Standby			315.00	Fed Income Tax	650.69		Chkg 717 3,496.28
	Overtime	72:0750	11:50	828.86	CA Income Tax	364.77		
	Holiday	48:0500	10:00	480.50	CA Disability	55.44		
	Vacation	48:0500	10:00	480.50				
	EMPLOYEE TOTAL			91.50	5,040.18		1,456.49	87.41
Schott, Paul A 14	Regular	51:3300	80:00	4,106.40	Social Security	335.01 ⁴⁵⁷	850.00	Direct Deposit # 4294
	Retro Pay			54.40	Medicare	78.35	Credit Un 2 150.00	Check Amt 0.00
	Standby			270.00	Fed Income Tax	815.57		Chkg 019 2,794.95
	Overtime	76:9950	4:00	307.98	CA Income Tax	320.09		
	Double Time	102:6600	0:50	51.33	CA Disability	59.44		
	Holiday	51:3300	10:00	513.30				
	Life Ins Reimb Txble			100.00				
	Sick Accr-Memo				M1:85			
Vacation -Memo				M6:15				
EMPLOYEE TOTAL			94.50	5,403.41		1,608.46	1,000.00	Net Pay 2,794.95
Shelton, Joshua M... 64	Regular	35:0400	70:00	2,452.80	Social Security	217.99		Direct Deposit # 4295
	Retro Pay			34.70	Medicare	50.98		Check Amt 0.00
	Overtime	52:5600	11:00	578.16	Fed Income Tax	326.96		Chkg 722 2,667.48
	Holiday	35:0400	10:00	350.40	CA Income Tax	213.97		
	Life Ins Reimb Txble			100.00	CA Disability	38.68		
EMPLOYEE TOTAL			91.00	3,516.06		848.58		Net Pay 2,667.48
Vosburgh, Justin E 57	Regular	51:4300	69:00	3,548.67	Social Security	292.16 ⁴⁵⁷	200.00	Direct Deposit # 4296
	Standby			135.00	Medicare	68.33	Life Ins EE Post Tax 35.00	Check Amt 0.00
	Overtime	77:1450	6:00	462.87	Fed Income Tax	436.39	Loan 2 171.34	Chkg 400 3,275.34
	Holiday	51:4300	10:00	514.30	CA Income Tax	181.88		
	Vacation	51:4300	1:00	51.43	CA Disability	51.83		
EMPLOYEE TOTAL			86.00	4,712.27		1,030.59	406.34	Net Pay 3,275.34
**** 50 ADMIN Mehler, Deleane 51	Regular	42:0400	72:00	3,026.88	Social Security	209.55 ⁴⁵⁷	100.00	Direct Deposit # 4297
	Retro Pay			16.64	Medicare	49.01	Loan Payment 103.78	Check Amt 0.00

PAYROLL JOURNAL

0085 0085-T591 Donner Summit Public Utility

EMPLOYEE NAME ID	HOURS, EARNINGS, REIMBURSEMENTS & OTHER PAYMENTS				WITHHOLDINGS	DEDUCTIONS	NET PAY ALLOCATIONS	
	DESCRIPTION	RATE	HOURS	EARNINGS				
**** 50 ADMIN (cont.) Mehler, Deleane (cont.) 51	Holiday	42.0400	8:00	336.32				
					Fed Income Tax 516.18 CA Income Tax 189.80 CA Disability 37.18		Chkg 963 2,174.34	
	EMPLOYEE TOTAL		80.00	3,379.84	1,001.72	203.78	Net Pay 2,174.34	
Palmer, Steven V 65	Regular		M8:00	7,080.77	Social Security 441.16	457	201.93	Direct Deposit # 4298
	Retro Pay			34.69	Medicare 103.18			Check Amt 0.00
	Holiday		M8:00		Fed Income Tax 1,491.52			Chkg 779 3,637.87
	Sick		M8:00		CA Income Tax 561.53			Savg 330 600.00
	Vacation		M8:00		CA Disability 78.27			
	EMPLOYEE TOTAL		104.00	7,115.46	2,675.66	201.93	Net Pay 4,237.87	
COMPANY TOTALS 7 Person(s) 7 Transaction(s)	Regular		511.00	29,316.21	Social Security 2,202.21	457	1,551.93	Check Amt 0.00
	Retro Pay			227.31	Medicare 515.05		150.00	Dir Dep 21,751.82
	Standby			720.00	Fed Income Tax 5,051.68		1,292.31	
	Double Time		0.50	51.33	CA Income Tax 2,266.23		72.41	
	Overtime		32.50	2,177.87	CA Disability 390.71		171.34	
	Holiday		64.00	2,194.82			103.78	
	Life Ins Reimb Txble			300.00				
	Sick		8.00					
	Vacation		24.00	531.93				
	Sick Accr-Memo				3.70			
	Vacation -Memo				10.77			
	COMPANY TOTAL:		640.00	35,519.47	10,425.88	3,341.77	Net Pay 21,751.82	
					<i>Employer Liabilities</i>			
					Social Security 2,202.21			
					Medicare 515.03			
					TOTAL EMPLOYER LIABILITY 2,717.24			
					TOTAL TAX LIABILITY 13,143.12			
(IC) = Independent Contractor								

CASH REQUIREMENTS

CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR ELECTRONIC FUNDS TRANSFERS (EFT) FOR CHECK DATE 07/22/22: \$38,164.30

IMPORTANT COVID-19 INFORMATION: If you filed IRS Form 7200, please notify your Paychex representative to avoid owing a balance at the end of the quarter and ensure your Form 941 is accurate.

TRANSACTION SUMMARY

SUMMARY BY TRANSACTION TYPE -	TOTAL ELECTRONIC FUNDS TRANSFER (EFT)	38,164.30
	CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR EFT	38,164.30
	TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES	2,049.46
	CASH REQUIRED FOR CHECK DATE 07/22/22	40,213.76

TRANSACTION DETAIL

ELECTRONIC FUNDS TRANSFER - Your financial institution will initiate transfer to Paychex at or after 12:01 A.M. on transaction date.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		BANK DRAFT AMOUNTS & OTHER TOTALS
07/21/22	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Direct Deposit	Net Pay Allocations	21,751.82	21,751.82
07/21/22	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Readychex®	Check Amounts	3,269.36	3,269.36
				EFT FOR 07/21/22		25,021.18
07/22/22	WELLS FARGO BANK, NA	xxxxxxxxxxxx393	Taxpay®	Employee Withholdings		
				Social Security	2,202.21	
				Medicare	515.05	
				Fed Income Tax	5,051.68	
				CA Income Tax	2,266.23	
				CA Disability	390.71	
				Total Withholdings	10,425.88	
				Employer Liabilities		
				Social Security	2,202.21	
				Medicare	515.03	
				Total Liabilities	2,717.24	13,143.12
				EFT FOR 07/22/22		13,143.12
				TOTAL EFT		38,164.30

REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES - Paychex does not remit these funds. You must ensure accurate and timely payment of applicable items.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<u>TOTAL</u>
07/22/22	Refer to your records for account information		Payroll	Employee Deductions		
				457	1,551.93	
				Credit Un 2	150.00	
				Life Ins EE Post Tax	72.41	
				Loan 2	171.34	

August 16, 2022
Agenda Item: 5A.3

DONNER SUMMIT PUBLIC UTILITY DISTRICT
 SCHEDULE OF CASH AND DEBT RESTRICTED RESERVES
 JUNE 30, 2022

<u>Bank Account</u>	<u>Reserve</u>	<u>Book Balance</u>	<u>Reserves Restricted</u>
Wells Fargo - Checking		\$ (319,230.93)	
Wells Fargo - Deposit		845,561.43	
Wells Fargo - Savings		304,641.36	
Wells Fargo - Payroll		-	
LAIF		3,389.75	
	SWRCB Loan Construction		719,191.03
	WTP Loan Construction		18,187.00
	Big Bend Water Loan Reserve 1		9,019.98
	Big Bend Water Loan Reserve 2		3,704.63
	Big Bend Assessment		10,347.65
Totals		<u>834,361.61</u>	<u>760,450.29</u>
Unrestricted Cash Available			<u><u>\$ 73,911.32</u></u>

August 16, 2022
Agenda Item: 5A.4

DONNER SUMMIT PUBLIC UTILITY DISTRICT
FINANCIAL STATEMENTS
AND
INDEPENDENT ACCOUNTANTS' COMPILATION REPORT
JUNE 30, 2022

DONNER SUMMIT PUBLIC UTILITY DISTRICT
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JUNE 30, 2022

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BARNARD VOGLER & CO.

Certified Public Accountants

August 16, 2022
Agenda Item: 5A.4

100 West Liberty St.
Suite 1100
Reno, NV 89501

775.786.6141
775.323.6211
bvccpas.com

INDEPENDENT ACCOUNTANTS' COMPILATION REPORT

To the Board of Directors
Donner Summit Public Utility District

Management is responsible for the accompanying financial statements of the business-type activities of Donner Summit Public Utility District (the District) which comprise the statements of activities and changes in net position – budgetary basis for the twelve months ended June 30, 2022 in accordance with the budgetary basis of accounting, and for determining that the budgetary basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or the completeness of the information provided by management. We do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

The accompanying supplementary information contained on page 8 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management. The supplementary information was subject to our compilation engagement. We have not audited or reviewed the supplementary information and do not express an opinion, a conclusion, nor provide any assurance on such information.

Management has elected to omit substantially all of the disclosures and the statement of cash flows required by accounting principles generally accepted in the United States of America. If the omitted disclosures and statement of cash flows were included in the financial statements, they might influence the user's conclusions about the District's financial position, results of operations, and cash flows. Accordingly, the financial statements are not designed for those who are not informed about such matters.

The financial statements are prepared on the budgetary basis of accounting, which includes expensing capital outlay purchases and principal payments on long-term debt. The budgetary basis of accounting is a basis of accounting other than accounting principles generally accepted in the United States of America.

Reno, Nevada
August 4, 2022

DONNER SUMMIT PUBLIC UTILITY DISTRICT
STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS
COMBINED BUSINESS-TYPE ACTIVITIES
FOR THE TWELVE MONTHS ENDED JUNE 30, 2022

	Water	Sewer	Treatment	Admin	Total
Program Revenue					
Water fees	\$ 541,444.55	\$ -	\$ -	\$ -	\$ 541,444.55
Sewer fees	-	448,072.60	1,344,217.80	-	1,792,290.40
Connection fees	6,800.00	-	-	-	6,800.00
Recycled water sales	8,696.02	-	-	-	8,696.02
CFD revenue for WWTP loan	-	-	274,745.48	-	274,745.48
Non-CFD revenue for WWTP loan	-	-	278,095.79	-	278,095.79
Big Bend service fees	29,734.88	-	-	-	29,734.88
Big Bend assessment	20,771.52	-	-	-	20,771.52
Total Program Revenue	<u>607,446.97</u>	<u>448,072.60</u>	<u>1,897,059.07</u>	<u>-</u>	<u>2,952,578.64</u>
Expenses					
Salaries-Operations	122,313.98	102,854.87	330,803.45	277,783.74	833,756.04
Employee benefits	63,402.53	49,874.73	169,454.51	89,101.59	371,833.36
Board expense	-	-	-	68,152.88	68,152.88
Professional fees	6,342.75	266.19	51,853.89	110,682.61	169,145.44
Dues and subscriptions	731.16	-	3,434.96	6,381.89	10,548.01
Fees, permits, certifications, leases	14,679.08	3,757.58	18,603.26	9,556.10	46,596.02
Training, education, travel	402.00	-	1,676.78	377.22	2,456.00
Insurance	30,967.96	26,041.24	83,754.26	15,640.38	156,403.84
Office supplies and miscellaneous	-	461.08	1,352.85	9,862.78	11,676.71
Utilities, communications, telemetry	49,739.01	29,709.65	394,080.88	27,683.57	501,213.11
Chemicals and lab supplies	20,612.52	313.75	143,122.30	-	164,048.57
Laboratory testing	1,000.00	-	36,350.00	-	37,350.00
Equipment maintenance and repair	5,068.78	1,167.23	44,714.16	-	50,950.17
Small equipment and rental	2,347.70	-	8,256.81	902.40	11,506.91
Operating supplies	3,232.67	3,467.87	871.50	2,343.83	9,915.87
Sludge removal	-	-	19,483.58	-	19,483.58
Vehicle maintenance, repair, fuel	6,592.50	8,530.38	17,577.13	-	32,700.01
Facility maintenance and repair	34,128.43	2,112.82	37,700.69	3,190.06	77,132.00
Amortization of land lease	-	-	20,250.00	-	20,250.00
Loan amortization	-	4,436.07	-	-	4,436.07
Debt service	28,611.15	-	786,801.45	-	815,412.60
Capital outlay	56,616.63	53,755.38	16,750.00	-	127,122.01
Capital projects	-	110,536.79	-	-	110,536.79
2021 Winter Emergency	-	44,399.88	-	-	44,399.88
Total Expenses	<u>446,788.85</u>	<u>441,685.51</u>	<u>2,186,892.46</u>	<u>621,659.05</u>	<u>3,697,025.87</u>
Excess (Deficiency) of Program					
Revenues Over Expenses	<u>160,658.12</u>	<u>6,387.09</u>	<u>(289,833.39)</u>	<u>(621,659.05)</u>	<u>(744,447.23)</u>
General Revenues					
Interest revenue	-	-	-	378.43	378.43
Sierra Lakes	-	-	367,344.00	-	367,344.00
Property tax	39,932.90	22,937.10	101,047.21	-	163,917.21
Other income	-	-	-	6,636.47	6,636.47
Grants	22,642.38	-	-	-	22,642.38
Total General Revenues	<u>62,575.28</u>	<u>22,937.10</u>	<u>468,391.21</u>	<u>7,014.90</u>	<u>560,918.49</u>
Increase (Decrease) in Net Position	<u>\$ 223,233.40</u>	<u>\$ 29,324.19</u>	<u>\$ 178,557.82</u>	<u>\$ (614,644.15)</u>	<u>\$ (183,528.74)</u>
Net Position, Beginning of Year					12,720,079.34
Prior Period Adjustment, Removal of Donner Tramway Liability					<u>19,854.90</u>
Net Position, End of Period					<u>\$ 12,556,405.50</u>

See independent accountants' compilation report

DONNER SUMMIT PUBLIC UTILITY DISTRICT
STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS
BUDGET AND ACTUAL
BUSINESS-TYPE ACTIVITY - WATER
FOR THE TWELVE MONTHS ENDED JUNE 30, 2022

	Actual Year to Date 6/30/22	Budget Total Fiscal Year 2022	Budget Percent Complete 6/30/22	Remaining Budget 6/30/22
Program Revenue				
Water fees	\$ 541,444.55	\$ 547,511.00	98.89%	\$ (6,066.45)
Connection fees	6,800.00	-	0.00%	6,800.00
Recycled water sales	8,696.02	-	0.00%	8,696.02
Big Bend service fees	29,734.88	29,732.00	100.01%	2.88
Big Bend assessment	20,771.52	20,772.00	100.00%	(0.48)
Total Program Revenue	<u>607,446.97</u>	<u>598,015.00</u>	<u>101.58%</u>	<u>9,431.97</u>
Expenses				
Salaries-Operations	122,313.98	123,535.00	99.01%	1,221.02
Employee benefits	63,402.53	57,658.00	109.96%	(5,744.53)
Professional fees	6,342.75	15,000.00	42.29%	8,657.25
Dues and subscriptions	731.16	379.00	192.92%	(352.16)
Fees, permits, certifications, leases	14,679.08	11,743.00	125.00%	(2,936.08)
Training, education, travel	402.00	942.00	42.68%	540.00
Insurance	30,967.96	31,281.00	99.00%	313.04
Office supplies and miscellaneous	-	549.00	0.00%	549.00
Utilities, communications, telemetry	49,739.01	27,593.00	180.26%	(22,146.01)
Chemicals and lab supplies	20,612.52	26,379.00	78.14%	5,766.48
Laboratory testing	1,000.00	5,000.00	20.00%	4,000.00
Equipment maintenance and repair	5,068.78	8,000.00	63.36%	2,931.22
Small equipment and rental	2,347.70	6,750.00	34.78%	4,402.30
Operating supplies	3,232.67	5,000.00	64.65%	1,767.33
Vehicle maintenance, repair, fuel	6,592.50	2,524.00	261.19%	(4,068.50)
Facility maintenance and repair	34,128.43	5,000.00	682.57%	(29,128.43)
Angela WTP debt service	18,187.28	9,350.00	194.52%	(8,837.28)
Big Bend debt service	10,423.87	21,655.00	48.14%	11,231.13
Capital equipment	56,616.63	71,880.00	78.77%	15,263.37
Total Expenses	<u>446,788.85</u>	<u>430,218.00</u>	<u>103.85%</u>	<u>(16,570.85)</u>
Excess of Program				
Revenues Over Expenses	<u>160,658.12</u>	<u>167,797.00</u>	<u>95.75%</u>	<u>(7,138.88)</u>
General Revenues				
Property tax	39,932.90	29,700.00	134.45%	(10,232.90)
Grants	22,642.38	-	100.00%	(22,642.38)
Total General Revenues	<u>62,575.28</u>	<u>29,700.00</u>	<u>234.45%</u>	<u>(32,875.28)</u>
Increase in Net Position	<u>\$ 223,233.40</u>	<u>\$ 197,497.00</u>	<u>113.03%</u>	<u>\$ (40,014.16)</u>

DONNER SUMMIT PUBLIC UTILITY DISTRICT
 STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS
 BUDGET AND ACTUAL
 BUSINESS-TYPE ACTIVITY - SEWER
 FOR THE TWELVE MONTHS ENDED JUNE 30, 2022

	Actual Year to Date 6/30/22	Budget Total Fiscal Year 2022	Budget Percent Complete 6/30/22	Remaining Budget 6/30/22
Program Revenue				
Sewer fees	\$ 448,072.60	\$ 450,919.00	99.37%	\$ (2,846.40)
Total Program Revenue	<u>448,072.60</u>	<u>450,919.00</u>	<u>99.37%</u>	<u>(2,846.40)</u>
Expenses				
Salaries-Operations	102,854.87	103,882.00	99.01%	1,027.13
Employee benefits	49,874.73	52,453.00	95.08%	2,578.27
Professional fees	266.19	7,000.00	3.80%	6,733.81
Fees, permits, certifications, leases	3,757.58	3,376.00	111.30%	(381.58)
Training, education and travel	-	273.00	0.00%	273.00
Insurance	26,041.24	31,281.00	83.25%	5,239.76
Office supplies and miscellaneous	461.08	563.00	81.90%	101.92
Utilities, communications, telemetry	29,709.65	29,149.00	101.92%	(560.65)
Chemicals and lab supplies	313.75	565.00	55.53%	251.25
Small equipment and rental	-	2,400.00	0.00%	2,400.00
Operating supplies	3,467.87	1,000.00	346.79%	(2,467.87)
Sludge removal	-	1,200.00	0.00%	1,200.00
Infiltration - inflow	-	26,000.00	0.00%	26,000.00
Equipment maintenance and repair	1,167.23	10,178.00	11.47%	9,010.77
Vehicle maintenance, repair, fuel	8,530.38	3,794.00	224.84%	(4,736.38)
Facility maintenance and repair	2,112.82	8,000.00	26.41%	5,887.18
Loan amortization	4,436.07	-	0.00%	(4,436.07)
Capital equipment	53,755.38	133,423.00	40.29%	79,667.62
Capital projects - sewer extension	110,536.79	105,000.00	105.27%	(5,536.79)
2021 Winter Emergency	44,399.88	-	0.00%	(44,399.88)
Total Expenses	<u>441,685.51</u>	<u>519,537.00</u>	<u>85.02%</u>	<u>77,851.49</u>
Excess (Deficiency) of Program				
Revenues Over Expenses	<u>6,387.09</u>	<u>(68,618.00)</u>	<u>--</u>	<u>75,005.09</u>
General Revenues				
Property tax	<u>22,937.10</u>	<u>19,481.00</u>	<u>117.74%</u>	<u>3,456.10</u>
Total General Revenues	<u>22,937.10</u>	<u>19,481.00</u>	<u>117.74%</u>	<u>3,456.10</u>
Increase (Decrease) in Net Position	<u>\$ 29,324.19</u>	<u>\$ (49,137.00)</u>	<u>--</u>	<u>\$ 78,461.19</u>

DONNER SUMMIT PUBLIC UTILITY DISTRICT
 STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS
 BUDGET AND ACTUAL
 BUSINESS-TYPE ACTIVITY - WASTEWATER TREATMENT
 FOR THE TWELVE MONTHS ENDED JUNE 30, 2022

	Actual Year to Date 6/30/22	Budget Total Fiscal Year 2022	Budget Percent Complete 6/30/22	Remaining Budget 6/30/22
Program Revenue				
Sewer fees	\$ 1,344,217.80	\$ 1,352,757.00	99.37%	\$ (8,539.20)
Recycled water sales	-	50,000.00	0.00%	(50,000.00)
CFD revenue for WWTP loan	274,745.48	282,392.00	97.29%	(7,646.52)
Non-CFD revenue for WWTP loan	278,095.79	281,044.00	98.95%	(2,948.21)
Total Program Revenue	<u>1,897,059.07</u>	<u>1,966,193.00</u>	<u>96.48%</u>	<u>(69,133.93)</u>
Expenses				
Salaries-operations	330,803.45	334,107.00	99.01%	3,303.55
Employee benefits	169,454.51	165,653.00	102.29%	(3,801.51)
Professional fees	51,853.89	81,250.00	63.82%	29,396.11
Dues and subscriptions	3,434.96	1,200.00	286.25%	(2,234.96)
Fees, permits, certifications, leases	18,603.26	17,623.00	105.56%	(980.26)
Training, education and travel	1,676.78	2,745.00	61.08%	1,068.22
Insurance	83,754.26	86,022.00	97.36%	2,267.74
Office supplies and miscellaneous	1,352.85	823.00	164.38%	(529.85)
Utilities, communications, telemetry	394,080.88	285,896.00	137.84%	(108,184.88)
Chemicals and lab supplies	143,122.30	175,497.00	81.55%	32,374.70
Laboratory testing	36,350.00	41,910.00	86.73%	5,560.00
Small equipment and rental	8,256.81	7,200.00	114.68%	(1,056.81)
Operating supplies	871.50	7,632.00	11.42%	6,760.50
Equipment maintenance and repair	44,714.16	34,240.00	130.59%	(10,474.16)
Vehicle maintenance, repair, fuel	17,577.13	12,325.00	142.61%	(5,252.13)
Sludge removal	19,483.58	43,000.00	45.31%	23,516.42
Facility maintenance and repair	37,700.69	20,000.00	188.50%	(17,700.69)
Amortization of land lease	20,250.00	20,250.00	100.00%	-
Debt service	786,801.45	719,191.00	109.40%	(67,610.45)
Capital outlay	16,750.00	-	0.00%	(16,750.00)
Total Expenses	<u>2,186,892.46</u>	<u>2,056,564.00</u>	<u>106.34%</u>	<u>(130,328.46)</u>
Excess (Deficiency) of Program				
Revenues Over Expenses	<u>(289,833.39)</u>	<u>(90,371.00)</u>	<u>320.72%</u>	<u>(199,462.39)</u>
General Revenues				
Sierra Lakes	367,344.00	381,152.00	96.38%	(13,808.00)
Property tax	101,047.21	85,820.00	117.74%	15,227.21
Total General Revenues	<u>468,391.21</u>	<u>466,972.00</u>	<u>100.30%</u>	<u>1,419.21</u>
Increase in Net Position	<u>\$ 178,557.82</u>	<u>\$ 376,601.00</u>	<u>47.41%</u>	<u>\$ 198,043.18</u>

DONNER SUMMIT PUBLIC UTILITY DISTRICT
 STATEMENT OF ACTIVITIES AND CHANGES IN NET POSITION - BUDGETARY BASIS
 BUDGET AND ACTUAL
 BUSINESS-TYPE ACTIVITY - ADMIN
 FOR THE TWELVE MONTHS ENDED JUNE 30, 2022

	Actual Year to Date 6/30/22	Budget Total Fiscal Year 2022	Budget Percent Complete 6/30/22	Remaining Budget 6/30/22
Program Revenue				
Service Fees	-	-	-	-
Total Program Revenue	-	-	-	-
Expenses				
Salaries-operations	277,783.74	324,358.00	85.64%	46,574.26
Employee benefits	89,101.59	105,724.00	84.28%	16,622.41
Board expense	68,152.88	61,846.00	110.20%	(6,306.88)
Professional fees	110,682.61	73,800.00	149.98%	(36,882.61)
Dues and subscriptions	6,381.89	7,062.00	90.37%	680.11
Fees, permits, certifications, leases	9,556.10	20,593.00	46.40%	11,036.90
Training, education and travel	377.22	1,500.00	25.15%	1,122.78
Insurance	15,640.38	7,820.00	200.00%	(7,820.38)
Office supplies and miscellaneous	9,862.78	7,000.00	140.90%	(2,862.78)
Utilities, communications, telemetry	27,683.57	28,420.00	97.41%	736.43
Equipment maintenance and repair	-	6,552.00	0.00%	6,552.00
Small equipment and rental	902.40	-	0.00%	(902.40)
Operating supplies	2,343.83	-	0.00%	(2,343.83)
Facility maintenance and repair	3,190.06	2,600.00	122.69%	(590.06)
Total Expenses	621,659.05	647,275.00	96.04%	25,615.95
Deficiency of Program Revenues Over Expenses	(621,659.05)	(647,275.00)	96.04%	25,615.95
General Revenues				
Interest revenue	378.43	-	0.00%	378.43
Other income	6,636.47	14,500.00	45.77%	(7,863.53)
Total General Revenues	7,014.90	14,500.00	48.38%	(7,485.10)
Decrease in Net Position	\$ (614,644.15)	\$ (632,775.00)	97.13%	\$ 18,130.85

SUPPLEMENTARY INFORMATION

DONNER SUMMIT PUBLIC UTILITY DISTRICT
SCHEDULE OF BIG BEND TRANSACTIONS
FOR THE TWELVE MONTHS ENDED JUNE 30, 2022

Revenue	\$	50,506.40
Expenses		
Fees and permits		3,332.00
Telephone		100.16
Interest		10,423.87
Electricity		667.27
Repairs and maintenance		<u>7,134.94</u>
Total expenses		<u>21,658.24</u>
Excess of revenue over expenses	\$	<u><u>28,848.16</u></u>

August 16, 2022
Agenda Item: 5B

**Donner Summit Public Utility District
Board of Directors Regular Meeting
Minutes
Tuesday, July 19, 2022 - 6:00 P.M.
DSPUD Office, 53823 Sherritt Lane, Soda Springs California**

STAFF PRESENT: Steven Palmer, General Manager; Jim King, Plant Manager
Deleane Mehler, Office Assistant

OTHERS PRESENT: Geoffrey O. Evers, General Counsel

1. Call to Order

For the Regular Meeting (Section 54954), July 19, 2022 at 6:00 P.M., the meeting was conducted via Zoom due to the COVID-19 pandemic and in accordance with Governor Newsom's Executive Order N-29-20 and Assembly Bill 361.

The Regular Meeting of July 19, 2022 of the Donner Summit Public Utility District Board of Directors was called to order at 6:02 p.m. by President Cathy Preis.

2. Roll Call

Cathy Preis, President	- Present
Philip Gamick, Director	- Present
Alex Medveczky, Secretary	- Present
Joni Kaufman, Director	- Present
Dawn Parkhurst, Director	- Present

3. Clear the Agenda- None

4. Public Participation – *This is time set aside for the public to address the Board on any matter not on the agenda. Comments related to any item already on the agenda should be addressed at the time that that item is considered. Each speaker will be limited to five minutes, but speaker time may be reduced at the discretion of the Board President if there are a large number of speakers on any given subject.* None.

5. Consent Calendar

All items listed under the Consent Calendar are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless a member of the Board requests an item to be removed from the Consent Calendar for a separate action. Any items removed will be considered after the motion to approve the Consent Calendar.

A. Approve Finance Report for July 19, 2022

- 1. Cash Disbursements–General**, Month of June
- 2. Cash Disbursements–Payroll**, Month of June
- 3. Schedule of Cash and Reserves**, May
- 4. Accountants Financial Statements**, May

B. Approve Regular Meeting Minutes June 21, 2022

C. Approve Monthly Safety Meeting Minutes – June, 2022

D. Approve Engagement Letter with Gibson and Company for an Audit of Financial Statements for the Fiscal Year Ending June 30, 2022
Approve engagement letter and authorize General Manager to sign.

Motion: Accept the Consent Calendar
By: Phil Gamick
Second: Joni Kaufman
Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain, 0 Vacancy
Motion Carries

6. Department Reports

- A. Administration - Steven Palmer, General Manager.** The General Manager reported that the district has received the draft online GIS map of the District infrastructure.
- B. Operations and Maintenance Summary, June.** Reported.

7. Action Items

- A. Adopt a Resolution Designating the General Manager as Applicant's Agent for Obtaining State and Federal Financial Assistance (CalOES 130)**
Motion: Adopt Resolution 2022-26 Designating the General Manager as Applicant's Agent for Obtaining State and Federal Financial Assistance (CalOES 130)

By: Joni Kaufman
Second: Alex Medveczky
Roll Call Vote
Cathy Preis - Aye
Phil Gamick - Aye
Alex Medveczky - Aye
Joni Kaufman - Aye
Dawn Parkhurst - Aye
Motion Carries

- B. Adopt a Resolution to Continue Remote Board Meetings in Accordance with Assembly Bill 361**

Motion: Adopt Resolution 2022-27 to Continue Remote Board Meetings in Accordance with Assembly Bill 361
By: Phil Gamick
Second: Joni Kaufman
Roll Call Vote
Cathy Preis - Aye
Phil Gamick - Aye
Alex Medveczky - Aye
Joni Kaufman - Aye
Dawn Parkhurst - Aye
Motion Carries

- 8. Director Reports:** *In accordance with Government Code Section 54954.2(a), Directors may make brief announcements or brief reports on their own activities (concerning the District). They may ask questions for clarification make a referral to staff or take action to have staff place a matter of business on a future agenda.* Alex Medveczky reported that he will be resigning from the Donner Summit Public Utility District Board of Directors when his term is over.

9. Adjournment

Motion: **Adjourn Meeting at 6:26 p.m.**
By: Alex Medveczky
Second: Joni Kaufman
Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain, 0 Vacancy

Motion Carries

Schedule of Upcoming Meetings

Regular Meeting – August 16, 2022
Regular Meeting – September 20, 2022
Regular Meeting – October 18, 2022

Deleane Mehler
Administrative Assistant

Steven Palmer
General Manager

August 16, 2022
Agenda Item: 5C

**Donner Summit Public Utility District
Board of Directors Special Meeting
Minutes
Tuesday, July 27, 2022 - 6:00 P.M.
DSPUD Office, 53823 Sherritt Lane, Soda Springs California**

STAFF PRESENT: Steven Palmer, General Manager; Jim King, Plant Manager
Deleane Mehler, Office Assistant

OTHERS PRESENT: Geoffrey O. Evers, General Counsel

1. Call to Order

For the Special Meeting (Section 54956), July 27, 2022 at 6:00 P.M., the meeting was conducted via Zoom due to the COVID-19 pandemic and in accordance with Governor Newsom's Executive Order N-29-20 and Assembly Bill 361.

The Special Meeting of July 27, 2022 of the Donner Summit Public Utility District Board of Directors was called to order at 6:02 p.m. by President Cathy Preis.

2. Roll Call

Cathy Preis, President	- Present
Philip Gamick, Director	- Present
Alex Medveczky, Secretary	- Present
Joni Kaufman, Director	- Present
Dawn Parkhurst, Director	- Present

3. Clear the Agenda- None

4. Public Participation – *This is time set aside for the public to address the Board on any matter not on the agenda. Comments related to any item already on the agenda should be addressed at the time that that item is considered. Each speaker will be limited to five minutes, but speaker time may be reduced at the discretion of the Board President if there are a large number of speakers on any given subject.* None.

5. Action Items

A. Adopt a Resolution to Amend and Restate the Money Purchase Pension Plan

Motion: Adopt a Resolution 2022-28 to Amend and Restate the Money Purchase Pension Plan

By Dawn Parkhurst

Second: Joni Kaufman

Roll Call Vote

Cathy Preis	-	Aye
Phil Gamick	-	Aye
Alex Medveczky	-	Aye
Joni Kaufman	-	Aye
Dawn Parkhurst	-	Aye

Motion Carries

- 6. Director Reports:** *In accordance with Government Code Section 54954.2(a), Directors may make brief announcements or brief reports on their own activities (concerning the District). They may ask questions for clarification make a referral to staff or take action to have staff place a matter of business on a future agenda.*

7. Adjournment

Motion: **Adjourn Meeting at 6:05 p.m.**
By: Joni Kaufman
Second: Alex Medveczky
Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain, 0 Vacancy
Motion Carries

Deleane Mehler
Administrative Assistant

Steven Palmer
General Manager

August 16, 2022
Agenda Item: 5D

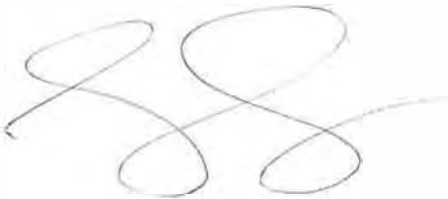
Safety / Plant Training Donner Summit PUD WWTP

- Safety Topics : July 2022
 - Eye Protection

- Training Notes :
 - DVD

Attendance :

1. Justin Vosburgh



2. Sean Patrick

3. Josh Shelton



4. Paul Schott



5. Deleane Mehler



6. Steve Palmer



7. Jim King



August 16, 2022
Agenda Item: 6A



STAFF REPORT

TO: Board of Directors

PREPARED BY: Steven Palmer, PE, General Manager

SUBJECT: General Manager Report

Project Updates

Online GIS map of District infrastructure is in draft form and being reviewed by Staff.

Submitted application to State Water Board to use recycled water on any construction project.

Winter Storm Update

All paperwork is in process with CalOES for reimbursement. Total cost submitted is \$57,953.80. Maximum reimbursement from the State would be \$43,465.35 (75%).

Upcoming Board Items

- Personnel Manual Update
- Sewer Connection/Capacity Fee Update
- Water Theft Ordinance
- Recycled Water Fee
- Agreement for Supply Resilience/Drought Contingency Plan

August 16, 2022
Agenda Item: 6B

DONNER SUMMIT
PUBLIC UTILITY DISTRICT
WASTEWATER AND FRESH WATER
TREATMENT PLANTS
END OF MONTH OPERATIONS AND MAINTENANCE
SUMMARY

July 2022

**Donner Summit Public Utility District
Waste Water Flow Data**

**August 16, 2022
Agenda Item: 6B**

MONTH OF July 2022		DSPUD Influent	SLCWD Influent	Total Plant Influent	Total Plant Influent	Total Plant EFF River	Total Plant EFF Irr	Total Plant EFF Irr/ Storage	DSPUD Fresh Water Treated	SLCWD Fresh Water Treated	Emergency Storage Return	Weather	Lake Angela Water Level
DATE	DAY	MGD	MGD	MGD	Totalizer	MGD	Totalizer	MGD	MGD	MGD	MGD		Elevation
07/01/22	FRI	0.078	0.08252	0.161	1.7320210	0.162	0.0000	0.0000	0.133	0.0806	0.0000	Clear	7,192.73'
07/02/22	SAT	0.141	0.09682	0.238		0.176	0.0000	0.0000	0.196	0.0799	0.0000	Clear	
07/03/22	SUN	0.132	0.10751	0.240		0.270	0.0000	0.0000	0.253	0.0747	0.0000	Clear	
07/04/22	MON	0.109	0.10442	0.213		0.248	0.0000	0.0000	0.233	0.0894	0.0000	Clear	
07/05/22	TUE	0.151	0.07560	0.227		0.018	0.0000	0.1290	0.164	0.1452	0.0000	Cloudy	
07/06/22	WED	0.116	0.06532	0.181		0.000	0.0000	0.1710	0.244	0.0891	0.0000	Pt Cloudy	
07/07/22	THU	0.115	0.06338	0.178		0.000	0.0000	0.1320	0.246	0.0976	0.0000	Clear	
07/08/22	FRI	0.180	0.06174	0.242		0.000	0.0000	0.1470	0.232	0.0651	0.0000	Clear	
07/09/22	SAT	0.147	0.06322	0.210		0.000	0.0000	0.1670	0.219	0.0000	0.0000	Clear	
07/10/22	SUN	0.099	0.06262	0.162		0.000	0.0000	0.1910	0.196	0.1062	0.0000	Clear	
07/11/22	MON	0.128	0.05445	0.182		0.161	0.0000	0.0000	0.158	0.1320	0.0000	Clear	7,192.38'
07/12/22	TUE	0.128	0.06687	0.195		0.202	0.0000	0.0000	0.245	0.1116	0.0000	Clear	
07/13/22	WED	0.127	0.05253	0.180		0.186	0.0000	0.0000	0.124	0.1037	0.0000	Clear	
07/14/22	THU	0.136	0.04881	0.185		0.185	0.0000	0.0000	0.209	0.0732	0.0000	Clear	
07/15/22	FRI	0.150	0.05250	0.202		0.203	0.0000	0.0000	0.219	0.0000	0.0000	Clear	
07/16/22	SAT	0.096	0.06271	0.159		0.189	0.0000	0.0000	0.222	0.0861	0.0000	Clear	
07/17/22	SUN	0.129	0.06232	0.191		0.200	0.0000	0.0000	0.075	0.1004	0.0000	Clear	
07/18/22	MON	0.131	0.04951	0.181		0.181	0.0000	0.0000	0.207	0.0966	0.0000	Clear	7,191.94'
07/19/22	TUE	0.111	0.05058	0.162		0.162	0.0000	0.0000	0.157	0.1291	0.0000	Cloudy	
07/20/22	WED	0.091	0.03786	0.129		0.152	0.0000	0.0000	0.275	0.0816	0.0000	Clear	
07/21/22	THU	0.124	0.06059	0.185		0.154	0.0000	0.0000	0.206	0.1367	0.0000	Clear	
07/22/22	FRI	0.164	0.05015	0.214		0.193	0.0000	0.0000	0.191	0.0000	0.0000	Clear	
07/23/22	SAT	0.161	0.05646	0.217		0.211	0.0000	0.0000	0.119	0.1032	0.0000	Clear	
07/24/22	SUN	0.129	0.06711	0.196		0.191	0.0000	0.0000	0.201	0.0872	0.0000	Smokey	
07/25/22	MON	0.131	0.04817	0.179		0.188	0.0000	0.0000	0.138	0.0980	0.0000	Smokey	7,189.81'
07/26/22	TUE	0.103	0.05674	0.160		0.165	0.0000	0.0000	0.214	0.1317	0.0000	Pt Cloudy	
07/27/22	WED	0.110	0.04534	0.155		0.153	0.0000	0.0000	0.119	0.0647	0.0000	Clear	
07/28/22	THU	0.080	0.05124	0.131		0.154	0.0000	0.0000	0.283	0.0877	0.0000	Clear	
07/29/22	FRI	0.133	0.06870	0.202		0.189	0.0000	0.0000	0.236	0.1418	0.0000	Clear	
07/30/22	SAT	0.151	0.07321	0.224		0.190	0.0000	0.0000	0.181	0.0000	0.0000	Clear	
07/31/22	SUN	0.155	0.06902	0.224	1.7911200	0.216	0.0000	0.0000	0.124	0.0698	0.0000	Clear	
7/2022 Daily Totals		3.93699	1.96801	5.905	N/A	4.699	NA	0.9370	6.0190	2.6629	0.0000	Drop	(2.92')
7/2022 Totalizer Total		3.94199	1.96801	5.910	5.9099	4.699	0.0000	0.9370	6.0190	2.7767	0.0000		
Difference		0.00500	0.00000	0.00500	N/A	0.0000	0.0000	0.0000	0.0000	0.1138	0.0000		
Percentage Difference		0.13%	0.000%	0.085%	N/A	0.000%	#DIV/0!	0.000%	0.000%	4.098%	0.000%		
7/2022 AVG/DAY		127,161	63,484	190,645	190,642	151,581	0	30,226	194,161	89,571	0		
7/2021 Totalizer Total		3.49774	1.88826	5.3860	5.3860	4.250	0.000	0.812	5.9990	3.3908	0.0000		
7/2021 AVG/DAY		112,830	60,912	173,742	173,742	137,097	0	26,206	193,516	109,381	0		

Donner Summit Public Utility District WWTP & WTP End of Month Operations and Maintenance Summary

Prepared for: Steve Palmer, General Manager

Prepared by: Jim King, Plant Manager

Date: July 2022

Operations WWTP

- ◆ Flows to the South Yuba River 4.7 MG.
- ◆ Flows to irrigation storage 0.9 MG.
- ◆ Lake Angela level and available stored water.

- ◆ Staff gave a tour of the wastewater plant to a member of a Kingvale Homeowners group inquiring about year around discharge.
- ◆ Staff mechanic Josh attended a Tucker SnowCat two-day training on maintenance and trouble shooting.
- ◆ Made multiple adjustments to the plants processes including DO, soda ash and lime feed adjustments.
- ◆ Completed preparations for spray irrigation startup and began use.



- ◆ Attempted to locate a sewer lateral at 10007 Bunny Hill Rd.
- ◆ Conducted a sewer lateral test at 21480 Donner Pass Rd.

- ◆ Continued sludge drying bed use and began sending out dried sludge to the landfill.
- ◆ Staff processed 13 USA dig ticket.

Operations Water Plant

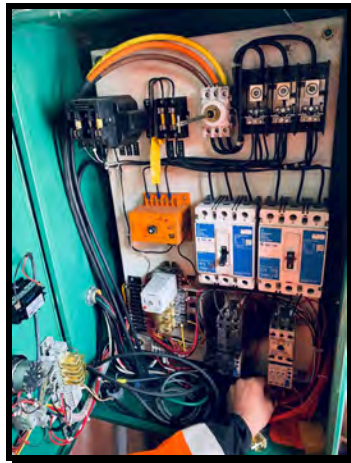
- ◆ Lake Angela Storage

Date	Water Surface Elevation (FT MSL)	Storage (MG)
7/18/2022	7191.24	78
8/8/2022	7188.21	68

- ◆ Completed and sent out monthly potable water reports to DHS.
- ◆ Began tracking the active water level of Lake Angela.
- ◆ Staff spent time locating the water service for Auburn Ski Club.
- ◆ Monitored tank levels at Big Bend.

Repairs and Maintenance WWTP

- ◆ Trouble shot problems with the pump motor controls at sewer lift station #8. Readjusted the amperage trip settings.



- ◆ Cleaned a sewer line at Sugar Bowl that had become partially blocked with asphalt.



- ◆ Trouble shot problems with the membrane chlorine feed pump. After evaluation pump needs to be replaced.



- ◆ Repaired a main line leak out at the spray irrigation site.
- ◆ Reinstalled the repaired window on the Mini X.
- ◆ Cleaned the irrigation pump Y Strainer.



Repairs and Maintenance WTP

- ◆ Picked up the Tucker SnowCat after its annual service and dashboard reconfiguration.



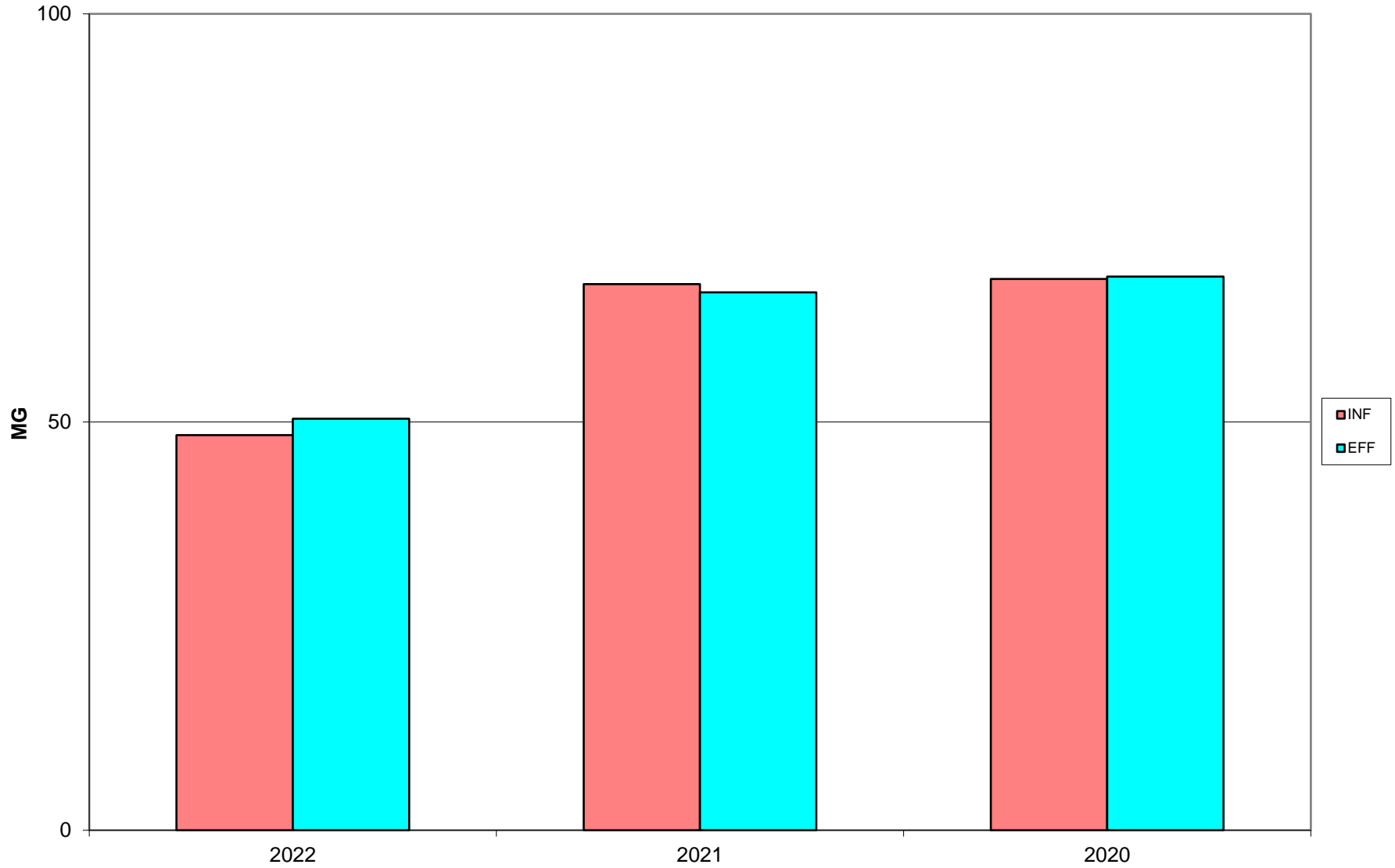
- ◆ Cleaned influent strainers to the filters.



Laboratory

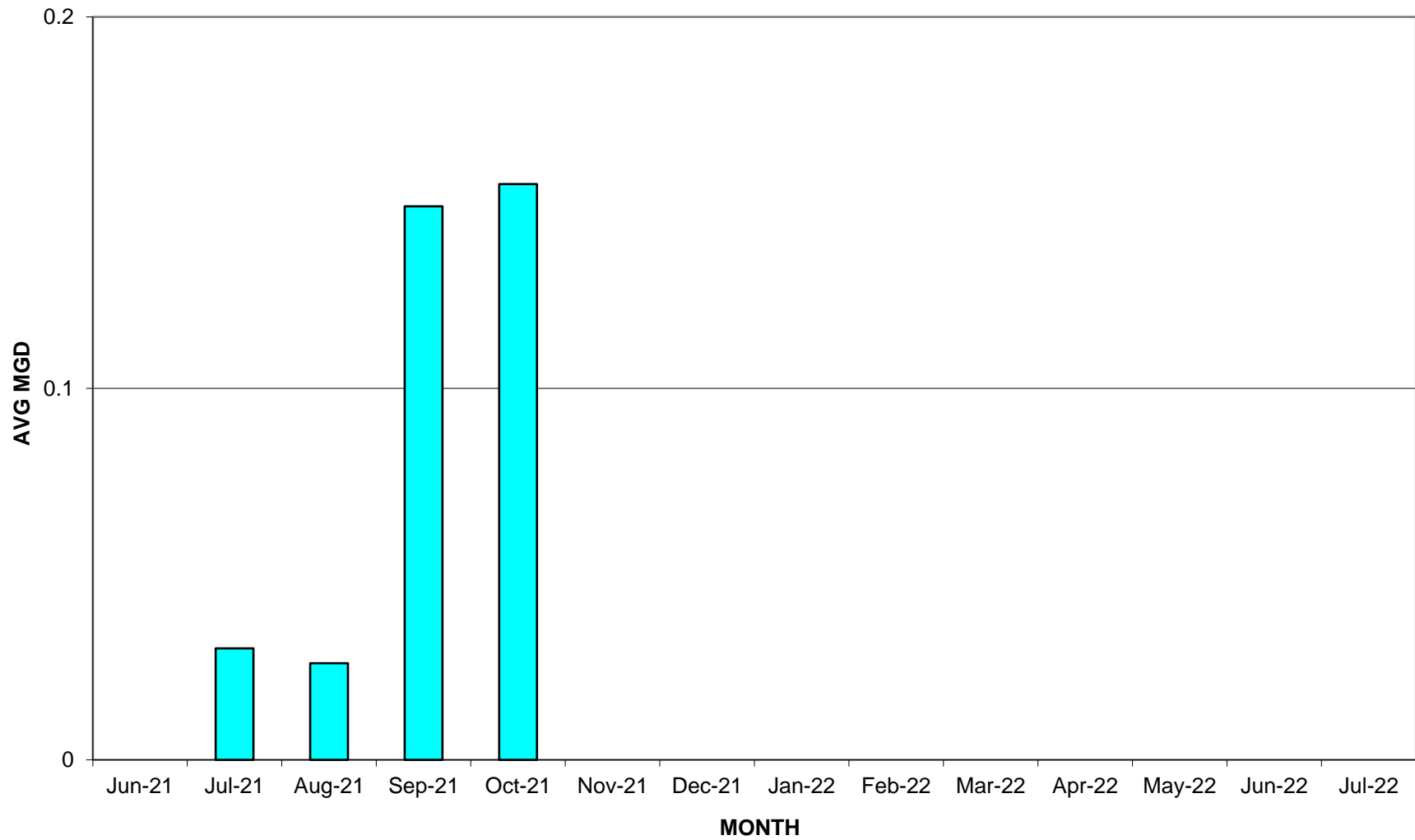
- ◆ Continued basic discharge and water quality testing.
- ◆ Collected samples for the 1st Quarter effluent/receiving water quality testing.

**DONNER SUMMIT PUD WWTP ANNUAL TOTAL INFLUENT FLOW TO TOTAL EFFLUENT
FLOW
2022 DATA THROUGH JULY**

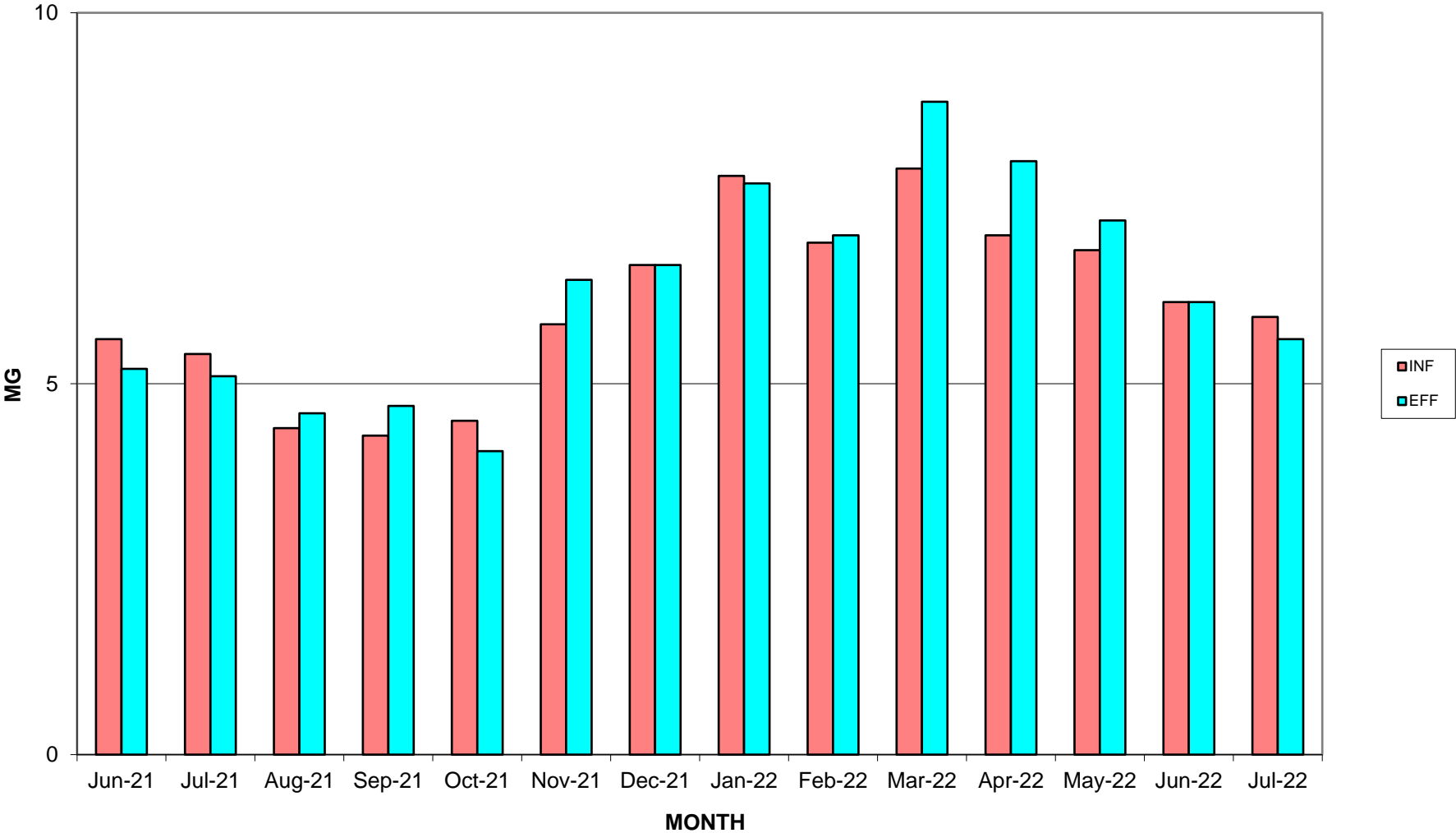


DONNER SUMMIT PUD WWTP

**AVG EFFLUENT FLOW TO LAND IRRIGATION
YEARS 2021/2022**



DONNER SUMMIT PUD WWTP **TOTAL INFLUENT FLOW TO TOTAL**
EFFLUENT FLOW YEAR 2021/2022



August 16, 2022
Agenda Item: 7A



STAFF REPORT

TO: Board of Directors

PREPARED BY: Steven Palmer, PE, General Manager

SUBJECT: Adopt a Resolution to Continue Remote Board Meetings in Accordance with Assembly Bill 361

RECOMMENDATION

Consider adopting a resolution that will allow the Board to continue meeting remotely.

BACKGROUND

Starting in March 2020 California Governor Gavin Newsom issued a series of Executive Orders (N-25-20, N-29-20, N-35-20) aimed at containing the novel coronavirus. These Executive Orders collectively modified certain requirements created by the Ralph M. Brown Act (“the Brown Act”). The effect of these modifications was to allow legislatively bodies to meet without requiring the physical presence of members of the legislative body, staff, or of the public. Since that time, The Board has been conducting its’ meetings over Zoom, in compliance with the Executive Orders.

On June 11, 2021, the Governor issued Executive Order N-08-21 which rescinds those Brown Act modifications effective on September 30, 2021. After that date, local agencies are required to observe all the usual Brown Act requirements such as providing a physical location with public access for the meeting, publishing the location of teleconferencing board members, posting meeting notices and agendas in those teleconference locations, and making those locations available to the public.

In response the California legislature passed Assembly Bill 361 (AB361), which provides local agencies with the ability to meet remotely during proclaimed state emergencies under modified Brown Act requirements, similar to the procedures established by the Governor’s Executive Orders. AB361 allows local agencies to meet remotely if any of the following conditions exist:

1. The legislative body holds a meeting during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

In order to continue to hold virtual meetings the legislative body shall, not later than 30 days after teleconferencing for the first time in compliance with AB361, and every 30 days thereafter must make the following findings by majority vote:

1. The legislative body has reconsidered the circumstances of the state of emergency.
2. Any of the following circumstances exist:
 - a. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - b. State or local officials continue to impose or recommend measures to promote social distancing.

AB 361 shall remain in effect only until January 1, 2024.

DISCUSSION AND ANALYSIS

Since the October meeting, the Board has taken action at each meeting to adopt a resolution to allow the continuation of remote meetings.

The State of California still has an active emergency declaration. Nevada County recently took action to revert to the State of California Department of Public Health guidance which, beginning on March 1, 2022, includes a strong recommendation to wear masks in all indoor public setting and businesses and a mask requirement for certain high-risk situations.

Due to the State declaration and Public Health guidance, the Board can continue to meet remotely without the typical Brown Act teleconference notifications (Government Code 54953(e)(1)(A)). If the Board wishes to continue to meet remotely, they will need to adopt the attached resolution that makes the findings required by AB361. To continue meeting remotely, the Board will need to make the required findings every 30 days (Government Code 54953(e)(3)).

If the Board does not adopt the attached resolution at this meeting, then the September meeting will need to take place in person.

FISCAL IMPACT

There is no direct fiscal impact to this action.

CEQA ASSESSMENT

This is not a CEQA Project

ATTACHMENTS

1. Resolution

RESOLUTION NO. 2022-29

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DONNER SUMMIT PUBLIC UTILITY DISTRICT RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS IN RESPONSE TO THE NOVEL CORONAVIRUS (COVID19) FOR ALL LEGISLATIVE BODIES OF THE DISTRICT FOR THE PERIOD SEPTEMBER 1, 2022 THROUGH SEPTEMBER 30, 2022 AS THIS IS THE TIME PERIOD THAT ENCOMPASSES THE NEXT SCHEDULED BOARD MEETING PURSUANT TO BROWN ACT PROVISIONS

WHEREAS, the Donner Summit Public Utility District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Donner Summit Public Utility District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution Number 2021-07 on October 19, 2021, finding that the requisite conditions exist for the legislative bodies of the Donner Summit Public Utility District to conduct remote teleconference meetings without compliance of paragraph (f) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions now exist in the District, specifically, as proclaimed in the Proclamation of a State of Emergency regarding the Novel Coronavirus (COVID19) issued on March 4, 2020 by the Governor of the State of California; and

WHEREAS, the County of Nevada Public Health Officer issued guidance regarding COVID19 on February 11, 2022 which reverted to the State Public Officer Guidance which includes a

strong recommendation for wearing masks in indoor public settings indoors and businesses, and requires masks in certain high-risk situations; and

WHEREAS, the Board of Directors does hereby find that the Governor of the State of California's Proclamation of Emergency, and the Nevada County Public Health Officer guidance indicate that the outbreak of COVID19 has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California, and ratify the California Public Health Order; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of Donner Summit Public Utility District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the next scheduled meeting of a legislative body of the Donner Summit Public Utility District is September 20, 2022; and

WHEREAS, public access to meetings will be ensured by posting the agenda with meeting links, and allowing public comment in real time during the meeting.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF DONNER SUMMIT PUBLIC UTILITY DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and the County of Nevada Public Health Officer issued an Health Officer issued guidance regarding COVID19 on February 11, 2022 which reverted to the State Public Officer Guidance which includes a strong recommendation for wearing masks in indoor public settings indoors and businesses, and requires masks in certain high-risk situations.

Section 3. Re-Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency and the State of California Public Health Order.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of Donner Summit Public Utility District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during

which the legislative bodies of Donner Summit Public Utility District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Donner Summit Public Utility District, this 16th day of August 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

DONNER SUMMIT PUBLIC UTILITY DISTRICT

By: _____
Cathy Preis
President, Board of Directors

ATTEST:

By: _____
Alex Medveczky
Secretary of the Board

August 16, 2022
Agenda Item: 7B



STAFF REPORT

TO: Board of Directors

PREPARED BY: Steven Palmer, PE, General Manager

SUBJECT: Adopt Resolutions Electing to Become Subject to the Uniform Public Construction Cost Accounting Act and Approving the Revised Purchasing Policy

RECOMMENDATION

Adopt two resolutions. One resolution (2022-30) electing to become subject to the Uniform Public Construction Cost Accounting Act, and a second resolution (2022-31) approving the revised purchasing policy.

BACKGROUND

The current Purchasing Policy (Attachment 1) provides limited guidance and procedures for purchasing and contracting. The current policy provides the following guidance:

- Purchases over \$500 require a purchase order and approval from the General Manager.
- Purchases over \$500 require quotations from vendors.
- Local firms are allowed a 10% preference margin.
- Vehicles are to be purchased through the State vehicle procurement program unless they can be acquired less expensively.

When purchasing the District must also comply with State law which requires that material and supply purchases over \$10,000 require formal bidding (Public Contract Code Section 20207.7), and construction contracts over \$15,000 require formal bidding (Public Contract Code Section 20201).

The Uniform Public Construction Cost Accounting Act (UPCCA) (Public Contract Code Section 22000 et. seq) will allow the District to use informal selection procedures for contracts up to \$200,000, if the District Board formally elects to follow the cost accounting and purchasing procedures in the UPCCA Cost Accounting and Procedures Manual. Electing to follow these procedures would shorten the timeline and process to bid projects valued at less than \$200,000.

DISCUSSION

Currently all District purchases and contract agreements over \$10,000 require Board approval and there is no guidance or procedures for formal and informal bidding. The proposed Procurement and Purchasing Policy (Attachment 2) details guidance and procedures for purchasing materials, supplies, construction contracts, and services. The proposed policy provides details on procurement procedures, approval limits, preference for local businesses, cooperative agreements, and Federal requirements.

Procurement Procedures

The Policy requires different bidding procedures depending on the procurement amount as listed in the tables below.

SUPPLIES AND EQUIPMENT

Procurement Limits	Purchase Order	Bidding Procedures
< \$1,000	No purchase order required	No quotes
\$1,001 - \$10,000	Purchase order required	3 quotes required
> \$10,000	Purchase order required	Formal bidding procedure

WORK THAT IS NOT A PUBLIC PROJECT (EG. MAINTENANCE)

Procurement Limits	Purchase Order	Bidding Procedures
< \$1,000	No purchase order required	No quotes
\$1,001 - \$60,000	Purchase order required	3 quotes required
> \$60,000	Purchase order required	Formal bidding procedure

WORK THAT IS A PUBLIC PROJECT

Procurement Limits	Purchase Order	Bidding Procedures
< \$1,000	No purchase order required	No quotes
\$1,001 - \$60,000	Purchase order required	3 quotes required
\$60,000 - \$200,000	Purchase order required	Informal bidding procedure
>\$200,000	Purchase order required	Formal bidding procedure

Informal Bidding – Public Project

When informal bidding is allowed for a Public Project, the District may send notices inviting bids in the following manner:

- (1) Send only to the contractors on a list established by the District for the type of work requested. This option requires the District to follow a specific process to establish the list of contractors.; or
- (2) Send notices inviting bids to the local construction trade journals listed in the UPCCA Manual; or
- (3) Send notices to both (1) and (2).

Formal Bidding

When formal bidding is required, the District must publish a notice in a locally published newspaper of general circulation and also send the notice to local construction trade journals listed in the UPCCA Manual.

Approval Limits

The proposed policy defines the Purchasing Agents as the Chief Plant Operator and General Manager, with approval limits of \$5,000 and \$60,000, respectively. The guidance and procedures allow for the Chief Plant Operator to have discretionary approval over daily operations. Purchase order requisition and bidding procedures are designed to allow for General Manager oversight of the Chief Plant Operator's purchases and due diligence in procuring appropriate pricing.

When setting limits for the General Manager the limits at other local agencies were surveyed. Ultimately, the amount of \$60,000.00 from the UPCCA Manual was used due to the wide range of signing authority that other agencies have. Below is a table with five local agencies and their General Manager's signing authority.

Agency	General Manager Signing Authority
NID	\$100,000
NTPUD	\$60,000
Tahoe City PUD	\$10,000
TDPUD	\$15,000
TTSA	\$15,000

Cooperative Agreements

The proposed policy allows for purchases through a cooperative purchasing agreement or “piggy backing” with another public agency whose procurement process is substantially consistent with the provisions of the policy.

Federal Requirements

The Office of Management and Budget (OMB) is a Federal oversight agency to the Executive branch of the Office of the President of the United States of America. It has released a Super Circular known as the Uniform Grant Guidance (UGG) which provides certain procurement provisions codified in the Code of Federal Regulations (2 CFR §200.317-326).

The 2 CFR §200.317-326 includes procurement provisions for Federal Grants in the following areas:

- §200.319 Competition
- §200.320 Methods of procurement
- §200.321 Contracting with small and minority businesses
- §200.322 Procurement for recovered materials
- §200.323 Contract cost and price
- §200.324 Federal awarding agency or pass-through entity review
- §200.325 Bonding requirements
- §200.326 Contract provisions

The OMB requires these provisions be adopted by non-Federal agencies and codified in their current procurement policies. These requirements only apply to projects that receive Federal funding. In certain cases, the District's procurement policy may already be in line with these requirements. The areas with the greatest departure from the current procurement policy include §200.320 Methods of procurement, §200.321 Contracting with small and minority businesses, and §200.323 Contract cost and price.

ANALYSIS

The UPCCA Manual provides guidance for force account limits and formal and informal bidding procedures required by public construction projects. By electing to adopt these policies and procedures, the streamlined awards process and the reduction in paperwork related to advertising and report filing will make it easier for the District to complete projects in a timely manner. This Manual requires the District to:

1. Elect by resolution to become subject to the uniform construction cost accounting procedures promulgated by the State Controller pursuant to the Public Contract Code section 22019. The Board may adopt attached Resolution 2022-30 to elect to follow the UPCCA.
2. Adopt an informal bidding ordinance or an equivalent board adopted policy pursuant to Public Contract Code section 22034. The Board may adopt attached Resolution 2022-31 to approve an equivalent board policy.

3. Establish and maintain a list of registered contractors and send requests for bids to construction trade journals.
4. Follow accounting procedures consistent with the UPCCA Manual when calculating the cost to perform projects with District staff.

FISCAL IMPACT

There is no direct fiscal impact to this action.

CEQA ASSESSMENT

This is not a CEQA Project

ATTACHMENTS

1. Existing Purchasing Policy
2. Proposed Procurement and Purchasing Policy
3. Resolution 2022-30 Electing to Become Subject to the UPCCA
4. Resolution 2022-31 Approving the Revised Procurement and Purchasing Policy

Donner Summit Public Utility District Policy Handbook

POLICY TITLE: Purchasing
POLICY NUMBER: 3080

3080.10 To purchase small items, such as office supplies, auto parts, and other miscellaneous items costing less than \$500, vendors will be asked to submit pricing information. District accounts are then awarded to those firms that provide the best prices, discounts, etc. Acquisitions are process on open purchase order forms, which list instructions to vendors.

3080.11 Local firms will be allowed a 10% preference margin.

3080.20 To purchase items costing more than \$500, quotations will be solicited from vendors and received by telephone, fax or mail prior to processing a purchase order. The General Manager must approve purchase orders.

3080.21 For large quantity orders, the district will provide suppliers with a list of items to be purchased. Items on the list will be purchased from the supplier quoting the lowest prices and having an acceptable delivery date.

3080.22 Vehicles will be purchased through the State's Vehicle Procurement Program, unless they can be acquire less expensively otherwise.



POLICY TITLE: PROCUREMENT AND PURCHASING POLICY

POLCY NUMBER: 3080

3080.10 GENERAL

3080.11 Purpose

The purpose of this policy is to establish the procedures governing purchase requisitions for materials, supplies and equipment in accordance with the State of California Government Code and contracting for public projects and consulting services in accordance with the State of California Public Contract Code and Uniform Public Construction Cost Accounting Act.

3080.12 Definitions

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

- a) “District” refers to the Donner Summit Public Utility District.
- b) “Board” refers to the Board of Directors of Donner Summit Public Utility District.
- c) “General Manager” is the General Manager as appointed by the Board of Directors of Donner Summit Public Utility District.
- d) “Government Code” refers to the Government Code of the State of California.
- e) “Public Contract Code” refers to the Public Contract Code of the State of California.
- f) “Public Utility District Act” refers to Sections 15501-18055 of the Public Utilities Code of the State of California.
- g) “Supplies” includes materials, small tools and equipment, and other goods or commodities utilized in the daily operational efforts of the District.
- h) “Equipment” includes large heavy equipment, vehicles, furniture and fixtures.
- i) “Public project” is as defined in Chapter 2, Section 22002 of the Public Contract Code:
 - i. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased or operated facility.
 - ii. Painting or repainting of any publicly owned, leased, or operated facility.
 - iii. In the case of a publicly owned utility system, “public project” shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.
 - iv. “Public project” does not include maintenance work. For purposes of this policy, “maintenance work” includes all of the following:
 - 1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
 - 2) Minor repainting.
 - 3) Resurfacing of streets and highways at less than one inch.
 - 4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

- 5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.
- j) For purposes of this policy, “facility” means any plant, building, structure, ground facility, utility system, subject to the limitation found in Public Contract Code section 22002(c)(3), real property, streets and highways, or other public work improvement.
- k) “Bidders list” refers to a list of prospective vendors.
- l) “Contractors list” refers to a list of contractors qualified to perform the duties required to construct public projects, of which should be developed and maintained by the General Manager using the criteria detailed by the California Uniform Construction Cost Accounting Commission.
- m) “Consultant” refers to a specially trained and experienced individual or firm for which they are qualified to provide expert services or advice related to financial, economic, accounting, architectural, engineering, legal, insurance, data processing, personnel or other administrative matters.
- n) “Professional services” shall mean and include professional services of any type or variety, including, but not limited to, services rendered by accountants, appraisers, architects, attorneys, auditors, designers, engineers, inspectors, physicians, surveyors, and other professional and technical callings requiring special licenses or certifications.
- o) “Purchase” refers to the acquisition of property including rental, lease or trade.
- p) “Purchase Order” shall mean a standardized form that authorizes a purchase when approved by the appropriate Purchasing Agent.
- q) “Purchasing Agent” refers to the appointed positions of the District charged with responsibilities governing procurement of supplies, equipment, and contracts for maintenance and public project services.
- r) “Responsible bidder” refers to a bidder who has demonstrated the specified qualifications and capabilities to satisfy the proposed work requirements.
- s) “Responsive bidder” refers to a bidder that responds appropriately according to the demands of the bidding instructions.
- t) “Emergency” refers to a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

3080.13 Purchasing Agents

- a) The Chief Plant Operator or General Manager shall act as the Purchasing Agent for procurements up to Five Thousand Dollars (\$5,000). The Chief Plant Operator does not have signature authority on contracts procured pursuant to this policy.
- b) The General Manager shall act as the Purchasing Agent for procurements with a value of more than Five Thousand Dollars (\$5,000.00) and up to Sixty Thousand Dollars (\$60,000.00).

3080.14 Purchasing Agent Duties

The Purchasing Agent shall have the authority to:

- a) Purchase or contract for supplies, equipment, maintenance services, or public projects in accordance with the purchasing procedures detailed in this directive;

- i. Exception. The Chief Plant Operator does not have signature authority on contracts procured pursuant to this policy;
- b) Procure quality supplies, equipment, and services for maintenance and public projects at the least expense to the District;
- c) Obtain as full and open competition as possible on all purchases and contracts;
- d) Keep informed of the current developments in the field of purchasing and contract administration as well as prices, market conditions and new products;
- e) Maintain reasonably necessary forms for the administration and operation of adhering to the procedures detailed in this directive;
- f) Supervise the regular inspection of all supplies and equipment for adequacies in their intended use;
- g) Obtain chemical and physical tests of samples submitted with bids which are necessary to determine their quality and conformance with specifications, where the cost may be covered by the District, or the District may order the cost be covered by the bidder;
- h) Recommend the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment that cannot be used by the District;
- i) Maintain bidders list, contractors list, local business preference list, current vendor list and other related records required to perform the duties of the purchasing function.

The Purchasing Agent is only authorized to procure supplies, equipment, and contracts for maintenance or public project services for which there is an unencumbered appropriation available to be charged.

3080.15 Staging of Purchases

Staging purchases and contracts into smaller units for the purposes of evading competitive bidding procedures in this directive is explicitly prohibited.

3080.16 Exemptions

The purchasing procedures detailed in this policy do not include the following:

- a) Travel expenses
- b) Subscriptions
- c) Advertisement of government mandated notices
- d) Reimbursement expenses
- e) Payroll and personnel related expenses
- f) Insurance claims
- g) Conference fees
- h) Banking services
- i) Postage, courier and delivery service charges
- j) Dues to approved organizations
- k) Payments to other government agencies
- l) Land
- m) Debt Service
- n) Claims settlements
- o) Grants

3080.20 PURCHASING AND CONTRACTING FOR SUPPLIES AND EQUIPMENT

3080.21 Purchasing Procedures for Supplies and Equipment

Purchasing procedures for supplies and equipment authorize the Purchasing Agent to acquire such items within their authorized purchasing threshold, as defined in Section 3080.13.

3080.22 Purchase Requisition Procedures

Purchase requisitions for the purchase of supplies and equipment are subject to the dollar limits provided in the table below.

Procurement Limits	Purchase Order	Bidding Procedures
< \$1,000	No purchase order required	No quotes
\$1,001 - \$10,000	Purchase order required	3 quotes required
> \$10,000	Purchase order required	Formal bidding procedure

For purchases not requiring formal bidding, the three quote requirement may be waived by the General Manager in the following circumstances:

- a) An attempt to obtain 3 quotes is documented in writing and only vendor is able to submit a quote.
- b) The General Manager determines that the supply or equipment can be obtained reasonably and efficiently from only one vendor.
- c) The General Manager determines that it is strongly preferred for efficient operations that the supply or equipment be of a particular model, brand, model, or make in order to be compatible with existing District equipment and operations.

For purchases requiring formal bidding, the Board may waive formal bidding by finding and determining by resolution that formal bidding would not produce an advantage and would therefore be undesirable, impractical, or impossible.

3080.23 Types of Purchase Orders

There are two (2) types of purchase orders the Purchasing Agent may issue, blanket purchase orders and individual purchase order requisitions. Procedures for each are provided below.

- a) Blanket purchase orders. Blanket purchase orders are issued by the Purchasing Agent for the purchase of supplies and equipment from the vendor for which there will be multiple or for ongoing monthly purchases. A blanket purchase order is issued to cover all amounts anticipated to be paid to the supplier for the fiscal year or contract term and typically expires at the end of the fiscal year or contract term. Blanket purchase orders are subject to the thresholds of the Purchasing Agents, as defined in Section 3080.13.
- b) Individual Purchase order requisitions. Individual purchase order requisitions are to be submitted to the Purchasing Agent, as described in Section 3080.15, for the purchase of supplies, equipment, and materials.

3080.24 Formal Bidding Procedures

The following provisions shall apply in contracting for supplies and equipment:

- a) Notices inviting bids. Notices inviting bids shall be prepared describing the bid items in general terms; referencing how to obtain more detailed information about the bid items; stating that the conditions and schedule may be found in the office of the District; mentioning that the supplies and equipment are to be delivered at such times, in such quantities, and in such a manner as the District may designate; and stating the time, date, and place for the submission of sealed bids.
- b) Material changes to the bid. If a material change to the bid specification is issued by the District later than seventy-two (72) hours prior to the opening of bids, the date and time shall be extended by no less than seventy-two (72) hours. The term "material change" means a change with a substantial cost impact on the total bid as determined by the District.
- c) Base Contract. Bid specifications which include one or more alternative bid schedules, shall identify and define the base bid for the purpose of awarding to the lowest responsive and responsible bidder.
- d) Bid opening procedure. Sealed bids shall be submitted to the Purchasing Agent and shall be identified as bids on the envelope. Such bids shall be opened in public at the time and place stated in the notice inviting bids, in the presence of all bidders who attend. A tabulation of all bids received shall be open for public inspection during regular business hours until award of the contract.
- e) Records of bid documents. Bid documents received by the District shall be maintained by the District department issuing the bid in accordance with the District's records retention schedule.
- f) Award of contracts. Contracts shall be awarded by the District to the responsible bidder that submits the lowest bid.
- g) No bids received. In the event no bids are received, the District shall have the option of any of the following:
 - i. Abandon the purchase; or
 - ii. Rebid the purchase.
- h) Rejection of bids. The District may elect to reject all bids. In the event all bids are rejected, the District shall have the option of any of the following:
 - i. Abandon the purchase or service; or
 - ii. Rebid the purchase.
- i) Tie bids. If two (2) or more bids are received from responsive and responsible bidders for the same total amount or unit price, and are the lowest, the District may accept the bid it chooses.
- j) Written contracts. Written contracts in the form approved by the District Legal Counsel shall be used in the award of bids.
- k) Sending, mailing, and publishing of notices. Notices inviting formal bids shall be published, sent, and mailed as follows:
 - i. Sent electronically, by facsimile or electronic mail, or mailed to all prospective vendors and firms at least fifteen (15) calendar days before the date of the bid opening;

- ii. Published at least once in a newspaper of general circulation, printed and published in the District, at least fourteen (14) calendar days before the date of the bid opening; and
 - iii. Other mailings, advertisements, and notifications deemed appropriate by the General Manager.
- l) Emergencies. In case of an emergency, the Board shall respond to the emergency pursuant to Section 3080.42 of this policy.
- m) Exceptions. A separate formal bidding process is not required when purchases are made through a cooperative purchasing agreement or “piggy backing” with another public agency whose procurement process is substantially consistent with the provisions of this article.

3080.25 Local Business Preference

The District recognizes that local businesses make significant contributions to the economic health of the District. The District supports local business opportunities, which encourage businesses to move into and stay within the District, promote economic development, and maintain a strong local economic base, which in turn foster economic growth in the District. Therefore, the Board has determined it is in the District's best interest to establish and provide a preference to local businesses.

- a) Local preference. When a non-local business has submitted the lowest responsive and responsible bid, and when one or more local businesses have also bid, the local business's total bid amount will be reduced by ten percent (10%) or Five Thousand Dollars (\$5,000), whichever is lower, for bid comparison purposes. If the net amount is lower than the lowest bid, the bid will be awarded to the local business for the full amount of its bid.
- b) Local business. For purposes of this policy, "local business" means a vendor or contractor that has an office with at least one employee physically located within the District.

Exemptions. The local business preference does not apply to contracts funded by grants which prohibit the use of preferences.

3080.30 CONTRACTING REQUIREMENTS FOR WORK THAT IS NOT A PUBLIC PROJECT

3080.31 Contracting Procedures

Contracting procedures for work that is not a public project, as defined in this policy, are subject to the dollar limits provided in the table below.

Procurement Limits	Purchase Order	Bidding Procedures
< \$1,000	No purchase order required	No quotes
\$1,001 - \$60,000	Purchase order required	3 quotes required
> \$60,000	Purchase order required	Formal bidding procedure

For contracts not requiring formal bidding, the three quote requirement may be waived by the General Manager in the following circumstances:

- a) An attempt to obtain 3 quotes is documented in writing and only contractor is able to submit a quote.
- b) The General Manager determines that the work can only be reasonably and efficiently performed by one contractor.

3080.33 Formal Bidding Procedures

The provisions in Section 3080.24 shall apply to formal bidding procedures for contracting for work that is not a public project, except for subdivisions (g) and (h), which shall read:

- g) No bids received. In the event no bids are received, the District shall have the option of any of the following:
 - i. Abandon the service; or
 - ii. Rebid the service.
- h) Rejection of bids. The District may elect to reject all bids. In the event all bids are rejected, the District shall have the option of any of the following:
 - i. Abandon the service;
 - ii. Rebid the service; or
 - iii. Perform the service by employees of the District after the Board passes, by a two- thirds (2/3rd) vote, a resolution declaring that all bids submitted are unsatisfactory or excessive.

3080.40 CONTRACTING REQUIREMENTS FOR PUBLIC PROJECTS

The District has elected to participate in the Uniform Public Construction Cost Accounting Act (California Public Contract Code Section 22000 et. seq.) (UPCCA). All public projects as defined in this policy and the UPCCA shall adhere to the contracting requirements of this section. The contract amount limits listed in this section are periodically updated by the State of California. If the current contract amount limits adopted by the State are different from the amounts listed in this policy, then the amounts adopted by the State shall apply.

3080.41 Purchasing and Contracting Procedures for Public Projects

Contracting procedures for work that is a public project, as defined in this policy, are subject to the dollar limits provided in the table below.

Procurement Limits	Purchase Order	Bidding Procedures
< \$1,000	No purchase order required	No quotes
\$1,001 - \$60,000	Purchase order required	3 quotes required (open market)
\$60,000 - \$200,000	Purchase order required	Informal bidding procedure
>\$200,000	Purchase order required	Formal bidding procedure

- a) Open market bidding procedures. Purchases and contracts of an estimated value in the amount of Sixty Thousand Dollars (\$60,000.00) or less may be made by force account, negotiated contract or by purchase order pursuant to the provisions of Section 3080.44 of this policy, except as otherwise provided in this section.
- b) Informal bidding procedures. Purchases and contracts of an estimated value in the amount of Two Hundred Thousand Dollars (\$200,000.00) or less may be made by informal bidding procedures pursuant to the provisions of Sections 3080.45 and 3080.46 of this policy, except as otherwise provided in this section.
- c) Formal bidding procedures. Purchases and contracts of an estimated value in an amount greater than Two Hundred Thousand and no/100ths Dollars (\$200,000.00) shall be made by formal bidding procedures pursuant to the provisions of Sections 3080.45 and 3080.47 of this policy, except as otherwise provided in this section.
- d) Exceptions. The bidding procedures and force account restrictions set forth in this article shall be dispensed with when bidding would be impossible, impractical, or incongruent; in an emergency; when the price is controlled by law; when the commodity, or maintenance service, or project can only be provided or performed by one vendor. For the purposes of this section:
 - i. "Impossible" shall mean actual impossibility or extreme and unreasonable difficulty or expense.
 - ii. "Impractical" shall mean incapable of being performed by the bid procedure.
 - iii. "Incongruous" shall mean not suitable to the bid procedure.
- e) Cooperative agreements. No provision of this article shall be interpreted or construed to prohibit or prevent the District from purchasing or contracting for supplies, equipment, maintenance services, or public projects by contracts, arrangements, and agreements for cooperative purchasing programs not otherwise prohibited by law with any federal government agency, the state, the county, any other public agencies, or with any cooperative purchasing alliance acting on behalf of governmental entities. Any such contract, agreement, or arrangement otherwise subject to open market or informal bidding procedures shall be first approved by the Purchasing Agent and if subject to formal bidding procedures shall be first approved by the Board, or by the General Manager if the funding for the purchase has already been approved by the Board through the budget process. At the discretion of the appropriate approving authority, the bidding procedures of any agency may be used in such joint contracting arrangements.

3080.42 Emergencies

- a) Generally. In cases of emergency, the Board shall follow the procedures in Public Contract Code section 22050.
- b) Authority to Act. In cases of emergency, the Board, by a four-fifths (4/5ths) vote, may direct the General Manager to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts.
- c) Work by Day Labor or Contract. The work may be done by day labor under the direction of the Board, by contract, or by a combination of the two.
- d) Review of Board Actions. Where the Board orders any action as permitted by Public Contract Code section 22050, the Board shall review the emergency action every

- fourteen (14) days thereafter until the action is terminated, to determine, by a four-fifths (4/5) vote, that there is a need to continue the action.
- e) Review of General Manager Actions. Where the General Manager orders any action as permitted by Public Contract Code section 22050, the Board shall initially review the emergency action not later than seven (7) days after the action. The Board shall review the emergency action every fourteen (14) days thereafter until the action is terminated, to determine, by a four-fifths (4/5) vote, that there is a need to continue the action, unless the General Manager has terminated that action prior to the Board reviewing the emergency action and making a determination pursuant to this subdivision.
 - f) Termination of Emergency Action. When the Board reviews the emergency action, it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

3080.43 Authorized Signature

- a) Board President. The President shall be authorized to sign on behalf of the District all approved contracts provided for in this article. In the absence of the President, the Vice President shall be so authorized.
- b) General Manager. The General Manager shall be authorized to sign on behalf of the District all contracts provided for in Section 3080.40 of this policy and such other approved contracts as the Board may specifically direct from time to time.

3080.44 Open Market Bidding Procedures

Except as otherwise provided in subsections (d) and (e) of Section 3080.41, the solicitation of bids and award of contracts for public projects with an estimated value in the amount of Sixty Thousand Dollars (\$60,000.00) or less may be made by the Purchasing Agent by force account, negotiated contract or by purchase order. Whenever possible, bids shall be obtained in the open market in accordance with the following procedures:

- a) Minimum number of bids. Open market purchases, whenever possible, shall be based on at least three (3) bids and shall be awarded to the lowest responsive and responsible bidder.
- b) Notices inviting bids. The Purchasing Agent shall solicit bids from prospective vendors by written requests, by telephone, by facsimile or electronic mail, or by other advertising.
- c) Written records of bids. Written records of bids received shall be maintained by the Purchasing Agent in accordance with the District's records retention schedule. Such records, while so kept, shall be open to public inspection and shall include the business name, address, and telephone number of the vendor; vendor representative; description of the bid items, including unit quantities if applicable, unit prices or lump sum amount quoted by the vendor; and the date the bid was received.

3080.45 General Provisions for Informal and Formal Bidding Procedures

The following provisions shall apply in contracting for public projects under both informal and formal bidding procedures:

- a) Material changes to the bid. If a material change to the bid specification is issued by the District later than seventy-two (72) hours prior to the opening of bids, the date and time shall be extended by no less than seventy-two (72) hours. The term "material change" means a change with a substantial cost impact on the total bid as determined by the District.
- b) Base Contract. Bid specifications which include one or more alternative bid schedules, shall identify and define the base bid for the purpose of awarding to the lowest responsive and responsible bidder.
- c) Bid opening procedure. Sealed bids shall be submitted to the Purchasing Agent and shall be identified as bids on the envelope. Such bids shall be opened in public at the time and place stated in the notice inviting bids in the presence of all bidders who attend. A tabulation of all bids received shall be open for public inspection during regular business hours until award of the contract.
- d) Records of bid documents. Bid documents received by the District shall be maintained by the District department issuing the bid in accordance with the District's records retention schedule.
- e) Award of contracts. Contracts shall be awarded by the District to the responsive and responsible bidder that submits the lowest bid.
- f) No bids received. In the event no bids are received, the District shall have the option of any of the following:
 - i. Abandoning the purchase or project;
 - ii. Rebidding the purchase or project; or
 - iii. Perform the work by employees of the District.
- g) Rejection of bids. The District may elect to reject all bids. In the event the District anticipates rejecting all bids, the District shall provide a written notice to an apparent low bidder, pursuant to Public Contract Code section 22038. Furthermore, the District shall have the option of any of the following:
 - i. Abandon the project;
 - ii. Rebid the purchase or project using the appropriate bidding procedures; or
 - iii. Perform the project by force account without further complying with Public Contract Code section 22020 et seq., after the Board passes a resolution by a four-fifths (4/5th) vote of its governing body declaring that the project can be performed more economically by District employees.
- h) Tie bids. If two (2) or more bids are received from responsive and responsible bidders for the same total amount or unit price, and are the lowest, the District may accept the bid it chooses.
- i) Written contracts. Written contracts in the form approved by the District Legal Counsel shall be used in the award of bids.
- j) Bidders' security. Security will be required in an amount equal to ten percent (10%) of the bid quotation as described in the Public Contract Code. Upon an award to the lowest bidder, the security of an unsuccessful bidder shall be returned in a reasonable period of time, but in no event shall that security be held by the district beyond sixty (60) days from the time the award is made.
- k) Bonds. Bidders for construction contracts shall give bonds for the faithful performance of the construction contract.

3080.46 Informal Bidding Procedures

Except as otherwise provided in subsections (a), (d), and (e) of Section 3080.41 and in Section 3080.42 of this article, the solicitation of bids may be authorized by the Purchasing Agent and the award of contracts for public projects with an estimated value in the amount of Two Hundred Thousand Dollars (\$200,000.00) or less may be made by the General Manager in accordance with the requirements of the Public Contract Code section 22032, et seq., and the following informal bidding procedures:

- a) Budgetary authorization. The bid items shall have been authorized as a part of an approved budget of the District, and the purchase or contract shall not exceed the amount so authorized.
- b) Contractor's List. A list of contractors shall be developed and maintained in accordance with the provisions of section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.
- c) Notices inviting bids. Notices inviting bids shall be prepared describing the bid items in general terms; referencing how to obtain more detailed information about the bid items; and stating the time, date, and place for the submission of sealed bids.
- d) Mailing of notices. Notices inviting informal bids shall be mailed at least ten (10) calendar days before the due date of the submission of bids as follows:
 - i. Mailed to all firms on the bidders list or contractors list for the category of work being bid; or
 - ii. For bid items defined as public projects, mailed to all construction trade journals designated by the California Uniform Construction Cost Accounting Commission; or
 - iii. Sent to both (i) and (ii) above; and
 - iv. Other mailings, advertisements, and notifications as deemed appropriate by the purchasing agent.
- e) Bids received in excess of Two Hundred Thousand Dollars (\$200,000.00). If all bids received are in excess of Two Hundred Thousand Dollars (\$200,000.00), the Board may award the contract to the lowest responsive and responsible bidder by adoption of a resolution by a four-fifths (4/5ths) vote if the purchasing agent determines the cost estimate was reasonable and the low bid does not exceed Two Hundred Twelve Thousand Five Hundred Dollars (\$212,500.00).

3080.47 Formal Bidding Procedures

Except as provided in subsections (d) and (e) of Section 3080.41, the solicitation of bids and award of contracts for public projects with an estimated value in excess of Two Hundred Thousand Dollars (\$200,000.00) shall be made in accordance with the requirements of the Public Contract Code section 22031 et seq., and the following formal bidding procedures:

- a) Plans and specifications. The Board shall adopt any plans, specifications, and working details as appropriate for the bid items prior to a solicitation for formal bids.
- b) Notices. Notices inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project.
- c) Sending, mailing, and publishing of notices. Notices inviting formal bids shall be published, sent, and mailed as follows:

- i. For bid items defined as public projects, sent electronically, by either facsimile or electronic mail and mailed to all construction trade journals designated by the California Uniform Construction Cost Accounting Commission at least fifteen (15) calendar days before the date of the bid opening;
- ii. Sent electronically, by facsimile or electronic mail, or mailed to all firms on the bidders list at least fifteen (15) calendar days before the date of the bid opening;
- iii. Published at least once in a newspaper of general circulation, printed and published in the District, at least fourteen (14) calendar days before the date of the bid opening, or in a manner as authorized by Public Contract Code section 22037 if there is no newspaper of general circulation; and
- iv. Other mailings, advertisements, and notifications deemed appropriate by the department head of the requesting agency.

3080.48 Local Business Preference

The District recognizes that local businesses make significant contributions to the economic health of the District. The District supports local business opportunities, which encourage businesses to move into and stay within the District, promote economic development and maintain a strong local economic base, which in turn foster economic growth in the District. Therefore, the Board has determined it is in the District's best interest to establish and provide a preference to local businesses.

- a) Local preference. When a non-local business has submitted the lowest responsive and responsible bid, and when one or more local businesses have also bid, the local business's total bid amount will be reduced by ten percent (10%) or \$5,000, whichever is lower, for bid comparison purposes. If the net amount is lower than the lowest bid, the bid will be awarded to the local business for the full amount of its bid.
- b) Local business. For purposes of this policy, "local business" means a vendor or contractor that has an office with at least one (1) employee physically located within the District.
- c) Exemptions. The local business preference does not apply to the following:
 - i. Contracts funded by grants which prohibit the use of preferences, and
 - ii. Contracts for services.

3080.50 CONTRACTING REQUIREMENTS FOR PROFESSIONAL AND CONSULTING SERVICES

Contracts for consultant/professional services shall be made pursuant to the provisions of this article.

3080.51 Architectural, Landscape Architectural, Professional Engineering, Environmental, Land Surveying, and Construction Management Services

- a) Procurements for architectural, landscape architectural, professional engineering, environmental, land surveying, and construction management services contracts shall comply with this section and Section 3080.53.
- b) Selection. Contracts for architectural, landscape architectural, engineering, environmental, land surveying, and construction management services are subject to the provisions of this article and shall be awarded in accordance with the California

Government Code section 4525 et seq. Selection process will be designed to select the most qualified firm to provide the desired services at a reasonable price. Selection will not be solely based on price; however, price may be a factor in selecting a firm. If price will be a factor, it will be discussed in the RFP, along with the method used to consider price.

- c) Maximum Participation of Small Business Firms.
 - i. Definition of Small Business. "Small business," as used in this section, shall have the same definition in Government Code section 14837(d)(1).
 - ii. Quotes. The District shall attempt to obtain at least two (2) quotes or proposals from a small business, where this article requires quotes or RFPs under Section 3080.53.
- d) Prohibition of Unlawful Activity. The District specifically prohibits practices which might result in unlawful activity, including but not limited to rebates, kickbacks, or other unlawful consideration. The District also prohibits its employees from participating in the selection process when those employees have a financial interest with an individual or business entity seeking a contract under this Section and would be subject to the prohibition of Government Code section 87100.

3080.53 Procurement

- a) Procurement of Professional and Consultant Services: \$60,000.00 or Less.
 - i. Informal Request for Proposal Procedure. Except as set forth herein, the procurement of consultant or professional services with a value of Sixty Thousand Dollars (\$60,000.00) or less shall be made following the procedure prescribed below:
 - 1) Solicitation of Proposals. The General Manager may solicit proposals by written (including e-mail) or verbal request to prospective consultants. Informal requests for proposals shall attempt, whenever feasible, to obtain at least three (3) proposals.
 - 2) Award of Contracts. The General Manager shall award contracts pursuant to this subdivision to the best qualified and most responsible proposer, which may not necessarily be the lowest priced proposal. The dollar amount of the proposal shall be considered but the award need not be made to the lowest dollar proposal.
 - 3) Signature Authority. The General Manager shall have the authority to execute a contract granted pursuant to this section. Such contracts shall be formal written agreements executed by the General Manager on behalf of the District.
 - ii. Exceptions. The General Manager may dispense with the informal RFP procedure, whether the informal RFP procedure has been initiated or not, for the reasons set forth below:
 - 1) In an emergency;
 - 2) When the services can be obtained from only one (1) source which has been reviewed and approved in writing by the General Manager;
 - 3) When, in the judgment of the General Manager, compliance with the procedure is not in the best interest of the District; or
 - 4) When processed through a cooperative purchasing agreement with another public agency, whose procurement process is substantially consistent with the provisions of this article.
- b) Procurement of Professional and Consultant Services: More than \$60,000.00.

- i. Formal Request for Proposal Procedure. Except as set forth herein, the procurement of consultant or professional services with a value of more than Sixty Thousand Dollars (\$60,000.00) shall be made following the procedure prescribed below:
 - 1) Solicitation of Proposals. The General Manager shall solicit proposals by written (including e-mail) or verbal request to prospective consultants. Informal requests for proposals shall, whenever feasible, be based on at least three (3) proposals.
 - 2) Award of Contracts. The Board shall award contracts pursuant to this subdivision to the best qualified and most responsible proposer, which may not necessarily be the lowest priced proposal. The dollar amount of the proposal shall be considered but the award need not be made to the lowest dollar proposal.
 - 3) Signature Authority. The Board President, or General Manager with the Board's approval, shall have the authority to execute a contract granted pursuant to this section. Such contracts shall be formal written agreements executed by the Board President, or General Manager on behalf of the District.
- ii. Exceptions. The Board may dispense with the informal RFP procedure, whether the informal RFP procedure has been initiated or not, for the reasons set forth above under subdivision (a)(ii).

3080.60 PURCHASING AND CONTRACTING FOR FEDERAL GRANTS
3080.61 Codified Guidance

The Code of Federal Regulations (CFR) lists the general and permanent rules published in the Federal Register by each of the executive departments and agencies of the Federal Government. The CFR is a systematic collection of rules that are published in the Federal Register by the executive departments and agencies within the Federal government. It is divided into different Titles which represent areas subject to Federal regulation. Regulations are created through an enabling statute of Congress and serve as administrative law.

The Office of Management and Budget (OMB) is charged with the responsibility of the oversight and preparation of the Federal budget, in addition to the supervision of the budget of the various Federal agencies. OMB oversees and coordinates the Administration's procurement, financial management, information, and regulatory policies and serves on behalf of the President of the United States in developing government-wide policies which aid in ensuring that Federal grants are managed properly and that Federal grant monies are spent in accordance with applicable laws and regulations.

OMB issued what is commonly referred to as its "Super Circular" or Uniform Grants Guidance (UGG) effective December 26, 2014, with an option to elect July 1, 2018 as the grace period option effective date. The District has elected this grace period effective date. The following summarizes the revisions to the guidance for Federal Award Programs:

- Supersedes and streamlines various OMB Circulars
- Aims to be more efficient, effective and transparent
- Strengthen oversight of federal funds to reduce waste, fraud, and abuse

- Review UGG (Title 2, Subtitle A, Chapter II, Part 200)

UGG §200.317-326 specifically relates to procurement and are incorporated in this policy in the sections that follow.

3080.62 Competition (OMB §200.319)

- a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:
 - i. Placing unreasonable requirements on firms in order for them to qualify to do business;
 - ii. Requiring unnecessary experience and excessive bonding;
 - iii. Noncompetitive pricing practices between firms or between affiliated companies;
 - iv. Noncompetitive contracts to consultants that are on retainer contracts;
 - v. Organizational conflicts of interest;
 - vi. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
 - vii. Any arbitrary action in the procurement process.
- b) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.
- c) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:
 - i. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and
 - ii. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

- d) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

3080.63 Methods of Procurement (OMB §200.320)

- a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (§200.67 Micro-purchase). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.
- b) Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
- c) Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (c)(1) of this section apply.
- i. In order for sealed bidding to be feasible, the following conditions should be present:
 - 1) A complete, adequate, and realistic specification or purchase description is available;
 - 2) Two or more responsible bidders are willing and able to compete effectively for the business; and
 - 3) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.
 - ii. If sealed bids are used, the following requirements apply:
 - iii. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publically advertised;
 - iv. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
 - v. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
 - vi. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - vii. Any or all bids may be rejected if there is a sound documented reason.

- d) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost- reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:
 - i. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
 - ii. Proposals must be solicited from an adequate number of qualified sources;
 - iii. The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - iv. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - v. The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.
- e) [Reserved]
- f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
 - i. The item is available only from a single source;
 - ii. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - iii. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
 - iv. After solicitation of a number of sources, competition is determined inadequate.

3080.64 Contracting with Small and Minority Businesses (OMB §200.321)

- a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- b) Affirmative steps must include:
 - i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - ii. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

- v. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

3080.65 Procurement of Recovered Materials (OMB §200.322)

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

3080.66 Contract Cost and Price (OMB §200.323)

- a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.
- b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E—Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.
- d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

3080.67 Federal Awarding Agency or Pass-through Entity Review (OMB §200.324)

- a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or

- pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.
- b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:
 - i. The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;
 - ii. The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
 - iii. The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;
 - iv. The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
 - v. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.
 - c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.
 - i. The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;
 - ii. The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

3080.68 Bonding Requirements (OMB §200.325)

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

- a) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

- b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor’s obligations under such contract.
- c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

3080.69 Contract Provisions (OMB §200.326)

The non-Federal entity’s contracts must contain the applicable provisions described in Appendix II to Part 200— Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

DRAFT

RESOLUTION NO. 2022-30

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DONNER SUMMIT PUBLIC UTILITY DISTRICT ELECTING TO BECOME SUBJECT TO THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT PROCEDURES

WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054, Statutes of 1983, which added Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code section 22000 et seq., the Uniform Public Construction Cost Accounting Act, establishes such a uniform cost accounting standard; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF DONNER SUMMIT PUBLIC UTILITY DISTRICT DOES HEREBY RESOLVE THE FOLLOWING:

1. The Donner Summit Public Utility District hereby elects under Public Contract Code Section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended; and
2. The General Manager is hereby directed to notify the State Controller forthwith of this election.

PASSED AND ADOPTED by the Board of Directors of Donner Summit Public Utility District, this 16th day of August 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

DONNER SUMMIT PUBLIC UTILITY DISTRICT

By: _____
Cathy Preis
President, Board of Directors

ATTEST:

By: _____
Alex Medveczky
Secretary of the Board

RESOLUTION NO. 2022-31

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DONNER SUMMIT PUBLIC UTILITY DISTRICT APPROVING A REVISED PURCHASING POLICY

WHEREAS, the Board of Directors of the Donner Summit Public Utility District (District) desires to adopt a revised procurement and purchasing policy; and

WHEREAS, District staff performed an extensive review of the current Purchasing Policy and it was determined that the District' policy required realignment with the Public Contract Code and the Uniform Public Construction Cost Accounting Procedures; and

WHEREAS, District staff updated the existing Purchasing Policy to include purchasing procedures for supplies, equipment, maintenance services, construction, and professional services. The updated policy further defines the signature authority, and formal and informal bidding procedures; and

WHEREAS, the updated policy includes provisions that are required when receiving Federal funds; and

WHEREAS, the District believes this new policy establishes a more uniform structure for an open and transparent process that (1) promotes public confidence in the District's procurements; (2) ensures the equitable treatment of all persons and entities that participate in the District's procurement system; (3) fosters appropriate competition and safeguards for maintaining a procurement system of quality and integrity; (4) promotes increase economic efficiency and responsibility on the part of the District; and

WHEREAS, the updated Procurement and Purchasing Policy was presented to and reviewed by the Board on August 16, 2022.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF DONNER SUMMIT PUBLIC UTILITY DISTRICT DOES HEREBY RESOLVE that the current Purchasing Policy is rescinded and the attached Procurement and Purchasing Policy is approved.

PASSED AND ADOPTED by the Board of Directors of Donner Summit Public Utility District, this 16th day of August 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

DONNER SUMMIT PUBLIC UTILITY DISTRICT

By: _____
Cathy Preis
President, Board of Directors

ATTEST:

By: _____
Alex Medveczky
Secretary of the Board