



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
Yuba County Government Center, Board Chambers
915 Eighth Street, Suite 109A
Marysville, California

APRIL 2, 2013 – 3:30 P.M.

CALL TO ORDER: Welcome to the Three Rivers Levee Improvement Authority (TRLIA) meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices which might disrupt the meeting. Thank you.

- I **ROLL CALL** – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti
- II **PUBLIC COMMUNICATIONS:** Any person may speak about any subject of concern provided it is within the jurisdiction of the Levee Improvement Authority and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time, speakers are requested to fill out a "Request to Speak" card and submit it to the Clerk of the Board of Supervisors.
- III **CONSENT AGENDA:** Matters listed are considered to be routine and can be enacted by one motion.
- A. Approve minutes of the meeting of March 19, 2013.
- IV **ACTION ITEMS**
- A. A. Hold public hearing, waive reading, and adopt ordinance providing informal bidding procedures under the Uniform Pubc Construction Cost Accounting Act. (Second Reading)
- V **BOARD AND STAFF MEMBERS' REPORTS**
- VI **ADJOURN**

The complete agenda is available at the Yuba County Government Center, 915 8th Street, Suite 109 Marysville, and www.trlia.org. Any disclosable public record related to an open session item on the agenda and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available at Suite 109 during normal business hours. In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MARCH 19, 2013

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) was held on the above date, commencing at 2:17 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Rick Brown, Mary Jane Griego, and John Nicoletti. Directors Jerry Crippen and Don L. Graham were absent. Also present were Executive Director Paul Brunner, Counsel Andrea Clark, and Secretary/Clerk of the Board of Supervisors Donna Stottlemeyer. Chair Griego presided.

I ROLL CALL – Directors Rick Brown, Jerry Crippen, Don Graham, Mary Jane Griego, John Nicoletti – Directors Crippen and Graham absent.

II PUBLIC COMMUNICATIONS: None

III CONSENT AGENDA: Matters listed are considered to be routine and can be enacted by one motion.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Rick Brown

AYES: Rick Brown, Mary Jane Griego, John Nicoletti

NOES: None ABSTAIN: None ABSENT: Jerry Crippen, Don Graham

A. Approve minutes of the meetings February 19, 2013. Approved.

IV ACTION ITEMS

A. Hold public hearing, waive reading, and introduce ordinance providing informal bidding procedures under the Uniform Public Construction Cost Accounting Act. (First Reading) Counsel Andrea Clark recapped previous actions and the ordinance required to implement the procedures.

Chair Griego opened the public hearing. No one came forward.

MOTION: Move to close public hearing, waive reading, and introduce ordinance providing informal bidding proceed

MOVED: John Nicoletti SECOND: Rick Brown

AYES: Rick Brown, Mary Jane Griego, John Nicoletti

NOES: None ABSTAIN: None ABSENT: Jerry Crippen, Don Graham

V BOARD AND STAFF MEMBERS' REPORTS

Executive Director Paul Brunner:

- Financial Statements Dated June 30, 2012
- Central Valley Flood Protection Board meeting March 22, 2013 regarding inspection results of the RD 784 levee system
- Western Pacific Interceptor Canal work needed and possible inclusion with upper Yuba River project
- Update on funding for environmental project and Corps of Engineer funding for recreation areas
- Status of Feather River Segment Three fence construction project and progress

VI CLOSED SESSION: The Board retired into closed session at 2:36 p.m. and returned at 2:49 p.m.

- A. Pending litigation pursuant to Government Code §54956.9:
1. TRLIA vs. Wilbur/YCSCCVED 10-0000951 No report.
 2. TRLIA vs. Luis et al/YCSCCVED 10-0000903 No report.

VII ADJOURN: 2:50 p.m.

Chair

ATTEST: DONNA STOTTLEMEYER
CLERK OF THE BOARD OF SUPERVISORS
AND SECRETARY OF THE PUBLIC AUTHORITY

Approved: _____



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

1114 Yuba Street, Suite 218

Marysville, CA 95901

Office (530) 749-7841 Fax (530) 749-6990

March 19, 2013

TO: Three Rivers Levee Improvement Authority Board

FROM: Andrea Clark, Agency Counsel

SUBJECT: Finalization of Adoption of Alternative Bidding Procedures

Recommendation

Approve an ordinance setting forth procedures for informal bidding pursuant to the Uniform Public Construction Cost Accounting Act, a set of alternative public bidding requirements for construction contracts that was adopted by the TRLIA Board in January 2013.

Background

TRLIA is a joint powers authority whose members are Yuba County and Reclamation District 784. In accordance with Government Code section 6509, the powers of TRLIA are subject to the restrictions that are imposed upon Yuba County.

The County is required to follow public bidding procedures applicable to counties with fewer than 500,000 residents when entering contracts for public projects. However, the County is permitted to opt into—and has opted into—the alternative procedures provided by the Uniform Public Construction Cost Accounting Act (sections 22030-22045 of the Public Contract Code). TRLIA, in order to accomplish its purpose, also contracts out various work and services and will continue to do so as the Upper Yuba and Goldfields projects progress. In January 2013, TRLIA elected to opt into the alternative public bidding procedure.

The bidding requirements under the main and alternative procedures are fairly similar, but they set out different contract amount thresholds that govern when the informal and formal bidding requirements apply. While the main procedure requires informal bidding for contracts over \$4,000 and formal bidding for contracts over \$10,000, the alternate procedure requires informal bidding only when the contract amount is more than \$45,000 and formal bidding only when the contract amount is more than \$175,000. Exceptions for emergency work are available under either procedure.

To opt into the alternative procedures, TRLIA must:

(a) Elect to become subject to the uniform construction cost accounting standards of the Uniform Public Construction Cost Accounting Act, and notify the State Controller that the agency has made this election. THIS STEP HAS ALREADY OCCURRED.

(b) By resolution, opt into the alternative procedures of that Act. THIS STEP HAS ALREADY OCCURRED.

(c) Adopt an informal bidding ordinance, which will govern the selection of contractors for public works projects of up to \$175,000. Public Contract Code 22032 sets the basic requirements for this ordinance, which may be adopted after the resolution adopting the cost accounting standards.

The current recommendation is that the Board adopt the informal bidding ordinance proposed and attached hereto (item (c) above). The informal bidding procedures include the following:

1. Contractors List. TRLIA will maintain a list of qualified contractors.
2. Notice Inviting Informal Bids. TRLIA will provide notice to the listed contractors and, if appropriate, to additional contractors or trade journals, inviting informal bids.

Attachment

Informal Bidding Ordinance

ORDINANCE NO. _____
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM
PUBLIC CONSTRUCTION COST ACCOUNTING ACT (Section 22000, et seq., of the
Public Contract Code)

The Board of Directors of the Three Rivers Levee Improvement Authority (“TRLIA”) hereby ordains as follows:

SECTION 1

Informal Bid Procedures. Public projects, as defined by the Public Construction Cost Accounting Act (“the Act”) and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in that section.

Contractors List. TRLIA shall develop and maintain a list of qualified contractors in accordance with the provisions of Section 22034 of the Public Contract Code, and in accordance with criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

Notice Inviting Informal Bids. Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with the previous subsection, and to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the Executive Director, or other TRLIA staff member soliciting bids, provided however:

- (1) If there is no list of qualified contractors maintained by TRLIA for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.
- (2) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

SECTION 2

This Ordinance shall take effect and be in force thirty (30) days from the date of its passage. Before the expiration of fifteen (15) days after the passage of this Ordinance, it or a summary of it shall be published once, with the names of the members of the Board of Directors voting for and against the Ordinance in a newspaper of general circulation in the County of Yuba.

PASSED, APPROVED and ADOPTED by the Board of Directors of the Three Rivers Levee Improvement Authority, State of California, this ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRPERSON

ATTEST: DONNA STOTTLEMEYER,
SECRETARY

APPROVED AS TO FORM:
SCOTT L. SHAPIRO
GENERAL COUNSEL


