

May 13, 2019

Delta Conveyance Design and Construction Authority
Board of Directors

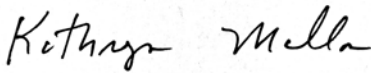
Subject: ***Materials for the May 16, 2019, Regular Board Meeting***

Members of the Board:

The next regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Board of Directors is scheduled for **Thursday, May 16, 2019 at 1:30 p.m.** at the **Tsakopoulos Library Galleria, 828 I Street, East Room (1st floor), in Sacramento.**

Enclosed are the materials for the Thursday, May 16, 2019, Board meeting in a PDF file, which has been bookmarked for your convenience.

Regards,



Kathryn Mallon
DCA Executive Director

**DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY
BOARD OF DIRECTORS MEETING**

REGULAR MEETING

Thursday, May 16, 2019
1:30 p.m.

SACRAMENTO PUBLIC LIBRARY, TSAKOPOULOS LIBRARY GALLERIA
828 I Street, Sacramento, CA 95814

AGENDA

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation at least two working days in advance of the meeting by contacting the Design and Construction Authority support staff at (916) 347-0486 or info@dcdca.org.

1. CALL TO ORDER

2. ROLL CALL

3. CLOSED SESSION – OPEN SESSION TO FOLLOW AT APPROXIMATELY 2:00 P.M.

(a) Public Employee Performance Evaluation

a. Title: Executive Director

(b) Conference with Real Property Negotiator pursuant to Gov't Code section 54956.8:

Property: 980 9th Street, Sacramento, Ca

Agency Negotiator: K. Mallon

Negotiating Party: CBRE

Under Negotiation: Lease Price and Terms

4. OPEN SESSION AND PLEDGE OF ALLEGIANCE, APPROXIMATELY 2:00 P.M.

5. REPORT OUT OF CLOSED SESSION

6. PUBLIC COMMENT

Members of the public may address the Authority on matters that are within the Authority's jurisdiction. Speakers are limited to three minutes each. Persons wishing to speak are requested to complete speaker cards.

7. APPROVAL OF MINUTES: April 18, 2018 Regular Board Meeting

8. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Directors and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a director so requests, in which event the item will be removed from the Consent Calendar and considered separately.

- a. None

9. DISCUSSION ITEMS

- a. Consider Passing Resolution Adopting the Delta Conveyance Design and Construction Authority Purchasing and Procurement Policy
- b. Consider Authorizing Amendment of the Professional Services Agreement with Best Best & Krieger LLP
- c. Consider Passing Resolution to Authorize the Executive Director to Negotiate and the President to Execute an Amendment to the Joint Exercise of Powers Agreement for Planning and Environmental Services in Support of the Environmental Analysis for a Potential Delta Conveyance Project, and to Determine such Actions are Exempt from the California Environmental Quality Act
- d. Discussion and potential creation of an Environmental Committee of the Board of Directors

10. STAFF REPORTS AND ANNOUNCEMENTS

- a. Executive Director's Report
- b. General Counsel's Report
- c. Treasurer's Report
- d. Verbal Reports, if any

11. FUTURE AGENDA ITEMS

12. ADJOURNMENT

* * * * *

Next scheduled meeting: June 20, 2019 Regular Board Meeting at 2 p.m. in the Sacramento Public Library, Tsakopoulos Library Galleria, 828 I Street, Sacramento, CA 95814

BOARD OF DIRECTORS MEETING

MINUTES

REGULAR MEETING
Thursday, April 18, 2019
1:30PM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

The regular meeting of the Delta Conveyance Design and Construction Authority (DCA) Board of Directors was called to order in the Sacramento Public Library, Tsakopoulos Library Galleria, 828 I Street, Sacramento, CA 95814, at 1:30 p.m.

2. ROLL CALL

Board members in attendance were Tony Estremera, Richard Atwater, Stephen Arakawa, and Doug Headrick constituting a quorum of the Board.

Staff members in attendance were Kathryn Mallon, Joshua Nelson, and June Skillman.

3. CLOSED SESSION

4. PLEDGE OF ALLEGIANCE

President Estremera convened the open session at approximately 2:00 p.m. and led all present in reciting the Pledge of Allegiance.

5. REPORT OUT OF CLOSED SESSION

- a. Conference with Legal Counsel - Significant exposure to litigation pursuant to Gov't Code section 54956.9(d)(2):

- i. Food and Water Watch and Center for Food Safety v. Metropolitan Water District of Southern California, Case No. BC720692.

Mr. Nelson reported that there were no reportable actions taken in Closed Session.

- b. Conference with Real Property Negotiator pursuant to Gov't Code section 54956.8:
Property: 400 R Street, Sacramento, CA
Agency Negotiator: K. Mallon
Negotiating Party: CBRE
Under Negotiation: Lease Price and Terms

Mr. Nelson reported that there were no reportable actions taken in Closed Session.

6. PUBLIC COMMENT

President Estremera opened Public Comment, limiting speaking time to three minutes each.

There were no verbal or written comments from the public.

President Estremera closed Public Comment.

7. APPROVAL OF MINUTES: January 17, 2019 Regular Board Meeting and January 31, 2019 Adjourned Board Meeting

Recommendation: January 17, 2019 Regular Board Meeting and January 31, 2019 Adjourned Board Meeting

Move to Approve Minutes from both meetings: Atwater

Second: Arakawa

Yeas: Estremera, Atwater, Arakawa and Headrick

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstention; 0 Absent. (Motion passed as MO 19-04-01)

8. CONSENT CALENDAR

There were no items on this month's consent calendar.

9. DISCUSSION ITEMS:

a. Consider Passing Resolution Authorizing Award of Professional Services Contract to Parsons Transportation Group, Inc.

Recommendation: Adopt the attached resolution authorizing the Executive Director to negotiate and execute a five-year contract, in a not-to-exceed amount of \$40,000,000 dollars [\$36,000,000 dollars plus a contingency of \$4,000,000 dollars] with Parsons Transportation Group Inc., for Program Management Support Services, with spending to be managed via the issuance of Task Orders consistent with board-adopted budgets.

Ms. Kathryn Mallon, Executive Director, presented a summary of the staff recommendation to award the contract for the Program Management Support Services to Parsons Transportation Group, Inc:

- 5-year term
- NTE: \$40 million dollars (\$36 million plus \$4 million contingency), with spending to managed via the issuance of Task Orders consistent with board-adopted budgets.

This contract is for the PMMS to assist the DCA on the following during Phase 2:

- Project Management Information System Configuration and Implementation
- Policies and Procedures Development
- Cost and Schedule Controls (Including Invoice Management)
- Program Reporting
- Document Management

- General Program Administration
- Risk Management
- Value Engineering

Mr. Headrick requested clarification on the 5-year increment renewals. Ms. Mallon explained that the 5-year increments on this 15-year program allow for a firm to dedicate staff, resources, and demonstrate their performance; which is a significant investment. A 5-year contract ensures that they will dedicate the best resources they have and invest to make sure they deliver a great work product and people. Ms. Mallon, further explained, that consultant invests in a lot of tools development, recruiting highly specialized individuals, and are steeped in the program and understand the workings of it all; and limited relearning that needs to be done. The Program Manager does work across all aspects of the program delivery, in a 15-year program three five-year increments would be appropriate. Contract increments would be subject to programs needs and resources.

Move to Approve Resolution Authorizing Award of Contract to Parsons Transportation Group, Inc.,

as noted: Atwater

Second: Headrick

Yeas: Estremera, Atwater, Headrick and Arakawa.

Nays: None

Abstains: None

Recusals: None

Absent: None

Summary: 4 Yeas; 0 Nays; 0 Abstains; 0 Absent. (Motion passed as Resolution 19-03)

10. STAFF REPORTS AND ANNOUNCEMENTS

a. Executive Director Report

A written report was provided in the Board package. Ms. Mallon took this time to formally introduce herself to the Board and Public. The Board had no additional questions or comments.

b. General Counsel Report

A written report was provided in the Board package. Mr. Nelson gave a brief update on the Conflict of Interest Code. The Board had no additional questions or comments.

c. Treasurer's Report

A written report was provided in the Board package. Ms. Skillman highlighted that we received payment for invoice six on April 2, 2019. Board had no additional questions or comments.

d. Verbal Reports

No verbal reports provided.

11. FUTURE AGENDA ITEMS:

President Estremera would like to add for discussion:

- Formation of Environmental Committee

12. ADJOURNMENT:

President Estremera adjourned the meeting at 2:12 p.m., in the Sacramento Public Library, Tsakopoulos Library Galleria, 828 I Street, Sacramento.

Board Memo

Contact: Kathryn Mallon, Executive Director

Date: May 16, 2019 Board Meeting

Item No. 9a

Subject:

Consider Passing Resolution Adopting the Delta Conveyance Design and Construction Authority Purchasing and Procurement Policy

Executive Summary:

Staff recommends that the Board approve the Purchasing and Procurement Policy.

Detailed Report:

Consistent with best practices and Section 5.1.3(c) of the By-Laws, staff recommends that the DCA adopt a formal Purchasing and Procurement Policy (Policy). As the DCA exercises its powers in the same manner as the Metropolitan Water District of Southern California, the enclosed draft policy was based on the applicable provisions of MWD's Administrative Code and enabling statute. It was further modified to incorporate necessary provisions from the Joint Exercise of Powers Agreement.

Below is a summary of the Policy:

- Consistent with Resolution 18-04 and with the exception of emergencies, the Executive Director's contracting authority is \$250,000. This covers both contracts and amendments to non-construction contracts. All purchases above this threshold must be approved by the Board.
- Change orders for construction contracts may be executed by the Executive Director for an aggregate amount of \$250,000 per contract or an aggregate amount not to exceed 5 percent of the initial amount of the contract, whichever is greater.
- General purchases of over \$75,000 and public works contracts above \$25,000 require competitive solicitations unless one of the exceptions identified in the Policy applies, such as direct contracts, change orders, and lease of real property.
- Competitive bidding may include best value, prequalification, and or low-bid solicitations.
- The Policy incorporates Small and Disabled Veteran Business and Local Preference Programs.
- The Policy authorizes the Executive Director to develop administrative purchasing procedures consistent with the requirements of the Policy.

Recommended Action:

Adopt the attached Resolution approving the Purchasing and Procurement Policy.

Attachments:

Draft Resolution 19-XX

Purchasing and Procurement Policy

BOARD OF DIRECTORS OF THE DELTA CONVEYANCE
DESIGN AND CONSTRUCTION AUTHORITY
RESOLUTION NO. 19-XX

Introduced by Director xxxx
Seconded by Director xxxx

ADOPT THE PURCHASING AND PROCUREMENT POLICY

Whereas, consistent with best practices and Section 5.1.3(c) of the DCA By-Laws, the Board of Directors wishes to adopt a purchasing and procurement policy;

Now, therefore, the DCA Board approves the Purchasing and Procurement Policy attached to this Resolution.

* * * * *

This Resolution was passed and adopted this 16th day of May 2019, by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Tony Estremera, Board President

Attest:

Sarah Palmer, Secretary

PURCHASING & PROCUREMENT POLICY

1. INTRODUCTION

The DCA has a responsibility to acquire the best value in supplies, materials, equipment, operating and maintenance services, consultant services, and public works projects from various suppliers, contractors, and consultants.

This Policy is to provide guidance and instructions to DCA staff involved in the purchasing and procurement process.

2. OBJECTIVES OF PURCHASING AND PROCUREMENT POLICY

This Policy has been developed to achieve the following objectives:

- Ensure impartiality and competition in purchasing and procurement transactions whenever practicable.
- Establish purchasing and procurement authorization procedures, delegation of authority, and accountability.
- Implement effective documentation, processing, accounting, reporting, and audit trail systems to support purchasing and procurement activities.
- Mandate that all purchasing and procurements comply with the JEPA, JPA and all applicable law.

3. DEFINITIONS

The definitions contained in this Section govern the interpretation of this chapter:

(a) Best Value Procurement – “Best value procurement” means a competitive procurement method where qualitative factors in addition to price are considered in order to award a contract that provides the best overall value to the DCA.

(b) Board or Board of Directors – “Board” or Board of Directors” means the DCA’s board of directors.

(c) Change Order – “Change order” means an amendment modifying the terms of an existing contract.

(d) Contract – “Contract” means any written agreement to which the DCA is a party.

(e) Construction – “Construction” includes erection, demolition, alteration, repair, and relocation.

(f) DCA – “DCA” means the Delta Conveyance Design and Construction Joint Powers Authority.

(g) DCO – “DCO” means the Delta Conveyance Office within DWR.

(h) DVBE – “DVBE” means a disabled veteran business enterprise certified as such by the State of California.

(i) DWR – “DWR” means the Department of Water Resources, State of California.

(j) Executive Director – “Executive Director” means the DCA’s executive director.

(k) JEPA – “JEPA” means the Amended and Restated Joint Exercise of Powers Agreement Between the Department of Water Resources, State of California and the Authority, dated October 26, 2018, as it may be amended.

(l) JPA – “JPA” means the Joint Powers Agreement Forming the Delta Conveyance Design and Construction Authority, effective May 14, 2018, as it may be amended.

(m) Policy – “Policy” means the DCA Purchasing & Procurement Policy, as it may be amended.

(n) Public Works – “Public works” mean contracting for the erection, construction, alteration, repair, or improvement, including demolition and installation work, of any public structure, building, road, or other public improvement of any kind. Public works does not include work done by the DCA’s force account, work not paid for out of public funds, or contracting for the purchase of finished products, materials, or supplies.

(o) SBE – “SBE” means a small business enterprise certified as such by the State of California.

4. CONTRACTING AUTHORITY - GENERAL

(a) Contracts of \$250,000 or less. If the amount payable or expected to be paid by the DCA under the terms of a contract is \$250,000 or less, the contract may be awarded and executed by the Executive Director. For service contracts, the \$250,000 limit shall be calculated on an annual basis.

(b) Contracts Over \$250,000. Except as otherwise provided in this Policy, if the amount payable or expected to be paid by the DCA under the terms of the contract is in excess of \$250,000, the contract shall be executed only upon prior approval of and award by the Board.

(c) Emergency Contracts. Notwithstanding Subsection (b), the Executive Director is delegated the authority to waive competitive bid requirements and award and execute contracts over the amount of \$250,000 for the construction of works or structures, for the purchase of equipment, materials or supplies, or performance of labor or services and take any directly related and immediate action required by that emergency when such construction, purchase of equipment, materials or supplies, or performance of labor or services is determined by the Executive Director to be for an emergency, subject to the following requirements:

(1) The Executive Director shall report to the Board not later than 7 days after the emergency action or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, the details of the emergency and reasons justifying the actions taken.

(2) At each regularly scheduled meeting following the emergency action, the Board shall determine by four-fifths vote whether there is a need to continue the action or terminate action at the earliest possible date that conditions warrant so that the remainder of the action may be completed through competitive bid procedures.

(d) Grants and Receipt of Funds. Notwithstanding Subsection (b), the Executive Director is authorized to negotiate and execute contracts in which the DCA receives funds of any amount, provided Board approval is not otherwise required.

5. CONTRACTING AUTHORITY – CHANGE ORDERS/AMENDMENTS

(a) Non-Construction Contracts. Except for construction contracts, if the amount payable under an amendment is \$250,000 or less, the Executive Director is authorized to execute the amendment even if the amendment will bring the total amount payable under the contract to more than \$250,000. Notwithstanding the foregoing, the Executive Director shall not, without prior Board approval, issue one or more amendments totaling more than \$250,000 to a contract involving an original total amount payable of \$250,000 or less.

(b) Construction Contracts. Change orders for construction projects may be executed by the Executive Director without prior Board approval for an aggregate amount of \$250,000 per contract or an aggregate amount not to exceed 5 percent of the initial amount of the contract, whichever is greater. Notwithstanding the foregoing, the Board may delegate authority to the Executive Director to execute change orders in excess of the limits above on a project-by-project basis. If the change order amounts set forth in this Subsection are exceeded, the Board may delegate additional maximum change order authority to the Executive Director.

6. PROCUREMENT PROCEDURES

(a) General Contracts. Excepting public works contracts and contracts subject to Sections 9 and 10, all contracts estimated to cost \$75,000 or more shall be made upon a competitive sealed bidding or best value procurement in the Executive Director's discretion.

(b) Public Works. Public works contracts of \$25,000 or more shall be made by competitive sealed bidding.

(c) Direct Contract. Notwithstanding Subsections (a) and (b), the following contracts may be awarded through direct contract:

(1) Contracts for miscellaneous services, such as telephone, telegraph, light, power and water, where rates or prices are fixed by legislation or by federal, state, county or municipal regulations.

(2) Contracts deemed to be for an emergency under the procedures set forth in Section 4(c).

(3) If competitive procurement could not produce an advantage, or it is impracticable to obtain what is required because of the unique, exploratory, or experimental nature of the work. Prior to award of contract, the Executive Director shall certify that the contract is exempt from competitive procurement and shall set forth in the certification reasons for that determination.

(4) If the contract is with any governmental agency.

(5) Change orders/amendments.

(6) Contracts for the handling of DCA airline ticketing, lodging, automobile rental reservations, and miscellaneous travel-related services.

(7) Contracts for the handling of DCA meetings or events, including audio/video assistance, food and beverage support and facility rental.

(8) A sole source award authorized pursuant to Subsection (d) where it would not be possible or practicable to identify a designated product, material, thing, or service as part of an otherwise competitive procurement.

(9) Transactions pursuant to contracts secured by other public agencies which comply with the competitive procurement requirements applicable to those agencies.

(9) The acquisition, lease or rental of real property.

(10) When otherwise permitted by applicable law and approved by the Board.

(d) Sole Source. In any competitive procurement or direct contract, a designated product, material, thing, or service by a specific brand or trade name may be exclusively requested for any of the following purposes:

(1) If the articles wanted are patented, copyrighted, or otherwise unique.

(2) In order that a field test or experiment may be made to determine the designated product's suitability for future use.

(3) For replacement parts or for equipment where replacement parts or components from another supplier could compromise the safety or reliability of the product, or would void or invalidate a manufacturer's warranty or guarantee, as set forth in the certification provided below.

(4) For replacement parts or components of equipment, where parts or components obtained from another supplier, if available, will not perform the same function in the equipment as the part or component to be replaced, as set forth in the certification provided below.

(5) For upgrades, enhancement or additions to hardware or for enhancements or additions to software, where equipment or software from different manufacturers or developers will not be as compatible as equipment or software from the original manufacturer(s) or developer(s), as set forth in the certification provided below.

When such an article is to be purchased, the Executive Director's designee preparing the request for bids or proposals shall certify that the particular article will best serve the purpose of the DCA, and reasons for such conclusion shall be set forth. In addition, the Executive Director shall include the ability to substitute "or equal" articles as required by the JEPA and to the extent possible.

(e) DCO Concurrence. Prior to the award of any contract under Subsections (a), (c) or (d), the Executive Director shall obtain the concurrence of the DCO regarding the non-competitive procurement method. The Executive Director may obtain DCO concurrence on a per contract, per type of contract, or any other method as agreed to by the Executive Director and DCO. Notwithstanding the foregoing, DCO concurrence is not separately required for a contract if the DCO reviews and approves this Policy, and the procurement of the contract is conducted in accordance with this Policy.

7. COMPETITIVE SEALED BIDDING.

(a) General. All contracts awarded pursuant to a competitive sealed bid process shall comply with the procedures set forth in this Section.

(b) Notice Inviting Bid. A notice inviting bid shall be prepared and released prior to the award of a contract. At a minimum, the notice shall be published not less than once a week for at least two constructive weeks in a newspaper of general circulation within the county where the work will occur. If a project will be located in multiple counties, notice shall be published in a newspaper in a county in which a major portion of the work is to be done. The notice shall include or reference project specifications, award procedures, and other terms and conditions of the contract and bidding process.

(c) Pre-Bidders Conference. The Executive Director may conduct a mandatory or optional pre-bid conference.

(d) Award. After receipt of all bids, the contract shall be awarded to the lowest responsible bidder submitting a responsive bid. Notwithstanding the foregoing, the Board or Executive Director, as applicable, may reject all bids.

(e) Prequalification. The DCA may require prequalification on projects. To do so, the DCA shall follow the procedures set forth in Public Contract Code section 20101, as it may be amended.

(f) Alternative Delivery Method. If permitted by applicable law and in lieu of the competitive sealed bid process set forth in this Section, the DCA may utilize alternative project delivery methods.

8. BEST VALUE PROCUREMENT.

(a) Application. Whenever a contract other than a contract for public works is required to be competitively procured, but it is considered impractical or not advantageous to use the competitive sealed bidding method, a contract may be awarded by the best value method of procurement as provided in this Section. The Executive Director shall determine in

writing that the best value method of procurement is practical or advantageous for a particular procurement prior to using this method.

(b) Posting and Advertising. Proposals shall be solicited through a request for proposals or information, which shall be posted and advertised in a manner that provides adequate public notice of the request as determined by the Executive Director.

(c) Evaluation Factors. The evaluation factors to be used in the determination of award and the numerical weighting for each factor shall be stated in the request.

(1) Contract cost must be a factor in the determination of the award.

(2) Evaluation factors may be defined to include, but are not limited to, the following:

(i) Operational and other future costs and risks that the DCA would incur if the proposal is accepted;

(ii) Quality and benefits of the product or service or its technical competency;

(iii) Quality and effectiveness of management approach and controls;

(iv) Qualifications of personnel and management team;

(v) Financial stability of the prospective contractor;

(vi) Past performance and past experience; and

(vii) Furtherance of the DCA's SBE/DVBE goals.

(d) Evaluation of Responses. Responses shall be evaluated on the basis of the criteria stated in the request and by adhering to the weighting as assigned. Award will be made to the bidder whose response is determined to be the most advantageous to the DCA, except that the Executive Director may reject all proposals received.

9. GOVERNMENT CODE SECTION 4525.

(a) General. Contracts for architectural, landscape architectural, engineering, environmental, and land surveying services and construction project management services shall be awarded pursuant to the procedures set forth in Section 8 with the modifications set forth in this Section.

(b) Evaluation Factors and Award. Notwithstanding Sections 8(c) and (d), all contracts subject to this Section shall be awarded on the basis of demonstrated competence and qualifications for the types of services to be performed and at a fair and reasonable price consistent with Sections 12 and 13.

10. SERVICE AND CONSULTING SERVICE AGREEMENTS.

(a) General. To the extent required by the JEPA, service and consulting services agreements shall be awarded under the provisions of this Section or any other method permitted by Public Contract Code section 10335.5.

(b) Request for Proposals. The Executive Director shall issue a request for proposals for the contract. This request shall include a clear, precise description of the work to be performed or services to be provided, a description of the format that proposals shall follow and the elements they shall contain, the standards the DCA will use in evaluating proposals, a description of the methods that will be used in evaluating and scoring the proposals, the date on which proposals are due, and the timetable the DCA will follow in reviewing and evaluating them. The selection criteria shall ensure that substantial weight in relationship to all other criteria utilized shall be given to the contract price proposed by the bidder.

(c) Proposal Evaluation. Proposals shall be evaluated and the contract awarded in the following manner:

(1) All proposals shall be reviewed to determine which meet the format requirements specified in the request for proposal.

(2) All proposals meeting the formal requirements shall then be submitted to an evaluation committee which shall evaluate and score the proposals using the methods specified in the request for proposal.

(3) The contract shall be awarded to the proposer whose proposal is given the highest score by the evaluation committee, except that the Executive Director may reject all proposals received.

11. BONDS.

(a) Payment Bond. Every contract involving in excess of \$25,000 for the construction of public works shall be accompanied by a payment bond executed by a corporate surety authorized to do business in California, approved by the Executive Director. The payment bond shall contain the provisions required by Civil Code 9550 *et seq.*, as it may be amended.

(b) Performance Bond. Every contract involving in excess of \$25,000 for the construction of public works must be accompanied by a performance bond in an amount fixed by the Executive Director and executed by a corporate surety authorized to do business in California, approved by the Executive Director, or by a cash guarantee deposit in like amount. The Executive Director may include a performance bond in other contracts as deemed appropriate.

(c) Bidder's Bond. Whenever a payment bond is required, the Executive Director shall require bids with respect to such work or purchase to be accompanied by either cash, a certified or cashier's check, or bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the DCA. Such check or bond shall be in an amount not less than specified in the notice inviting bids or, if no amount be so specified, then in an amount not less than 10% of the aggregate amount of the bid, and shall guarantee that the

successful bidder will enter into a contract with the DCA on the terms stated in the contract and the bid within the time specified in the contract documents.

12. SMALL AND DISABLED VETERANS BUSINESS PROGRAM.

Consistent with the balance of this Policy, the JEPA and the JPA, the Executive Director shall implement a SBE and DVBE program. Such program shall be based on the following principles:

- (a) Pursue an overall SBE goal of 25% and DVBE goal of 3%.
- (b) Monitor SBE/DVBE compliance and report annually on SBE/DVBE utilization.
- (c) Educate the public about contracting opportunities through the DCA website, social media and community outreach and workshop programs.

13. LOCAL PREFERENCE PROGRAM.

Consistent with applicable law and the balance of this Policy, the JEPA and the JPA, the Executive Director may implement a local preference program that provides preferences to businesses, vendors, consultants, suppliers and contractors based or located in the counties comprising the Sacramento-San Joaquin Delta.

14. PURCHASING PROCEDURES.

Subject to the terms and conditions of this Policy, the Executive Director may adopt and amend administrative procedures to implement this Policy. Such procedures may include specifying the types of solicitation requests that the DCA may utilize, which include requests for qualifications, requests for information, requests for proposals and request or notice inviting bid. Such procedures may further specify the minimum number and form of responses for solicitation requests.

15. DELEGATION OF AUTHORITY.

The Executive Director may delegate any authority granted to him or her under this Policy to other DCA staff as appropriate.

16. CONTRACT FORM.

All contracts subject to the JEPA shall include the standard clauses and other terms and conditions set forth in the JEPA.

Board Memo

Contact: Kathryn Mallon, Executive Director

Date: May 16, 2019 Board Meeting

Item No. 9b

Subject:

Consider Authorizing Amendment of the Professional Services Agreement with Best Best & Krieger LLP

Executive Summary:

Staff recommends that the Board authorize the Executive Director to amend the Professional Services Agreement with Best Best & Krieger LLP to continue providing interim General Counsel services until a General Counsel is selected.

Detailed Report:

Best Best & Krieger LLP has been providing interim General Counsel services to the DCA since its formation. The agreement was authorized at the May 17, 2018 DCA Board of Directors meeting for \$425,000 for a term of one year ending on May 16, 2019. It has been amended twice: once to modify the assigned BB&K lawyer and once to change the agreement administrator to the Executive Director.

The initial competitive solicitation for General Counsel services was cancelled, and the interim General Counsel services provided Best Best & Krieger LLP are still needed by the DCA.

To date, Best Best & Krieger LLP's costs have been under the projected spending level. However, DCA staff anticipates increased legal costs as the DCA begins to assist DWR with its evaluation of options for a Delta conveyance project as set forth in DWR's May 2nd letter to the DCA. Based on this, staff recommends that the DCA extend the term of the agreement through December 31, 2019 and add \$475,000 for a total, not-to-exceed amount of \$900,000. This will ensure the DCA receives legal services until the General Counsel procurement is completed.

Funding:

The proposed contract is well within the budget for all applicable categories.

Recommended Action:

Adopt the attached resolution authorizing the Executive Director to amend the Professional Services Agreement with Best Best & Krieger LLP to extend the contract and provide additional funds of up to \$475,000 for a new total, not-to-exceed amount of \$900,000.

Attachments:

Draft Resolution 19-XX

BOARD OF DIRECTORS OF THE DELTA CONVEYANCE
DESIGN AND CONSTRUCTION AUTHORITY
RESOLUTION NO. 19-XX

Introduced by Director xxxx
Seconded by Director xxxx

AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH BEST BEST & KRIEGER LLP

Whereas, Best Best & Krieger LLP's Professional Services Agreement with the DCA to provide interim General Counsel services is expiring shortly; and

Whereas, the DCA requires interim General Counsel services until the General Counsel procurement is completed;

Now, therefore, the DCA Board finds that a time extension and addition of funds to the agreement are justified given the continuing need for interim General Counsel services.

Therefore, be it resolved that the DCA Board hereby authorizes the Executive Director to amend the Professional Services Agreement with Best Best & Krieger LLP to extend the term of the Agreement through December 31, 2019 and to add \$475,000 for a total, not-to-exceed amount of \$900,000.

* * * * *

This Resolution was passed and adopted this 16th day of May 2019, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Tony Estremera, Board President

Attest:

Sarah Palmer, Secretary

Board Memo

Contact: Kathryn Mallon, Executive Director

Date: May 16, 2019 Board Meeting

Item No. 9c

Subject:

Consider Passing Resolution to Authorize the Executive Director to Negotiate and the President to Execute an Amendment to the Joint Exercise of Powers Agreement for Planning and Environmental Services in Support of the Environmental Analysis for a Potential Delta Conveyance Project, and to Determine such Actions are Exempt from the California Environmental Quality Act

Executive Summary:

Staff recommends that the Board adopt the enclosed Resolution to Authorize the Executive Director to Negotiate and the President to Execute an Amendment to the Joint Exercise of Powers Agreement with the Department of Water Resources (DWR) for Planning and Environmental Services in Support of the Environmental Analysis for a Potential Delta Conveyance Project and Adopt Related CEQA Determination.

Detailed Report:

Recently and consistent with Executive Order N-10-19, DWR withdrew its approval of the California WaterFix project and rescinded its notice of determination under CEQA. In the enclosed letter to the DCA on May 2, 2019 and related correspondence, DWR further indicated its intent to develop a Notice of Preparation (NOP) under CEQA. The NOP will emphasize proposals to address climate change resiliency and protect the State Water Project Delta conveyance from earthquake risk, in consideration of a one-tunnel conveyance facility consistent with Executive Order N-10-19.

DWR's May 2, 2019 letter outlines engineering, design, and other work that the DCA is uniquely situated to provide as DWR moves through the planning and CEQA process. DCA staff has already begun coordinating with DWR and the enclosed Resolution would authorize the Executive Director to negotiate and the President to sign an amendment to the JEPA for DCA to provide planning and environmental services in support of the environmental analysis for a potential Delta conveyance project. This action and the authorized services are exempt from CEQA.

Recommended Action:

Adopt the attached Resolution to Authorize the Executive Director to Negotiate and the President to Execute an Amendment to the Joint Exercise of Powers Agreement, and to Adopt CEQA Determination for Such Actions.

Attachments:

Draft Resolution 19-XX

May 2, 2019 DWR Letter to DCA

**BOARD OF DIRECTORS OF THE DELTA CONVEYANCE
DESIGN AND CONSTRUCTION AUTHORITY**

RESOLUTION NO. 19-XX

Introduced by Director xxxx

Seconded by Director xxxx

**AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND THE PRESIDENT TO EXECUTE
AN AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT AND ADOPT RELATED CEQA
DETERMINATION**

Whereas, consistent with Governor Newsom's Executive Order N-10-19, the Department of Water Resources (DWR) withdrew its approval of the California WaterFix project;

Whereas, DWR further indicated its intent to develop a Notice of Preparation (NOP) under CEQA, which will emphasize proposals to address climate change resiliency and protect the State Water Project Delta conveyance from earthquake risk, in consideration of a one-tunnel conveyance facility; and

Whereas, DWR has indicated that the DCA is uniquely situated to provide engineering, design, geotechnical and other work in conjunction with developing a potential Delta conveyance project and the CEQA process; and

Whereas, DWR and the DCA will incorporate the DCA's assistance to this process through an amendment to the Joint Exercise of Powers Agreement (JEPA) between the parties; and

Whereas, the approval of the amendment to the JEPA and the authorized services are exempt from CEQA; and

Now, therefore, be it resolved that the DCA Board hereby authorizes the Executive Director to negotiate and the President to sign an amendment to the Joint Exercise of Powers Agreement to permit the DCA to provide engineering, design, geotechnical, environmental and similar services in support of the environmental analysis for a potential Delta conveyance project.

Therefore, be it further resolved that the approval of the amendment to the JEPA and the authorized services are exempt from CEQA as information collection activities (CEQA Guidelines, § 15306) as well as feasibility and planning studies. (CEQA Guidelines, § 15262.) Such approval and activities are further exempt from CEQA as they will have no significant effect on the environment as defined in Public Resources Code section 21068 and CEQA Guidelines section 15382. Lastly, the approval and activities are not "projects" under CEQA. (CEQA Guidelines, § 15378.)

* * * * *

This Resolution was passed and adopted this 16th day of May 2019, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Tony Estremera, Board President

Attest:

Sarah Palmer, Secretary

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



May 2, 2019

Ms. Kathryn Mallon
Executive Director
Delta Conveyance Design and Construction Authority
1121 L Street, Suite 1045
Sacramento, California 95814

Subject: 19-08 DWR direction to DCA on activities supporting Delta conveyance project

Dear Ms. Mallon:

Today Director Nemeth issued a memo to Department of Water Resources (Department) staff that withdraws the approval of the California WaterFix Project and rescinds the accompanying notice of determination (NOD) that was filed pursuant to the requirements of the California Environmental Quality Act (CEQA) with the State Clearinghouse on July 21, 2017. Because of the withdrawal of the WaterFix Project approval and rescinding the NOD, all other DWR approvals related to the California WaterFix Project, based on the NOD filed on July 21, 2017, were also rescinded.

The project memorandum also announces that DWR will develop a Notice of Preparation (NOP) under CEQA to begin a new transparent environmental review process in compliance with CEQA. The NOP will emphasize proposals to address climate change resiliency and protect the State Water Project Delta conveyance from earthquake risk, in consideration of a one-tunnel conveyance facility consistent with Governor Newsom's Executive Order N-10-19.

As the Department embarks on a new environmental review process and pursues new environmental permits, it will do this in tandem with design and engineering work needed. This work will occur in close partnership with the State Water Project Contractors funding the project. This approach provides the greatest opportunity to deliver a project ready for construction with minimal delay. It also allows for a more realistic understanding of potential impacts and mitigation that can be incorporated through careful project planning and design, consistent with CEQA.

While a new planning effort may make use of past studies and analyses, new conceptual engineering and other planning activities will be needed to adequately define a Delta conveyance project that will be evaluated in the new environmental documentation, including certain field work and site investigations. Some of these investigations, such as additional geotechnical work, were already planned for California WaterFix and will still be needed for the environmental analysis and engineering and design of alternatives for a new Delta conveyance project, as those are necessary regardless of the specific configuration. As appropriate, these investigations will continue and, subject to further discussion and agreement, may be implemented by the Delta Conveyance Design and Construction Authority (DCA).

Ms. Kathryn Mallon
May 2, 2019
Page 2

The DCA was established to implement the California WaterFix project in partnership with and under the supervision of the Department. The Department's new direction announced by Director Nemeth today means the DCA's expertise can be re-deployed to support DWR's new planning efforts. The Department therefore requests that DCA coordinate with the Department as soon as practicable to establish the scope, budget and funding, schedule, and other appurtenant matters for DCA support of the Department as it moves forward with the Governor's vision.

If you have any questions, please contact me or Hong Lin, my Advisor, at (916) 651-0762 or by e-mail at Hong.Lin@water.ca.gov.

Sincerely,



Gary Lippner, Deputy Director
Delta Conveyance

cc: Karla A. Nemeth, Director, Department of Water Resources
Kenneth M. Bogdan, Office of Chief Counsel, Department of Water Resources
Josh Nelson, Counsel, Delta Conveyance Design and Construction Authority

Executive Director's Report

Contact: Kathryn Mallon, Executive Director

Agenda Date: May 16, 2019

Item No. 10a

Subject: Executive Director's Report

Summary:

Activities since the January meeting have largely been focused on re-evaluating the DCA's workplans considering the Governor's announcement at the State of the State Address reducing the project scope to a single tunnel alternative. We continue to coordinate these efforts with DWR through its Delta Conveyance Office (DCO) team.

The DCA is excited with the new direction announced by the Governor and re-iterated by Secretary Crowfoot to engage in a transparent and collaborative process with the various stakeholder groups to evaluate conveyance alternatives, assess impacts, and identify preferred mitigation measures. Much of our activity in the past month has been focused on developing revised workplans to align with this approach as well as continued work on establishing organizational and governance strategies for the Authority.

Detailed Report:

Key actions during the period include the following:

- 1) The DCA and DCO teams continue to collaborate through weekly coordination meetings.
- 2) The DCA completed negotiations on the final contract with Parsons for Program Management Support Services and drafted the first task order for services to be provided in Year 1 of the contract. The services will largely focus on helping to prepare governance and policy and procedure documents to support the launch of the new Authority and setting up our Program Controls procedures and systems for cost and schedule management, contact administration support, document management, payments, and reporting.
- 3) The DCA worked closely with the DWR Communications team to help develop the stakeholder engagement plan. The DCA will take a significant role in actively engaging the community in understanding the project impacts and developing mitigation measures.
- 4) The Engineering team has been working on a revised work plan that focuses activities on advancing the engineering to better support the environmental review process and the stakeholder engagement program.
- 5) The DCA Program Controls Team continued to work with e-Builder to complete implementation of the contracted workflows. We are in the final stages of Beta testing and

will be making an assessment soon on readiness for rollout. We are happy to report that the system errors that we experienced during initial testing have been remedied and the system is stable.

- 6) The DCA continued to audit payments and submit to the DCO for reimbursement.
- 7) The DCA initiated planning for the FY 2019/20 Budget submission.

General Counsel's Report

Contact: Josh Nelson, Interim General Counsel

Agenda Date: May 16, 2019

Item No. 10b

Subject: General Counsel's Report

Summary:

The General Counsel worked with staff to develop the draft purchasing policy. The General Counsel has assisted DCA staff with negotiating an office lease. We have also begun conversations with DCA and the Department of Water Resources staff regarding potential amendments to the Joint Exercise of Powers Agreement. Finally, the General Counsel continues to assist DCA staff in responding to public records.

Detailed Report:

The General Counsel assisted staff with developing the draft purchasing policy. The General Counsel has also assisted staff with negotiations regarding a potential office lease. The General Counsel and staff have begun conversations with DWR regarding potential amendments to the JEPA consistent with DWR's May 2nd letter to the DCA. Lastly, the General Counsel has also continued to assist the Executive Director and staff to develop, manage and execute necessary consultant contracts and to assist in responding to public records requests.

Recommended Action:

Information, only.

Treasurer's Report

Contact: June Skillman, Treasurer

Date: May 16, 2019

Item 10c

Subject: Treasurer's Report, April 2019

Summary:

During April 2019, receipts totaled \$1,389,393 representing contributions from the Department of Water Resources, Delta Conveyance Office (DCO) for payment of DCA obligations. Total disbursements for the month were \$679,447. The DCA cash balance at April 30, 2019 was \$1,512,317.

As of April 30, 2019, the DCA had no outstanding receivables. Accounts payable were \$1,123,965 and total net position was \$388,352. On April 30, 2019, the DCA received \$708,692.40 for invoice DCA-FY-18-19-008; the associated invoices to the DCA were not paid out until May 2, 2019.

Attachment 1 consists of financial statements for the month ended April 2019 and year-to-date as of April 2019, a schedule of Invoices Paid January through April 2019, and Aging Schedules for Accounts Payable and Accounts Receivable. For the ten months ended April 30, 2019, Cash Receipts totaled \$3,344,440; Cash Disbursements totaled \$2,628,565.

Attachment 2 consists of Budget and Revised Budget ("Forecast") versus Actuals by Program, Organization, and Activity through April 2019.

Detailed Report:

See attached Statements.

Recommended Action:

Information, only.

Attachments:

Attachment 1 – April 2019 DCA Financial Statements

Attachment 2 – April 2019 Budget and Revised Budget versus Actuals

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

Balance Sheet
As of April 30, 2019

Assets:		
Cash	\$	1,512,317
Total assets	\$	1,512,317
Liabilities:		
Accounts payable	\$	1,123,965
Total liabilities		1,123,965
Net position		388,352
Total liabilities and net position	\$	1,512,317

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

Statement of Cash Receipts and Disbursements

	Month Ended Apr '19	Year to Date Jul '18 - Apr '19
Receipts:		
Contributions	\$ 1,389,393	\$ 3,336,803
Interest receipts	—	7,641
Total receipts	<u>1,389,393</u>	<u>3,344,444</u>
Disbursements:		
Program management		
Executive director	135,397	620,076
External affairs	21,710	59,369
Treasury and accounting	14,730	60,220 ⁽¹⁾
Information technology	52,415	379,658
Legal	—	159,358
Staffing and administration	11,920	50,877
Program controls	119,939	698,698
Property acquisition	24,412	84,305
Environmental	32,277	101,983
Engineering management		
Programmatic	266,647	414,021
Total disbursements	<u>679,447</u>	<u>2,628,565</u>
Net change in cash	709,946	715,879
Cash at July 1, 2018	—	796,438
Cash at April 1, 2019	<u>802,371</u>	<u>—</u>
Cash at April 30, 2019	<u>\$ 1,512,317</u>	<u>\$ 1,512,317</u>

⁽¹⁾ Includes insurance premiums.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

Profit & Loss

	Month Ended Apr '19	Year to Date Jul '18 - Apr '19
Revenues		
Contributions	\$ 949,557	\$ 3,336,803
Interest income	—	6,601
Total revenues	949,557	3,343,404
Expenses		
Program management		
Executive director	80,683	723,835
External affairs	7,440	66,810
Treasury and accounting	3,753	63,972 ⁽¹⁾
Information technology	183,206	571,725
Legal	42,571	189,566
Staffing and administration	13,842	64,719
Program controls	11,540	710,238
Property acquisition	17,169	101,474
Environmental	10,085	114,345
Engineering management		
Programmatic	712,164	1,126,185
Total expenses	1,082,453	3,732,869
Net loss	\$ (132,896)	\$ (389,465)

* Totals may not foot due to rounding.

** Balances may include prior month accruals that were not previously captured due to timing.

⁽¹⁾ Includes insurance premiums.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

Schedule of Invoices Paid
for the Month Ended April 30, 2019

<u>Vendor</u>	<u>Invoice #</u>	<u>Invoice Date</u>	<u>Payment Date</u>	<u>Period of Expense</u>	<u>Invoice Amount</u>	<u>Amount Paid</u>
1 Metropolitan Water District of So. Ca	501546-T	1/23/2019	4/3/2019	12/1/18-12/31/18	\$ 14,754	\$ 14,730
2 Metropolitan Water District of So. Ca	501546	1/23/2019	4/3/2019	12/1/18-12/31/18	189,143	187,450
3 CDM Smith, Inc.	90067731	2/22/2019	4/3/2019	1/6/19-2/16/19	12,652	12,639
4 Management Partners	INV06890	2/5/2019	4/3/2019	1/1/19-1/31/19	31,202	31,202
5 The Hallmark Group	180004-06	2/23/2019	4/3/2019	1/1/19-1/31/19	169,285	169,285
6 AECOM Technical Services, Inc.	2000170480	2/5/2019	4/3/2019	12/10/18-1/18/19	12,592	12,579
7 Sacramento Public Library Authority	3202	12/18/2018	4/4/2019	7/18/2019	300	300
8 Spark Street Digital	1784	2/26/2019	4/3/2019	10/18/2018	3,194	3,194
9 e-Builder	6478	2/22/2019	4/3/2019	1/1/19-1/31/19	3,665	3,607
10 Ron Rakich Consulting	1193	2/16/2019	4/3/2019	1/8/18-1/31/18	2,942	2,942
11 Management Partners	INV06999	3/13/2019	4/25/2019	3/13/2019	32,250	32,250
12 Fugro USA Land, Inc.	04.72190201-1	3/4/2019	4/25/2019	1/21/19-2/14/19	210,648	209,268
					<u>682,629</u>	<u>679,447</u>

* Totals may not foot due to rounding.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

Accounts Payable Aging Schedule

As of April 30, 2019

<u>Payable To:</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>Total</u>
Metropolitan Water District of Southern California					
Invoice #501514	\$ —	\$ —	\$ —	\$ 960	\$ 960
Invoice #501518	—	—	—	4,583	4,583
Invoice #501554	106,927	—	—	—	106,927
Invoice #501554-T	3,753	—	—	—	3,753
The Hallmark Group					
Invoice #180004-07	177,371	—	—	—	177,371
Spark Street Digital					
Invoice #1813	3,510	—	—	—	3,510
Invoice #1815	3,510	—	—	—	3,510
Jacobs Engineering Group, Inc.					
Invoice #W8X97001-01	678,317	—	—	—	678,317
Management Partners					
Invoice #INV07016	—	30,375	—	—	30,375
Invoice #INV07136	2,813	—	—	—	2,813
Keogh Multimedia					
Invoice #INV032619-DCA	150	—	—	—	150
Sacramento Public Library Authority					
Invoice #3289	675	—	—	—	675
CDM Smith, Inc.					
Invoice #90071790	6,752	—	—	—	6,752
e-Builder					
Invoice #6869	44,893	—	—	—	44,893
Best, Best & Krieger					
Invoice #843188	29,195	—	—	—	29,195
Invoice #843189	13,376	—	—	—	13,376
Fugro USA Land, Inc.					
Invoice #04.72190201-2	1,175	—	—	—	1,175
PlanNet					
Invoice #164627	—	5,595	—	—	5,595
Invoice #164678	10,035	—	—	—	10,035
	<u>\$ 1,082,452</u>	<u>\$ 35,970</u>	<u>\$ —</u>	<u>\$ 5,543</u>	<u>\$ 1,123,965</u>

*Totals may not foot due to rounding.

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

Statement of Cash Receipts and Disbursements

	Month Ended Apr '19	Year to Date Jul '18 - Apr '19
Receipts:		
Contributions	\$ 1,389,393	\$ 3,336,803
Interest receipts	—	7,641
Total receipts	1,389,393	3,344,444
Disbursements:		
Program management		
Executive director	135,397	620,076
External affairs	21,710	59,369
Treasury and accounting	14,730	60,220 ⁽¹⁾
Information technology	52,415	379,658
Legal	—	159,358
Staffing and administration	11,920	50,877
Program controls	119,939	698,698
Property acquisition	24,412	84,305
Environmental	32,277	101,983
Engineering management		
Programmatic	266,647	414,021
Total disbursements	679,447	2,628,565
Net change in cash	709,946	715,879
Cash at July 1, 2018	—	796,438
Cash at April 1, 2019	802,371	—
Cash at April 30, 2019	\$ 1,512,317	\$ 1,512,317

Profit & Loss

	Month Ended Apr '19	Year to Date Jul '18 - Apr '19
Revenues		
Contributions	\$ 949,557	\$ 3,336,803
Interest income	—	6,601
Total revenues	949,557	3,343,404
Expenses		
Program management		
Executive director	80,683	723,835
External affairs	7,440	66,810
Treasury and accounting	3,753	63,972 ⁽¹⁾
Information technology	183,206	571,725
Legal	42,571	189,566
Staffing and administration	13,842	64,719
Program controls	11,540	710,238
Property acquisition	17,169	101,474
Environmental	10,085	114,345
Engineering management		
Programmatic	712,164	1,126,185
Total expenses	1,082,453	3,732,869
Net loss	\$ (132,896)	\$ (389,465)

* Totals may not foot due to rounding

**Balances may include prior month accruals that were not previously captured due to timing.

⁽¹⁾ Includes insurance premiums

DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

	Statement of Cash Receipts and Disbursements		Profit & Loss	
	Month Ended Apr '19	Year to Date Jul '18 - Apr '19	Month Ended Apr '19	Year to Date Jul '18 - Apr '19
Receipts/Revenues:				
Contributions	\$ 1,389,393	\$ 3,336,803	\$ 949,557	\$ 3,336,803
Interest receipts/income	—	7,641	—	6,601
Total receipts/revenues	<u>1,389,393</u>	<u>3,344,444</u>	<u>949,557</u>	<u>3,343,404</u>
Disbursements/Expenses:				
Program management				
Executive director	135,397	620,076	80,683	723,835
External affairs	21,710	59,369	7,440	66,810
Treasury and accounting	14,730	60,220 ⁽¹⁾	3,753	63,972 ⁽¹⁾
Information technology	52,415	379,658	183,206	571,725
Legal	—	159,358	42,571	189,566
Staffing and administration	11,920	50,877	13,842	64,719
Program controls	119,939	698,698	11,540	710,238
Property acquisition	24,412	84,305	17,169	101,474
Environmental	32,277	101,983	10,085	114,345
Engineering management				
Programmatic	<u>266,647</u>	<u>414,021</u>	<u>712,164</u>	<u>1,126,185</u>
Total disbursements/expenses	<u>679,447</u>	<u>2,628,565</u>	<u>1,082,453</u>	<u>3,732,869</u>
Net change in cash	709,946	715,879		
Cash at July 1, 2018	—	796,438		
Cash at April 1, 2019	<u>802,371</u>	<u>—</u>		
Cash at April 30, 2019	<u>\$ 1,512,317</u>	<u>\$ 1,512,317</u>		
Net loss			<u>\$ (132,896)</u>	<u>\$ (389,465)</u>

* Totals may not foot due to rounding

**Balances may include prior month accruals that were not previously captured due to timing.

⁽¹⁾ Includes insurance premiums.

MWD Production
DCA Budget vs Cost by Program - PTD, YTD
Current Period: APR-19

Date: 08-MAY-19 07:50:23
Page: 1

Currency: USD
No specific APPROPRIATION requested

APPRO	<-----Period-to-date----->							<-----Year-to-date----->						
	Actual	Budget	Forecast	Budget Var	Var %	Forecast Var	Var %	Actual	Budget	Forecast	Budget Var	Var %	Forecast Var	Var %
Program Management	360,204	2,013,580	1,644,867	1,653,377	82.1 %	1,284,664	78.1 %	2,370,466	17,890,720	11,897,289	15,520,254	86.8 %	9,526,823	80.1 %
Environmental	10,085	585,000	213,453	574,915	98.3 %	203,368	95.3 %	112,068	5,748,250	3,840,170	5,636,182	98.1 %	3,728,102	97.1 %
Contingency	0	3,533,235	0	3,533,235	100.0 %	0	0.0 %	0	35,332,350	0	35,332,350	100.0 %	0	0.0 %
Land Acquisition	0	0	0	0	0.0 %	0	0.0 %	0	1,000,000	0	1,000,000	100.0 %	0	0.0 %
Design Utilities, Power, & Road	0	322,700	0	322,700	100.0 %	0	0.0 %	0	17,468,800	0	17,468,800	100.0 %	0	0.0 %
Design Tunnel Pads and Shafts	0	140,000	337,343	140,000	100.0 %	337,343	100.0 %	0	1,080,542	17,935,518	1,080,542	100.0 %	17,935,518	100.0 %
Engineering Management Program	712,164	4,741,333	4,781,911	4,029,169	85.0 %	4,069,747	85.1 %	1,273,560	17,786,666	12,135,420	16,513,106	92.8 %	10,861,861	89.5 %
Construction Tunnel Pads & Shafts	0	1,709,750	0	1,709,750	100.0 %	0	0.0 %	0	11,131,750	0	11,131,750	100.0 %	0	0.0 %
Total	1,082,453	13,045,598	6,977,574	11,963,145	91.7 %	5,895,122	84.5 %	3,756,093	107,439,078	45,808,397	103,682,985	96.5 %	42,052,304	91.8 %

* Includes prior fiscal year actuals of \$23,224.

MWD Production
DCA Budget vs Cost by Organization - PTD, YTD
Current Period: APR-19

Date: 08-MAY-19 07:50:23
Page: 1

Currency: USD
No specific ORGANIZATION requested

ORG	-----Period-to-date-----							-----Year-to-date-----						
	Actual	Budget	Forecast	Budget Var	Var %	Forecast Var	Var %	Actual	Budget	Forecast	Budget Var	Var %	Forecast Var	Var %
DC DCA	0	3,533,235	0	3,533,235	100.0 %	0	0.0 %	0	36,332,350	0	36,332,350	100.0 %	0	0.0 %
Executive Director	80,683	94,600	75,000	13,918	14.7 %	(5,683)	(7.6) %	734,697	868,400	1,044,703	133,703	15.4 %	310,006	29.7 %
Program Advisory	0	25,000	0	25,000	100.0 %	0	0.0 %	0	175,000	0	175,000	100.0 %	0	0.0 %
Audit	0	0	0	0	0.0 %	0	0.0 %	0	25,000	25,000	25,000	100.0 %	25,000	100.0 %
Program Manager	0	116,000	75,000	116,000	100.0 %	75,000	100.0 %	0	1,074,000	300,000	1,074,000	100.0 %	300,000	100.0 %
Treasury and Accounting	3,753	40,000	20,860	36,247	90.6 %	17,107	82.0 %	63,973	380,000	197,758	316,027	83.2 %	133,785	67.7 %
External Affairs	7,440	183,000	183,000	175,560	95.9 %	175,560	95.9 %	66,809	996,000	1,498,065	929,191	93.3 %	1,431,256	95.5 %
Risk Management	0	14,000	14,000	14,000	100.0 %	14,000	100.0 %	0	42,000	14,000	42,000	100.0 %	14,000	100.0 %
Legal	42,571	136,000	150,000	93,429	68.7 %	107,429	71.6 %	201,929	952,000	768,628	750,071	78.8 %	566,699	73.7 %
Staffing & Administration	13,842	160,000	27,159	146,158	91.3 %	13,317	49.0 %	64,719	1,950,000	241,897	1,885,281	96.7 %	177,178	73.2 %
QA/QC	0	80,000	64,000	80,000	100.0 %	64,000	100.0 %	0	432,000	64,000	432,000	100.0 %	64,000	100.0 %
Program Controls	11,540	238,000	191,058	226,460	95.2 %	179,518	94.0 %	710,239	2,140,000	1,383,420	1,429,761	66.8 %	673,181	48.7 %
Information Technology	183,206	129,980	138,222	(53,226)	(40.9) %	(44,984)	(32.5) %	571,725	3,000,320	928,252	2,428,595	80.9 %	356,527	38.4 %
Property Acquisition	17,169	797,000	706,568	779,831	97.8 %	689,399	97.6 %	101,473	5,856,000	5,431,567	5,754,527	98.3 %	5,330,094	98.1 %
Engineering Design	712,164	5,204,033	5,119,254	4,491,869	86.3 %	4,407,090	86.1 %	1,126,185	36,336,008	30,070,938	35,209,823	96.9 %	28,944,753	96.3 %
Environmental & Planning	10,085	585,000	213,453	574,915	98.3 %	203,368	95.3 %	114,345	5,748,250	3,840,170	5,633,905	98.0 %	3,725,825	97.0 %
Engineering Construction	0	1,709,750	0	1,709,750	100.0 %	0	0.0 %	0	11,131,750	0	11,131,750	100.0 %	0	0.0 %
Total	1,082,453	13,045,598	6,977,574	11,963,145	91.7 %	5,895,122	84.5 %	3,756,093	107,439,078	45,808,397	103,682,985	96.5 %	42,052,304	91.8 %

* Includes prior fiscal year actuals of \$23,224.

MWD Production
DCA Budget vs Cost by Activity - PTD, YTD
Current Period: APR-19

Date: 08-MAY-19 07:50:17
Page: 1

Currency: USD
No specific ACTIVITY requested

ACTIV	<-----Period-to-date----->							<-----Year-to-date----->						
	Actual	Budget	Forecast	Budget Var	Var %	Forecast Var	Var %	Actual	Budget	Forecast	Budget Var	Var %	Forecast Var	Var %
Staffing	0	80,000	10,000	80,000	100.0 %	10,000	100.0 %	32,349	560,000	117,969	527,651	94.2 %	85,620	72.6 %
Office Management	13,842	80,000	17,159	66,158	82.7 %	3,317	19.3 %	32,370	1,390,000	123,928	1,357,630	97.7 %	91,558	73.9 %
Standards	0	48,000	64,000	48,000	100.0 %	64,000	100.0 %	0	288,000	64,000	288,000	100.0 %	64,000	100.0 %
Performance Management	0	32,000	0	32,000	100.0 %	0	0.0 %	0	144,000	0	144,000	100.0 %	0	0.0 %
Project Controls	0	188,000	150,000	188,000	100.0 %	150,000	100.0 %	539,380	1,640,000	1,004,556	1,100,620	67.1 %	465,176	46.3 %
Procure & Contract	11,540	50,000	41,058	38,460	76.9 %	29,518	71.9 %	170,859	500,000	378,864	329,141	65.8 %	208,005	54.9 %
Central Administration	131,560	33,280	36,222	(98,280)	-295.3%	(95,338)	-263.2%	300,590	232,960	341,526	(67,630)	(29.0)%	40,936	12.0 %
General Tech	51,646	96,700	102,000	45,054	46.6 %	50,354	49.4 %	271,135	2,767,360	586,726	2,496,225	90.2 %	315,591	53.8 %
Right of Way, Survey, & Mapping	0	419,000	355,000	419,000	100.0 %	355,000	100.0 %	6,001	2,823,000	3,707,861	2,816,999	99.8 %	3,701,860	99.8 %
Appraisal & Acquisition	17,169	378,000	351,568	360,831	95.5 %	334,399	95.1 %	95,473	3,033,000	1,723,706	2,937,527	96.9 %	1,628,233	94.5 %
Chief Engineer	710,989	108,000	98,578	(602,989)	-558.3%	(612,411)	-621.2%	915,742	1,020,000	747,340	104,258	10.2 %	(168,402)	(22.5)%
EDM	0	1,000,000	1,000,000	1,000,000	100.0 %	1,000,000	100.0 %	0	5,750,000	3,750,000	5,750,000	100.0 %	3,750,000	100.0 %
Geo Tech	11,260	3,633,333	3,683,333	3,622,073	99.7 %	3,672,073	99.7 %	220,528	11,016,666	7,638,080	10,796,138	98.0 %	7,417,552	97.1 %
Environmental Permits	0	585,000	213,453	585,000	100.0 %	213,453	100.0 %	104,260	5,748,250	3,840,170	5,643,990	98.2 %	3,735,910	97.3 %
Feature Design	0	462,700	337,343	462,700	100.0 %	337,343	100.0 %	0	18,549,342	17,935,518	18,549,342	100.0 %	17,935,518	100.0 %
Feature Construction	0	1,709,750	0	1,709,750	100.0 %	0	0.0 %	0	11,131,750	0	11,131,750	100.0 %	0	0.0 %
DCA General Activity	134,446	4,141,835	517,860	4,007,389	96.8 %	383,414	74.0 %	1,067,407	40,844,750	3,848,153	39,777,343	97.4 %	2,780,746	72.3 %
Total	1,082,453	13,045,598	6,977,574	11,963,145	91.7 %	5,895,122	84.5 %	3,756,093	107,439,078	45,808,397	103,682,985	96.5 %	42,052,304	91.8 %

* Includes prior fiscal year actuals of \$23,224.

MWD Production
DCA by Program - Trend
Current Period: P13-19

Date: 08-MAY-19 07:51:21
Page: 1

Currency: USD
No specific APPROPRIATION requested

	<-----Period-to-date----->													
	JUL-18	AUG-18	SEP-18	OCT-18	NOV-18	DEC-18	JAN-19	FEB-19	MAR-19	APR-19	MAY-19	JUN-19	P13-19	Total
APPRO														

Program Management	0	0	0	0	0	1,110,870	627,996	350,551	(79,155)	360,204	0	0	0	2,370,466
Environmental	0	0	0	0	0	8,784	63,199	30,000	0	10,085	0	0	0	112,068
Engineering Management Program	0	0	0	0	0	0	147,375	57,379	356,642	712,164	0	0	0	1,273,560
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Total	0	0	0	0	0	1,119,654	838,569	437,930	277,488	1,082,453	0	0	0	3,756,093

* Includes prior fiscal year actuals of \$23,224.

MWD Production
DCA by Organization - Trend
Current Period: P13-19

Date: 08-MAY-19 07:50:11
Page: 1

Currency: USD
No specific ORGANIZATION requested

	<-----Period-to-date----->													
	JUL-18	AUG-18	SEP-18	OCT-18	NOV-18	DEC-18	JAN-19	FEB-19	MAR-19	APR-19	MAY-19	JUN-19	P13-19	Total
ORG														

Executive Director	0	0	0	0	0	316,678	146,013	128,699	62,625	80,683	0	0	0	734,697
Treasury and Accounting	0	0	0	0	0	30,876	14,614	14,730	0	3,753	0	0	0	63,973
External Affairs	0	0	0	0	0	3,582	37,659	18,128	0	7,440	0	0	0	66,809
Legal	0	0	0	0	0	145,326	14,032	0	0	42,571	0	0	0	201,929
Staffing & Administration	0	0	0	0	0	44,928	13,653	(7,142)	(563)	13,842	0	0	0	64,719
Program Controls	0	0	0	0	0	329,643	249,116	119,939	0	11,540	0	0	0	710,239
Information Technology	0	0	0	0	0	237,793	95,061	49,508	6,158	183,206	0	0	0	571,725
Property Acquisition	0	0	0	0	0	2,044	57,849	24,412	0	17,169	0	0	0	101,473
Engineering Design	0	0	0	0	0	0	147,375	57,379	209,268	712,164	0	0	0	1,126,185
Environmental & Planning	0	0	0	0	0	8,784	63,199	32,277	0	10,085	0	0	0	114,345
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Total	0	0	0	0	0	1,119,654	838,569	437,930	277,488	1,082,453	0	0	0	3,756,093

* Includes prior fiscal year actuals of \$23,224.

MWD Production
DCA by Activity - Trend
Current Period: P13-19

Date: 08-MAY-19 07:51:21
Page: 1

Currency: USD
No specific ACTIVITY requested

	<-----Period-to-date----->													
	JUL-18	AUG-18	SEP-18	OCT-18	NOV-18	DEC-18	JAN-19	FEB-19	MAR-19	APR-19	MAY-19	JUN-19	P13-19	Total
ACTIV														

Staffing	0	0	0	0	0	44,928	7,915	(19,931)	(563)	0	0	0	0	32,349
Office Management	0	0	0	0	0	0	5,739	12,789	0	13,842	0	0	0	32,370
Project Controls	0	0	0	0	0	285,613	179,990	73,777	0	0	0	0	0	539,380
Procure & Contract	0	0	0	0	0	44,030	69,126	46,162	0	11,540	0	0	0	170,859
Central Administration	0	0	0	0	0	46,235	80,468	36,169	6,158	131,560	0	0	0	300,590
General Tech	0	0	0	0	0	191,558	14,593	13,339	0	51,646	0	0	0	271,135
Right of Way, Survey, & Mapping	0	0	0	0	0	0	0	6,001	0	0	0	0	0	6,001
Appraisal & Acquisition	0	0	0	0	0	2,044	57,849	18,412	0	17,169	0	0	0	95,473
Chief Engineer	0	0	0	0	0	0	147,375	57,379	0	710,989	0	0	0	915,742
Geo Tech	0	0	0	0	0	0	0	0	209,268	11,260	0	0	0	220,528
Environmental Permits	0	0	0	0	0	8,784	63,199	32,277	0	0	0	0	0	104,260
Feature Construction	0	0	0	0	0	0	18,080	(18,080)	0	0	0	0	0	0
DCA General Activity	0	0	0	0	0	496,462	194,238	179,637	62,625	134,446	0	0	0	1,067,407
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Total	0	0	0	0	0	1,119,654	838,569	437,930	277,488	1,082,453	0	0	0	3,756,093

* Includes prior fiscal year actuals of \$23,224.