



THREE RIVERS LEVEE IMPROVEMENT AUTHORITY

MAY 10, 2011 – SPECIAL MEETING

MINUTES

A meeting of the Board of Directors of the Three Rivers Levee Improvement Authority (TRLIA) was held on the above date, commencing at 2:00 p.m., within the Government Center, Marysville, California, with a quorum being present as follows: Directors Jerry Crippen, Don L. Graham, and John Nicoletti. Directors Rick Brown and Mary Jane Griego were absent. Also present were Executive Director Paul Brunner, Assistant Counsel Scott McElhern, and Clerk of the Board of Supervisors/Secretary Donna Stottlemeyer. Chairman Pro Tem Don Graham presided.

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

The secretary asked for a motion to appoint a Chairman Pro Tem due to the absence of the Chair and Vice Chair.

MOTION: Move to appoint Don Graham Chairman Pro Tem
MOVED: John Nicoletti SECOND: Jerry Crippen
AYES: Jerry Crippen, Don Graham, John Nicoletti
NOES: None ABSTAIN: None ABSENT: Rick Brown and Mary Jane Griego

- II CLOSED SESSION: The Board retired into closed session at 2:02 p.m. to discuss the following:

- A. Potential litigation pursuant to Government Code §54956.9(b) – One Matter

The Board returned from closed session at 2:45 p.m. with all present as indicated above. There was no report.

- III ACTION ITEMS

- A. Approve minutes of the meeting of April 19, 2011.

MOTION: Move to approve MOVED: Jerry Crippen SECOND: John Nicoletti
AYES: Jerry Crippen, Don Graham, John Nicoletti
NOES: None ABSTAIN: None ABSENT: Rick Brown and Mary Jane Griego

- B. Award construction contract for the Upper Yuba Levee Improvement Project to lowest responsive and responsible bidder or, in the alternative, reject all bids and authorize the rebidding of the Project. (No background material)

Executive Director Paul Brunner recapped the previous bid process and re-bid of the project advising bids were opened May 4th in which three bids were received. Mr. Bruner advised during review of the bids an error was found in the grand total of Magnus Pacific Corp. which was reduced due to an addition error to \$7,614,218.60 and was the low bid. Mr. Brunner recapped the Board's option with regard to how the Board could proceed and responded to Board inquiries.

Assistant Counsel Scott McElhern advised Division 1, Section 3, paragraph 3-3 of the bid specifications set forth procedures to follow in the event of a discrepancy.

Project Director Sean Rhodes, Magnus Pacific, advised he was aware of the mistake within the line items and was prepared to move forward with the bid.

Contract Manager Doug Handen advised the mobilization line item of the contract indicated zero.

MOTION: Move to award the contract to the low bidder, Magnus Pacific Corp., and authorize the Executive Director to finalize the contract and execute

MOVED: Jerry Crippen SECOND: John Nicoletti

AYES: Jerry Crippen, Don Graham, John Nicoletti

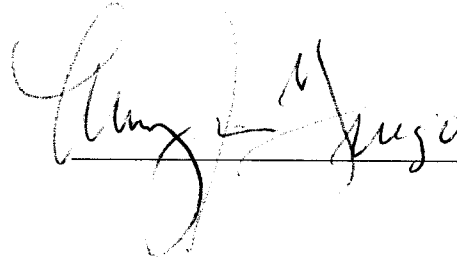
NOES: None ABSTAIN: None ABSENT: Rick Brown and Mary Jane Griego

IV BOARD AND STAFF MEMBERS' REPORTS: Reports were received on the following:

Executive Director Paul Brunner:


- Received letter from Department of the Army Secretary denying the Section 104 credit due to achieving too many credits under the Yuba River Basin Project. Mr. Brunner further advised the State is aware of the denial and will issue a letter to proceed with the Upper Yuba Project
- Summary of Construction Change Orders below \$210,000 and above \$25,000

V ADJOURN: 3:10 p.m. by Chairman Pro Tem Graham.



Chair

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



Approved: May 17, 2011