



City of San Juan Bautista

The "City of History"

Office of the City Manager

P.O. Box 1420, 311 Second Street

San Juan Bautista CA 95045

(831) 623-4661 x 14 C (831) 594-6322

April 28, 2023

Tamara Anderson

Central Coast Water Board

Submitted via Email

Tamara.Anderson@waterboards.ca.gov

RE: San Juan Bautista Compliance Project 2022- 1st Quarter Report (Report #3)
SACLO No. R3-2022-031

Dear Ms. Anderson,

Please accept this letter as the City's third "Compliance Project Report" for the 1st Quarter ending March 30, 2023, due May 1, 2023. In the 4th Quarter Status Report, it was noted that several milestones may be delayed 30-60 days, due to the USDA condition compliance work that needed to be done.

This report continues to cover the "Pre-Construction" phase of the Compliance project, the first three subjects described in Table B4. Attached to this report is the City's most recent April 18, 2023 Extension Request. It refers to and updates the City's original request from February 13, 2023. It justifies extending the deadline for the top 4 tasks on table B4 into the 2nd Quarter and 3rd Quarter of 2023. It includes a revised Table B4, reflecting schedule changes requested February 13, 2023, and April 18, 2023. None of these two requests have formally been approved. None of two these requests impact the completion date, which remains at June 26, 2024.

ACCOMPLISHMENTS SINCE THE Q4 REPORT SUBMITTED FEBRUARY 1, 2023, FOR WORK THROUGH DECEMBER 31, 2022

- A) All environmental permits have been completed (Attachment 2), but the CalTrans Encroachment Permit has been pushed out to July 25, 2023. If necessary, the project will begin construction, but not on this small part of the 6-mile pipeline.
- B) USDA Letter of Conditions ("LOC") executed November 30, 2022- was provided to the Water Board in the 4th Quarter report from December 31, 2022. Many of the conditions



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outlined in the 32-page letter from the USDA are required to be completed before bidding the project. The 3rd Attachment is a summary the list these of conditions and the status. Last week, the City received an Email from Michael Starinsky of the USDA, approving the City's bid package and authorizing the City to solicit bids, provided as Attachment 4.

- C) On April 18, 2023, the City adopted Resolution 2023-25, approving the plans and specifications for the Project and authorizing the solicitation of bids Friday April 21, 2023 provided as Attachment 5.
- D) On Friday, April 21, 2023, the project was advertised for bidding. It can be found at this link on the City web-site.
https://www.san-juan-bautista.ca.us/departments/planning/sanitary_sewer_force_main_to_hollister_project.php
The City has not yet received the proof of publication from the Hollister newspaper.
- E) As of March 30, 2023, the City has spent \$1.27 million on the design, environmental and permitting of the project. The budget remains at \$18.751 for the whole project, which will be determined after bidding closes May 26, 2023.
- F) The \$1 million EPA-STAG Grant will reimburse the City for its initial investments, the application is progressing with award due in June of this year.
- G) The City has initiated its application for the \$3 million State Water Board Grant, and the City expects it to be completed in the late summer of 2023.

PENDING PRIORITIES

- A) Purchase of Environmental Mitigation Credits required by USFWS – this is being held as additional conservation banks come-on line that could offer competitive pricing for is \$468,000 expense.
- B) Hollister Sewer Service Agreement is in final draft form submitted to USDA, to be approved at the City Council's May 16, 2023 meeting, and then by Hollister in June.
- C) Agreements with the three industrial users outside of the service area- not initiated yet. Goal to have them executed in August.
- D) USDA requires the San Benito Water District Agreements (import of surface water; #1 "Pipeline Agreement," and #2 for the purchase of water agreement) to be executed before bidding. These are nearing final draft to be ready for the June 13, 2023 City Council meeting agenda for approval.
- E) RFP-RFQ for Construction Manager and Inspection Services- out to bid the week of April 24th with award to occur June 13, 2023



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The City reviewed the milestones in Table B-6 and determined that this schedule does require changing at this time. The actual Compliance Project, as a component of the whole project, is more flexible compared to the schedule for the whole project.

If this third Quarterly Report for the 1st Quarter ending March 30, 2023, does not meet the requirements of the SACLO, please feel free to reach me at citymanager@san-juan-bautista.ca.us or call if you need anything from the City.

Sincerely,

Don Reynolds
City Manager

Attachments-

1. April 18, 2023 Extension Request Letter
2. Environmental Permit Status and Summary
3. USDA Conditions Summary and Status
4. Email from USDA approving bid-docs
5. City Council approval of PS&E and soliciting bid - Resolution 2023-25

CC: Adam Howell, EPA
Dmitry Semenov, Ridgeline Municipal Finance Advisor
Gabe Aronow, Stantec
MNS Engineering



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April 18, 2023

Mathew T. Keeling
Executive Officer
Central Coast Water Board
Email

Re: San Juan Bautista SACLO No. R#-2022-0031 CP Extension Request

Dear Mr. Keeling,

Pursuant to the process described in Paragraph 5(e), page 11 of R#-2022-0031 (CP Extension Request), this letter is intended to formally request an extension of the City's Compliance Project. The Exhibit B, Table B-4 originally had the following milestones and schedule:

Table B.4: Summary of Remaining Project Milestones

Milestone	Completion Date
Pre-Construction	
Obtain all Environmental and Encroachment Permits	02/14/2023
Advertise for Construction Bid	02/15/2023
Construction	
Award Construction Contract	03/15/2023
Issue Notice to Proceed	06/07/2023
30 percent Project Completion	11/15/2023
60 percent Project Completion	01/15/2024
Substantial Construction Complete (Start-up Force Main)	04/10/2024
Punch List Resolution	06/12/2024
Project Completion	06/26/2024

This schedule does not account for delays reasonably outside the City's control, or for unforeseen obstacles that might cause delays for the City.



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It should be noted that the City has been closely communicating with the Water Board's Central Coast Region representatives Tamara Anderson, and Leah Lemoine. In December they attended a critical meeting with State Fish and Wildlife to understand delays in permitting, which they have been very helpful at expediting. They both attended the meeting January 10, 2023 with the City of Hollister as having an agreement for Hollister to receive the City's water is a critical step for the USDA. They were both copied on the City's last written request to change the Settlement Agreement schedule submitted February 14, 2023. That request includes the City's November 30th, 2022 commitment to the USDA in its Letter of Compliance. The February 14, 2022 request adds a new milestone to the Schedule indicating the City needed additional time to bid the project due to its commitment to the USDA. This request did not change the completion date, just the date to solicit bids.

The City is requesting the Executive Director to consider these circumstances beyond the City's control, and approve the additional time needed to complete the milestones as presented in the revised Table B-4.

April 17, 2023 Update

The City is prepared to bid the project 04/21/23, per staff report submitted for approval to the City Council for April 18, 2023. Using this link you can access the Report, and the plan documents. http://cms6.revize.com/revize/sanjuanbautistaca/alert_detail.php The City has been working to satisfy the Right-of-Way legal documents required by the USDA. Attached are two emails summarizing that we may be able to resolve these issues as well as the Cal Trans Encroachment permit soon as May 3rd. The third Email is from the USDA approving the bid package. The EPA, Tamara Anderson and the City last met regarding these schedule changes Monday April 10, 2023.



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Table B.4: Summary of Remaining Project Milestones

Task	completion dates		
		13-Feb-23	18-Apr-23
Pre-Construction			
Obtain all Environmental and Encroachment Permits	2/14/2023	5/14/2023	7/25/2023
Advertise for Construction Bid	2/15/2023	4/21/2023	5/26/2023
Construction			
Award Construction Contract	3/15/2023	5/16/2023	6/20/2023
Issue Notice to Proceed	6/7/2023	5/26/2023	6/30/2023
30-percent Project Completion	11/15/2023	9/14/2023	10/9/2023
60-percent Project Completion	1/15/2024	1/23/2024	1/17/2024
Substantial Construction Complete (Start - up Force Main)	4/10/2024	4/23/2024	4/27/2024
Punch List Resolution	6/12/2024	5/30/2024	5/30/2024
Project Completion	6/26/2024	6/26/2024	6/26/2024

I hope this letter is helpful in understanding the City's progress. Please feel free to contact me if you any questions or concerns (831) 594-6322 and at citymanager@san-juan-bautista.ca.us Thank you again for your help in moving this project forward.

Sincerely,

Don Reynolds
City Manager

Emails Attached: ROW, Cal Trans Encroachment Permit, and USDA

Cc: EPA
USDA

Don Reynolds

From: Steve Loupe <SLoupe@cosb.us>
Sent: Saturday, March 4, 2023 2:10 PM
To: Aronow, Gabe
Cc: Don Reynolds; Paul Greenway
Subject: RE: San Juan Bautista USDA access

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S.B. County. PU'S

Gabe,

The SJB force main project is in good standing with the County. Recorded easements or property purchases are not required for the proposed improvements located within County owned lands and/or right-of-way.

Best regards,
Steve Loupe
Public Works Administrator
County Engineer



Resource Management Agency
Ph: (831) 902-2271

From: Aronow, Gabe <Gabe.Aronow@stantec.com>
Sent: Saturday, March 4, 2023 12:21 PM
To: Steve Loupe <SLoupe@cosb.us>
Cc: citymanager@san-juan-bautista.ca.us; Paul Greenway <paul@g7ei.com>
Subject: San Juan Bautista USDA access

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Steve,
A couple months ago we spoke about San Benito County access and permitting needs for the SJB force main project. You said an encroachment permit was required for the force main to be in County rights of way, and more recently you said the encroachment permit should be acquired by the Contractor, since they will be the one working in the County, not SJB.

As part of SJB's USDA funding, the City attorney is being asked to sign off on access for the project, either through land purchase or easements acquisition officially recorded at the County. However, we don't believe that applies for this project. Land purchase and easements are typically required for access involving private property, but this is a public works project traversing only in City or County lands and rights of way. USDA says it's fine that no easements or land purchase are required for the project and the City attorney can sign the form.

Can you please respond affirmatively that the project is in good standing with the County and nothing further is required, including recorded easements or property purchases? This affirmation will support the SJB attorney signing for the USDA funds. The plan is to advertise for bidding 4 April 2023, so your prompt response is appreciated.

Thank you,

|

Don Reynolds

City Attorney #2

From: Aronow, Gabe <Gabe.Aronow@stantec.com>
Sent: Friday, April 14, 2023 5:50 PM
To: Attys@WellingtonLaw.com; Don Reynolds; Paul Greenway; Centor, Marc; jerrysanguinetti@gmail.com; dpike@mnsengineers.com
Cc: 'Thorme, Melissa'
Subject: RE: SJB Caltrans encroachment
Attachments: RE: San Juan Bautista USDA access; RE: [External Email]San Juan Bautista

Bob.
See below.

From: Attys@WellingtonLaw.com <attys@wellingtonlaw.com> *AK*
Sent: Friday, April 14, 2023 5:08 PM
To: Aronow, Gabe <Gabe.Aronow@stantec.com>; citymanager@san-juan-bautista.ca.us; Paul Greenway <paul@g7ei.com>; Centor, Marc <mcentor@downeybrand.com>; jerrysanguinetti@gmail.com; dpike@mnsengineers.com
Cc: Attys@WellingtonLaw.com; 'Thorme, Melissa' <mthorme@DowneyBrand.com>
Subject: RE: SJB Caltrans encroachment

Gabe –

That is very good news indeed. Three weeks would be great, May 4 puts the CalTrans permit on approximately the same timeline as the Hollister easement - as the next regular meeting of the Hollister City Council is on May 1 (albeit both dates are after the April 21 prospective “go to bid” date). SJB does not meet (after next Tuesday) until May 16, however, Council could approve the easement at a special meeting, but Hollister should approve the easement first.

Further to my email on April 7, for the City we need:

- (1) The easement from Hollister (per Hollister’s request for a blanket form easement); William Via sent it to their attorney and identified the rush. Would it help to connect attorneys directly?
- (2) Absent an agreement with the County, a statement in writing, which could come from Steve Loupe as the County’s Public Works Administrator/County Engineer, confirming: (a) the City made inquiry and requested an agreement or other instrument with San Benito County setting forth the terms and conditions of the City’s use of the property (to be shown on the Right-of-way Map attached to the statement (also required to be attached to the Right-of-way Certificate)) to install, operate and maintain a force main pipeline for the conveyance of domestic wastewater, (b) upon review no agreement or other approval is required from the County, and (c) confirming the City’s use of the designated area under the County’s control. Is the attached email from Steve to this affect sufficient?
- (3) A permit from CalTrans (for which, if necessary, I understand USDA has agreed to accept an exception in the Opinion of Counsel). USDA said you can identify on the Opinion of Counsel that the Caltrans encroachment permit has been applied for and is pending. They only require it prior to construction in the Caltrans right of way.

/

All the above to confirm the respective rights in the real property over which the force main pipeline is to pass.

The first two are required by Public Utilities Code §10103 ("shall" as used in that section being mandatory per Govt. Code §14) and I believe written confirmation that a request was made of the County in the form suggested would satisfy the intent of the statute.

Having the CalTrans piece in place is preferable in order for me to make the statements in the Opinion of Counsel required by USDA and it would be better if possible to have all three pieces in place rather than having to include exceptions to any.

Concerning the draft easement with Hollister I continue to believe that speed is the most important factor. Gabe sent the easement to Hollister on April 7 and to my knowledge we have not received comments back. If those comments make it less lengthy and complicated, so be it. I agree with Don in his email on Tuesday – let's see what Hollister says. As to going out to bid on April 21, my advice is to await and then carefully review the response from Mike Starinsky at USDA to the inquiry Gabe made on Tuesday. See attached response from Mike.

Wishing everyone a pleasant weekend.

Bob
Wellington & Rathie
(831) 424-3672
attys@wellingtonlaw.com

From: Aronow, Gabe <Gabe.Aronow@stantec.com>
Sent: Friday, April 14, 2023 9:04 AM
To: Robert Rathie <bob@wellingtonlaw.com>; citymanager@san-juan-bautista.ca.us; Paul Greenway <paul@g7ei.com>; Centor, Marc <mcentor@downeybrand.com>; jerrysanguinetti@ymail.com; dpike@mnsengineers.com
Subject: SJB Caltrans encroachment

Team: I talked to Caltrans. They agreed to move our permit application to the top of the list (they seem sympathetic to the project and don't normally provide exceptions – said they have thousands of applications at any given time). Given how simple the work is they anticipate providing the permit in about three weeks. That's May 4. No promises though.

Thanks,
Gabe

Gabe Aronow PE
Principal
530-913-9197
gabe.aronow@stantec.com

101 Providence Mine Road, Suite 202
Nevada City CA 95959



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Don Reynolds

USRA #3

From: Starinsky, Michael - RD, CA <mike.starinsky@usda.gov>
Sent: Wednesday, April 12, 2023 9:43 AM
To: Aronow, Gabe
Cc: Paul Greenway; Don Reynolds; Dmitry Semenov; De La Cruz, Esther - RD, CA
Subject: RE: [External Email]San Juan Bautista
Attachments: Bid Award Checklist.pdf

Gabe,

I have reviewed the plans and specifications and the revised contract documents now meet USDA requirements and are acceptable for bid advertisement purposes. I have attached a checklist of items that you will need to submit following the bid opening. Please submit these items collectively as a single submittal as a pdf attachment to an e-mail addressed to me. (Note that Item No. 4 on the list is referring to the qualifications of the specific individual that will be assigned as the lead Resident Inspector for this project.) Please be aware that the City is not to formally award the construction contract until USDA has reviewed and approved the bid award information.

Please contact me if you have any questions.

Mike Starinsky, PE
State Engineer
Rural Development
United States Department of Agriculture
430 G Street
Davis, CA 95616
(530)792-5814
www.rd.usda.gov

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From: Aronow, Gabe <Gabe.Aronow@stantec.com>
Sent: Tuesday, April 11, 2023 11:18 AM
To: Starinsky, Michael - RD, CA <mike.starinsky@usda.gov>
Cc: Paul Greenway <paul@g7ei.com>; citymanager@san-juan-bautista.ca.us; Dmitry Semenov <dsemenov@ridgelinemuni.com>
Subject: [External Email]San Juan Bautista

[External Email]

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Hi Mike,

Does SJB have USDA approval to advertise the plans and specs? I know you said they good to go via emial, but is there a formal "approval" we need?

Are there any other questions or comments on your end? We appreciate all your guidance.

Thanks,
Gabe

City of San Juan Bautista
Wastewater System Compliance Project
USDA Loan / Grant LOC Checklist

As Of 30-Mar-23

#	Description	LOC Reference	Due Before	Responsible Party	Comments
1. Due Before Obligation of Funds					
1.1	Certification of Conflict of Interest Policy	III.8.a	Obligation of funds	Don	Uploaded to Sharepoint 3.2.23
2. Due Before Advertisement for Bids					
Evidence of applicant contributions and other funding sources (commitment letters).					
2.1	Suspension and Debarment Screening thru Do-Not-Pay Portal	III.2	Advertisement for Bids	Dmitry / Don	USDA will handle at each draw
2.5	Compliance with Environmental Report MARRP	III.3	Advertisement for Bids	Shantee / EMC	Addressed in specs 100, 200, 800 and appendix
2.6	Implementation of USFWS Biological Opinion requirements	III.3	Advertisement for Bids	Shantee / EMC	Addressed in specs 100, 200, 800 and appendix
2.7	USDA concurrence with Agreement for Engineering Services	III.4	Advertisement for Bids	Don / USDA	Shantee provided to USDA via e-mail - USDA reviewed (2/3/2023)
2.8	USDA concurrence with plans and specifications	III.5.e	Advertisement for Bids	Shantee / USDA	E-mail from Mike Starnesky on 04/12/2023
2.9	USDA concurrence with bond-counsel agreement	III.6	Advertisement for Bids	Don / Either	Uploaded to Sharepoint 3.2.23
2.10	USDA concurrence with City attorney agreement	III.6	Advertisement for Bids	Don / Either	Uploaded to Sharepoint 3.2.23
2.11	Evidence of adequate continuous and valid control over lands and ROW needed for project				
2.11.1	ROW Map	III.7.a	Advertisement for Bids	Shantee	Uploaded to Sharepoint 9 Feb 2023 - DS
2.11.2	Form RD-442-20 "ROW Easement"	III.7.b	Advertisement for Bids	Shantee	Uploaded to Sharepoint 9 Feb 2023 - DS
2.11.3	Form RD-442-21 "ROW Certificate"	III.7.c	Advertisement for Bids	Shantee	Uploaded to Sharepoint 13 Feb 2023 - DS
2.11.4	Form RD-442-22 "Opinion of Counsel on ROW"	III.7.d	Advertisement for Bids	City's Counsel	
2.12	Conflict of interest disclosure / negative disclosure	III.8.a	Advertisement for Bids	City's Counsel	Uploaded to Sharepoint 3.2.23
2.13	Draft Sewerage Treatment Contract w/ Hollister	III.8.b	Advertisement for Bids	Don	DB is working and sb available by week end (2/27/2023)
2.14	Draft Sewer User Agreements	III.8.c	Advertisement for Bids	Don	DB is working and sb available soon - no date yet (2/27/2023)
2.15	Drafts of any contracts for other services, including audit, management, operation, and maintenance, or lease agreements covering real property essential to the successful operation of the facility	III.8.d	Advertisement for Bids	Don / City's Counsel	City to provide existing Cypress Water contract and keep working on any future agreements that are necessary. No need to hold up the bid for future contracts (2/27/2023)
2.17	Drafts of other agreements re joint operation of facilities	III.8.f	Advertisement for Bids	Don / City's Counsel	There are no joint operations - N/A
2.19	Certification of the number of System users	III.10	Advertisement for Bids	Don	Uploaded to Sharepoint 3.2.23
2.20	Construction account set-up	III.11	Advertisement for Bids	Wendy	N/A - City can use their regular account and keep track of project costs through the accounting system
2.21	Interim financing	III.12	Advertisement for Bids	Dmitry	Closed on Feb 15, 2023
2.22	Interim loan financing agreement	III.12	Advertisement for Bids	Caution	Closed on Feb 15, 2023
2.23	Proposed annual operating budget, RD-442-7	III.13	Advertisement for Bids	Dmitry	Same form as before - we do not anticipate any changes until the project is bid out and construction budget is

2.24	Preproposal rate schedule	III.13	Advertisement for Bids	Don	Uploaded to Sharepoint on 3-2-23
2.25	Written evidence of all applicable permits required prior to construction have been obtained with submission to the Agency of the final plans, specifications, and bid documents.	III.14	Advertisement for Bids	Stantec / Don	Have all environmental permits other than streambed alteration (all uploaded to Sharepoint). Public comment on streambed alteration ends on 3/8/23. Don will send out link to USDA. Pending Caltrans encroachment permits. Confirm with USDA that we are ok to bid.
2.26	Certification that an RRA/ERP has been completed - the documents themselves do not need to be submitted to USDA	III.15	Advertisement for Bids	Don	The regional plan takes care of most of this requirement. The City will confirm with their IT consultant on cybersecurity. Esther will check on what technical assistance is available. Per Luis Andrade, supply chain plan can wait until after the advertisement for bids. (2/27/23)
2.27	Written agreement with the auditor and submit a copy of that agreement to USDA	VI.9	Advertisement for Bids	Wendy	Uploaded to Sharepoint - 2-22-2023
2.28	Grant funds are to be deposited in an interest-bearing account and interest in excess of \$500 per year remitted to the Agency	IV.1		Wendy	Just an info item. This is for USDA grant funds only. We do not anticipate grant advances on the project
2.29	Language on prepayments to be included in loan flows	VI.1	Interest Financing	Carleton	
3. Due Upon Bid Opening					
3.1	Bid tabulation and engineer's evaluation and recommendation	IV.2	Immediate upon bid opening	Paul / Stantec	
4. Due Before Start of Construction					
4.1	A resume of qualifications of any resident inspector(s) will be submitted to USDA for review and concurrence	VI.2	Pre-construction Conference	Don	
4.2	Preconstruction Conference. Consulting engineer to review the planned development with USDA, City, resident inspector, attorney, contractor, other funders, and other interested parties, and will provide minutes of this meeting to the City and USDA	VI.3	Issuance of Notice to Proceed	Stantec / Don	
4.3	Request for biologists to be approved by USFWS	III.3.a	Start of Construction	Stantec / EMC	Janet will need to be approved for this specific project. Cabe will coordinate.
4.4	Inspect project activities	III.3.c	Start of Construction	City	
4.5	SF 3881, "ACH Vendor/Miscellaneous Payment Enrollment Form"	IV.1	Start of Construction	Wendy	
4.6	Bid-to-budget recon and funding adjustment	IV.2.a and b	Start of Construction	Dmitry / Don / Stantec / Paul	We need to develop our budget process. Paul is lead.
4.7	Suspension and Debarment Screening of lower tier recipients	IV.3	Start of Construction	Don	
4.8	Certification that executed contract documents, including performance and payment bonds, are adequate and that the persons executing these documents have been properly authorized to do so in accordance with 7 CFR 1780.61(b)	IV.4	Start of Construction	City's Counsel	
4.9	Contract documents submitted to USDA	IV.4	Start of Construction	Don	
4.10	Form RD 1927-10, "Final Title Opinion"	IV.5	Start of Construction	City's Counsel	

4.11	Proof of insurance submitted to USDA. USDA to be listed as Other Insured.	IV.6	Start of Construction	Don	Trish is working with USDA to provide the forms (2/21/2023)
4.12	USDA performs initial civil rights compliance review	IV.7	Start of Construction	Esther	
4.13	Single Audit - submitted within 9 months of FYE	VI.9	Start of Construction	Wendy	
4.14	Provide receipt for purchase of 7.8 acres of dual species conservation credits	III.3.b	Initiation of Ground Disturbing Activities	Stantec / EMC	How do we check that the alternative mitigation banks are approved? Is cutting a check sufficient / receipt or do we need a formal certificate?
4.15	Notify Ventura F&W Office	III.3.d	Conducting Project Activities Pursuant to BO	Stantec / EMC	

5. Required During Construction

5.1	Full-time inspection is required unless you request an exception	VI.2	During construction	Don	
5.2	USDA concurrence is required for all Change Orders	VI.5	During construction	CM / Stantec	Dmitry to track the USDA form
5.3	USDA concurrence is required for all invoices and requests for payment before USDA funds, or Interim Lender funds, will be released	VI.6	During construction	Wendy	Question for Don: How will we manage the draw process?
5.4	Obtain closing instructions from USDA	III.9	During construction	Esther / Cameron	This is for USDA loan. Does not apply before going out to bid - will take place around completion of construction. Move to section below. (2/27/2023)

6. Due Before Closing Instructions

Business policies, procedures and ordinances on conditions of service and use of System. Mandatory connection policies should be used where enforceable. Collection policy for accounts not paid in full within a specified number of days after the date of billing, appropriate late fees, specified timeframes for disconnection of service, and reconnection fees.

7. Due Before USDA Loan Closing

2.2	Draft of all security documents, including bond resolution - must be reviewed and concurred in by USDA.	P. 5, 1st paragraph	Loan Closing	Cameron / Esther	
2.3	Legal opinion on duly incorporated public body and continued legal existence, as well as authority to own, operate and maintain the proposed facility and to borrow money, pledge security and raise revenues.	III.1	Loan Closing	Cameron / City's Counsel	Check with USDA if financing docs take care of this
2.16	Intercreditor agreement for parity debt	III.8.e	Loan Closing	Cameron	Dmitry to check with USDA
2.18	Obtain closing instructions from USDA	III.9	Loan Closing	Esther / Cameron	This is for USDA loan. Does not apply before going out to bid - will take place around completion of construction. Move to section below. (2/27/2023)
7.1	Certification that all other funding sources have been exhausted, there are no pending funding considerations from any other sources, no intention to apply for any other funding.	P. 2, last paragraph	Loan Closing	Dmitry / Don	
7.2	Bond/loan resolutions adopted and executed	P. 5, 1st paragraph	Loan Closing	Cameron / Don	
7.3	Debt Service Reserve	3.a	Loan Closing	Wendy	
7.4	Short-Lived Asset Reserve	3.b	Loan Closing	Wendy	
7.5	Form RD 3550-28, "Authorization Agreement for	7.5	Loan Closing	Wendy	

7.5	Preauthorized Payments"	V.2	Loan Closing	Wendy
7.6	Maintain a Unique Entity ID (UEI) and maintain an active registration in the System for Award Management (SAM) database	V.3.4	Loan Closing	Don
8. Due Before Drawing of USDA Funds				
8.1	Cybersecurity plan	III.15	Drawing of funds	Don
8.2	Supply chain plan	III.15	Drawing of funds	Don
8.3	Plan to comply with cybersecurity requirements of NIST and CISA	III.15	Drawing of funds	Don
9. Due Before 1st Disbursement of USDA Grant Funds				
9.1	Grant agreement executed	P. 5, 2nd paragraph	1st Disbursement of Grant Funds	Esther / Don
10. Due Before Project Completion				
10.1	Pre-final, final, and warranty inspections	VI.4	Project completion	Stantec / Don
10.2	USDA will conduct inspection of City records management system and will continue to inspect the facility and City records system every three years for the life of the loan.	VI.4	Project completion	Stantec / Don
11. Due Before System Becomes Operational				
11.1	Evidence that your system has or will have a certified operator, as defined by applicable State or Federal requirements, or that a suitable supervisory agreement with a certified operator is in effect	V.3.c	System Becoming Operational	Don
12. Reporting to USDA While Loan is Outstanding				
12.1	Annual report to USDA - at FYE	VII.2	Life of Loan	Wendy
12.2	Annual Budget and Projected Cash Flow - 30 days prior to beginning of fiscal year	VII.3	Life of Loan	Wendy
12.3	Quarterly Income and Expense Statements - 30 days of QE	VII.2.c	Until Waived	Wendy

**San Juan Bautista Sewer Force Main
Environmental Permitting Status**

April 26, 2023

Permit/Action	Permit Number	Date Submitted	Agency Contact	Status
USFWS BO	08EVEN00-2022-0031493-S7	05/18/22	Christine Fox, USFWS	Completed. BO issued 08/23/22.
USACE 404 Permit	Corps file number: 2022-00063	08/15/22	Sarah Firestone, USACE	Not required. Confirmed via email 08/26/22, formal letter from USACE to USDA received 10/24/22.
USACE Section 10 Permit	--	--	Sarah Firestone, USACE	Not required. Confirmed via email, 10/18/22.
CDFW TIP	2081-2022-033-04	04/27/22	Stephanie Manzo, CDFW	Completed. TIP issued 02/09/23
CDFW SAA	SBO-29921-R4	05/06/22	None (formerly Clint Stevens, CDFW)	Agreement not needed per letter from Linda Connolly (SAA Supervisor) on 02/02/23.
RWQCB NOI	--	09/21/22, 10/01/22	Kathleen Hicks, RWQCB	Completed. NOI issued 10/21/22.
RWQCB Water Change Petition	WW0110	11/22/22	Patricia Fernandez, RWQCB Annette Tenneboe, CDFW	Completed. Petition issued 03/28/23.

Don Reynolds

From: Starinsky, Michael - RD, CA <mike.starinsky@usda.gov>
Sent: Wednesday, April 12, 2023 9:43 AM
To: Aronow, Gabe
Cc: Paul Greenway; Don Reynolds; Dmitry Semenov; De La Cruz, Esther - RD, CA
Subject: RE: [External Email]San Juan Bautista
Attachments: Bid Award Checklist.pdf

Gabe,

I have reviewed the plans and specifications and the revised contract documents now meet USDA requirements and are acceptable for bid advertisement purposes. I have attached a checklist of items that you will need to submit following the bid opening. Please submit these items collectively as a single submittal as a pdf attachment to an e-mail addressed to me. (Note that Item No. 4 on the list is referring to the qualifications of the specific individual that will be assigned as the lead Resident Inspector for this project.) Please be aware that the City is not to formally award the construction contract until USDA has reviewed and approved the bid award information.

Please contact me if you have any questions.

Mike Starinsky, PE
State Engineer
Rural Development
United States Department of Agriculture
430 G Street
Davis, CA 95616
(530)792-5814
www.rd.usda.gov

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USDA is an equal opportunity provider and employer.

From: Aronow, Gabe <Gabe.Aronow@stantec.com>
Sent: Tuesday, April 11, 2023 11:18 AM
To: Starinsky, Michael - RD, CA <mike.starinsky@usda.gov>
Cc: Paul Greenway <paul@g7ei.com>; citymanager@san-juan-bautista.ca.us; Dmitry Semenov <dsemenov@ridgelineuni.com>
Subject: [External Email]San Juan Bautista

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Hi Mike,

Does SJB have USDA approval to advertise the plans and specs? I know you said they good to go via emial, but is there a formal “approval” we need?

Are there any other questions or comments on your end? We appreciate all your guidance.

Thanks,
Gabe

RESOLUTION NO. 2023-25

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
ACCEPTING APPROVED PLANS AND SPECIFICATIONS FOR CITY OF SAN JUAN
BAUTISTA SANITARY SEWER FORCE MAIN TO HOLLISTER PROJECT AND
AUTHORIZE ISSUANCE OF THE INVITATION TO BIDDERS**

WHEREAS, On June 2019, the city was inspected by the Environmental Protection Agency, and the State's Regional Water Quality Control Board ("RWQCB"), in October of 2019, the results of this inspection and findings were put into a letter of which indicated the City was polluting Water of the United States from the wastewater treatment facility; and

WHEREAS, On August 8, 2020, the City Council adopted Resolution 2020-42, and the City and EPA executed an Administrative Order on Consent (AOC), agreeing to resolve the City's NPDES violations by December 2023, setting forth a schedule by which certain milestones will be reached; and

WHEREAS, On October 15, 2020, the City Council approved Resolution 2020-51, and agreed to two compliance projects from the analysis provided in the Preliminary Engineers Report (PER): "Alternative 3: Regionalization with Hollister WWTP and Off-Site Source Control (Hollister Water Treatment Plant operated by the City of Hollister", and "West Hills Water Treatment Plant operated by the San Benito County Water District)"; and

WHEREAS, On November 17, 2020, the City of San Juan Bautista adopted a Wastewater Master Plan for transitioning wastewater treatment from San Juan Bautista Wastewater Treatment Plant to the Hollister Wastewater Reclamation Facility via a new pump station and force main to achieve permit compliance; and

WHEREAS, In December 2020, the City issued an RFP for engineering services and in February 2021 the City Awarded a Consulting Services Agreement to Stantec Consulting Services, Inc.; and

WHEREAS, Stantec Consulting Services has completed the design of the project by preparing engineering plans and specifications and the project is now ready to be advertised for the construction phase; and

WHEREAS, the engineer's opinion of probable cost (cost estimate) for this project is \$14,400,000. This estimate includes costs of improvements funded by outside agencies including the City of Hollister Fiber Optic Conduit Line parallel to the sewer line and paving of San Benito County Road; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of San Juan Bautista;

1. Directs and Authorizes the City Clerk to publish in a newspaper of general circulation the Notice to Bidders.



2. A mandatory pre-bid conference for the Project will be held on May 11, 2023, at 10:00 am at City Hall, located at 311 Second Street, San Juan Bautista, CA 95045.

PASSED AND APPROVED this 18th day of April 2023 by the following vote:

AYES: Councilmembers: Freels, Freeman, Morris-Lopez, Sabathia, and Mayor Jordan

NOES: None

ABSTAIN: None


ABSENT: None

APPROVED:



Leslie Q. Jordan, Mayor

ATTEST:



Elizabeth Soto, Deputy City Clerk