DEPARTMENT: Public Works/Don Pedro WWTF  
BY: Dana Hertfelder  
PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Approve amendment to the Professional Service Agreement with Fred Solomon pertaining to the development of the Don Pedro Wastewater Treatment Plant extending the Agreement to July 14, 2006 and compensation be adjusted to $1,200 per month which equates to 16 hours of work per month at a rate of $75 per hour for the period of services from October 1, 2005 to July 31, 2006.

The County entered into a Professional Service Agreement with Fred Solomon for management services pertaining to the development of the Don Pedro Wastewater Treatment Plant on March 9, 2004 in the amount of $36,000 plus approved expenses.

We believe Mr. Solomon deserves to be compensated for his continuing efforts on this project. Approval of this amendment would allow us to pay Mr. Solomon $1,200 per month for the months of October 2005 through July 31, 2006.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

At its regular meeting of February 24, 2004, the Board authorized the Professional Service Agreement with Mr. Solomon in the amount of $36,000, plus expenses per resolution 04-74 (Attached)

On April 19, 2005, per resolution 05-143, the Board approved Amendment No. 1 authorizing an increase of $5,000 and extending the date of termination to July 31, 2005.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve requested amendment. Direct staff to continue the project without the services provided by Mr. Solomon.

Financial Impact? (x) Yes ( ) No  
Current FY Cost: $  
Budgeted In Current FY? (x) Yes ( ) No ( ) Partially Funded  
Amount in Budget: $  
Additional Funding Needed: $  
Source:  
Internal Transfer  
Unanticipated Revenue ______ 4/5’s vote  
Transfer Between Funds ______ 4/5’s vote  
Contingency ______ 4/5’s vote  
( ) General ( ) Other  

Annual Recurring Cost: $  
List Attachments, number pages consecutively  
1. Amendment #2  
2. Resolution No. 04-74  

Clerk’s Use Only:

Res. No.: 05-46  
Ord. No.:  
Vote – Ayes: 5  
Noes:  
Absent:  
Approved  
( ) Minute Order Attached ( ) No Action Necessary  

The foregoing instrument is a correct copy of the original on file in this office.  
Date:  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By:  
Deputy

COUNTY ADMINISTRATIVE OFFICER:  
( ) Requested Action Recommended  
( ) No Opinion  
Comments:  

Revised Dec. 2002
MEMO

To: Dana Hertfelder, Director of Public Works
From: Fred S. Solomon
Date: August 31, 2005
Re: Don Pedro Wastewater Treatment Facility

My contract for services on the Don Pedro Wastewater Treatment Facility terminated as of July 31, 2005. I have continued to work on the project since that date. I have worked with Kennedy/Jenks Engineers on design issues, particularly costs, secured a proposal for the services of the Assessment Engineer and worked with the Assessment Engineer to establish a schedule of performance, secured and readied for the Board of Supervisor’s consideration, a proposal for Bond Counsel services, and finally, worked with the State Water Resources Control Board in the furtherance of our request for grant funds of up to $2,000,000.

Completion of Assessment Engineering Services, work with the USDA on loan closing matters, preparation of plans and specifications for bid and contract award, a minimum of 3 meetings with property owners regarding the status of the project and assessment processes and other matters, updating costs of construction and assisting Public Works staff in preparing information requested by the Assessment Engineer, and continuing work on the grant from the State Water Resources Control Board will extend the work on this project through July 14, 2006. A copy of the schedule of activities to be accomplished through July 14, 2006 to take the project to the point of construction is attached.

I propose that the term of my services be extended through July 31, 2006 and that the cost of my services for the period of October 1, 2006 (I seek no compensation for my work during the period of August 1, 2005 to September 30, 2005) to July 31, 2006 be $1,200 per month which equates to 16 hours of work per month at my rate of $75/hour.

Your consideration of my proposal and presentation to the Board of Supervisors for approval at the earliest date possible is respectfully requested.
Proposed Activities Schedule
Assessment District No. 2005-1
(Lake Don Pedro Wastewater Treatment Plant Project)

Activity Description:  

5.8. Record Assessment Diagram and Notice of Assessment  
Activity Date: 4/6/06

6. Assessment Cash Payments, Bond Issuance and RUS Loan Closing

6.1. Mail Notice of Cash Payment Option (this date will be extended if the engineer's report is modified to incorporate parcel changes)  
Activity Date: 4/12/06

6.2. Treasurer's Office process assessment cash payments  
Activity Date: 4/14 through 5/12/06

6.3. End 30-day cash payment option  
Activity Date: 5/8/06

6.3.1. Treasurer allows time for last day payments to clear mail  
Activity Date: 5/12/06

6.3.2. Treasurer prepares list of paid and unpaid assessments to AE  
Activity Date: 5/15/06

6.4. AE prepares List of Unpaid Assessments and bond issuance amount for attachment to Resolution of Issuance for sale of bonds to RUS as security for the RUS loan to Mariposa County Service Area No. 1, or to Mariposa County. Bond issuance/loan closing requirements to be determined by County Counsel, BC, RUS and approved by Board.  
Activity Date: 5/16/06

6.5. Resolution of Issuance and Unpaid List filed with Board Clerk for 5/30/06 or 6/6/06 Board agenda  
Activity Date: 5/17/06

6.6. Board Action: approve Resolution of Issuance and associated RUS loan documents, as needed (date of action per Board Memorandum Day schedule)  
Activity Date: 5/30/ or 6/6/06

6.7. Close RUS loan  
Activity Date: 6/28 through 7/14/06

6.8. Award construction contract  
Activity Date: 6/28 through 7/14/06

7. Summary of Proposed Board Actions (official resolution titles to be provided by County Counsel and BC)

7.1. Federal Tax Reimbursement Resolution, Boundary Map Approval, Resolution of Intention  
Activity Date: 11/15/05

7.2. Approve construction plans and authorize bid advertisement  
Activity Date: 1/24/06

7.3. Preliminary Approval of Engineer's Report and set hearing/ballot submittal for March 28  
Activity Date: 1/31/06

7.4. Assessment Protest Hearing  
Activity Date: 3/28/06

7.5. Receive Ballot count results and, if yes ballots outweigh no ballots, adopt resolution confirming assessment and approving final form of engineer's report  
Activity Date: 4/4/06

7.6. Bond issuance resolution and RUS loan documents approval  
Activity Date: 5/30 or 6/6/06

7.7. Award construction contract  
Activity Date: 6/27/06

Note: the following tasks are not included in this activities schedule

- RUS Letter of Conditions compliance actions.

N/A
Proposed Activities Schedule
Assessment District No. 2005-1
(Lake Don Pedro Wastewater Treatment Plant Project)

Activity Description:                                      Activity Date:

3.4.1. Mail initial draft Engineer’s Report to RT and RUS for review and comment    12/7/05
3.4.2. RT comments to AE on initial draft report 12/14/05
3.4.3. Second draft report to RT and RUS for review and comment 12/21/05
3.4.4. RT comments to AE 12/30/05
3.4.5. RUS approval of assessment spread method 1/11/06
3.4.6. Final form Engineer’s Report field with Board Clerk for Board action to preliminarily approve report on January 31, 2006 1/20/05

4. Schedule for the preparation of Construction Plans/Specifications/Bid Advertisement and Contract Award to be determined by County Public Works ("PW"). Note: the following action dates for preparing construction plans, bid advertisement and construction contract award have been assumed by the AE for the purpose of preparing this proposed activities schedule.

4.1. RUS/Regional Water Quality approved construction plans filed with Board Clerk for 1/24/06 Board authorization to advertise bids 1/13/06
4.2. Board Action to approve plans, contract documents and authorize bid advertisement 1/24/06
4.3. Assumed bid opening date (before 3/28/06 assessment hearing) 3/10 through 3/14/06
4.4. Award Contract (bid hold of 120 days needed if award by 6/30) 6/27/06

5. Assessment Preliminary Approval/Notice-Ballot Mailing/Assessment Ballot Count and Assessment Approval 1/31/05 through 4/4/06

5.1. Board Action: Adopt Resolution Preliminarily Approving Engineer’s Report, directing notice and ballot mailing, setting hearing on the assessment and receipt of ballots for March 28, 2006, and directing other actions 1/31/06
5.2. Mail Notice/Ballot not later than Feb. 10 to provide 45 days notice of the March 28 hearing before the Board 2/10/06
5.3. Community Information Meeting(s) dates and locations to be determined by County

5.4. Assumed bid opening date for construction of wastewater facilities; posting of results in Don Pedro and on the Public Works website (bid opening date to be determined by County) 3/10 through 3/14
5.5. Protest Hearing and Assessment Ballot submittal deadline 3/28/06
5.6. Count Assessment Ballots 3/29 and 3/30 per staff availability
5.7. Board Action to receive ballot count results and confirm assessment if yes ballots exceed no ballots. This action may be extended to a later date if the engineer’s report needs to be modified to incorporate parcel assessment changes based on information provided to County by property owners that would change the benefit and assessment amount for the property 4/4/06
Proposed Activities Schedule
Assessment District No. 2005-1
Mariposa County Service Area Don Pedro 1-M, Sewer Zone No. 1
(Lake Don Pedro Wastewater Treatment Plant Project)

Activity Description:

1. Approve Assessment Engineer ("AE"), Bond Counsel ("BC") and, Design Engineer ("DE") Agreements

   1.1. Note: The assessment district name and number is to be determined by County staff.

2. Resource Team ("RT") Meeting Re: District Formation Startup

3. Assessment research and analysis, mapping, cost estimates, engineer’s report preparation activities

   3.1. All assessment, parcel current ownership, updated cost estimate, grant/loan funding status information, land use data, design and construction task plan, and mapping information requested from county delivered to AE

   9/21/05

3.2. Boundary Map and Assessment Diagram Preparation

   3.2.1. Initial draft boundary map and assessment diagram mailed for resource team review and comment

   3.2.2. RT comments to AE on initial draft map and diagram

   3.2.3. Second draft boundary map and assessment diagram mailed for RT review and comment

   3.2.4. RT comments to AE on second draft map and diagram

   3.2.5. Final form Boundary Map filed with Board Clerk for approval at 11/15 Board meeting

   3.2.6. Assessment Diagram approved by BC and County Surveyor ("CS") as to final form for filing with Engineer’s Report in January 2006

   3.2.7. Board Action: approve boundary map with resolution of intention

   3.2.8. Record Boundary Map for Assessment District No. 2005-1

   11/15/05

3.3. Initial draft assessment spread data tables mailed to RT and RUS for review and comment

   3.3.1. RT/RUS comments to AE on initial draft assessment spread data tables (data tables will be used in engineer’s report)

   11/16/05

3.4. Engineer’s Report
### Proposed Activities Schedule
**Assessment District No. 2005-1**
(Lake Don Pedro Wastewater Treatment Plant Project)

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>Activity Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application preparation, processing and approvals for other funding sources.</td>
<td>N/A</td>
</tr>
<tr>
<td>Any remaining CEQA compliance requirements</td>
<td>N/A</td>
</tr>
<tr>
<td>Regional Water Quality, RUS, Corps of Engineer’s, and other state or federal agency permits or approvals needed for the Don Pedro Wastewater Facilities Project.</td>
<td>N/A</td>
</tr>
<tr>
<td>Preparation and agency approvals of a Sewer Zone 1 Revenue Program</td>
<td>N/A</td>
</tr>
<tr>
<td>Maintenance or operations agreements with Lake Don Pedro Community Services District for the Sewer Zone 1 facilities.</td>
<td>N/A</td>
</tr>
<tr>
<td>Annexation of parcels, if required, to Sewer Zone 1.</td>
<td>N/A</td>
</tr>
</tbody>
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