

TO: BOARD OF DIRECTORS
FROM: MICHAEL LEBRUN *ML*
DATE: MARCH 4, 2010



**AUTHORIZE WILLOW ROAD WATERLINE EXTENSION PROJECT PHASE 1
WATERLINE EXPENDITURE**

ITEM

APPROVE ADDITIVE BID ITEM FOR WATERLINE WORK TO COUNTY ROAD BID AND AUTHORIZE DISBURSEMENT OF FUNDS TO SAN LUIS OBISPO COUNTY FOR CONSTRUCTION OF WILLOW ROAD WATERLINE EXTENSION PROJECT PHASE 1 [ADOPT RESOLUTION].

BACKGROUND

San Luis Obispo County is extending Willow Road from Pomeroy Road to Hetrick Road and has agreed to install a 12-inch diameter waterline for the District in the new roadway. Under the terms of the agreement, the District is responsible for design of the waterline, inspection of the waterline, direct construction cost of the waterline, and reimbursing the County for all reasonable administrative costs incurred by the County related to the waterline work. In exchange, the County bid and will construct the District's waterline work as part of the County's project. Installation of the District's waterline concurrent with the County's roadway project is more cost-effective than installing the line in the future since the waterline can be installed before the roadway is paved. This will result in a total overall project cost that will be significantly less than if the District was to construct the project separate from the County's roadway project.

The County received and opened twelve (12) bids for the project on February 25, 2010. The three lowest bids are:

NAME OF BIDDER	BASE BID FOR ROADWAY	ADDITIVE BID FOR WATERLINE
CALPORTLAND CONSTRUCTION	\$3,472,706.60	\$396,546.00
RAMINHA CONSTRUCTION	\$3,476,475.00	\$552,600.00
SOUZA CONSTRUCTION	\$3,609,666.20	\$480,573.00

In accordance with the reimbursement agreement, the District is required to notify the County as to whether or not the County should accept the additive bid item for the waterline work for *any of the bidder's* that submitted the three lowest base bids. The purpose of including the three lowest bidders is to require the District to decide on the acceptability of the additive bid price of each of the other bidders in the event the County decides to award the contract to another bidder. This allows needed flexibility for the County to define the responsible bidder with the lowest responsive bid on the base bid. County staff has advised the District that the bid submitted by Calportland has been deemed non-responsive and that the bid will likely be awarded to Raminha Construction.

The agreement also requires that the District deposit a total of 120% of the estimated project costs for the waterline construction costs with the County. The District paid the initial 30% deposit based on an engineer's estimate of \$981,354 and now needs to pay the additional 90% deposit based on the estimated construction cost of \$552,600 (highest additive of the three lowest base bids) based on the actual bids.

On September 30, 2009, your Board adopted Resolution 2009-1162 authorizing deposit of additional funds to the County for this project. The Resolution was never acted upon and, due to the final bids being received, is no longer applicable and should be rescinded.

FISCAL IMPACT

The total additional deposit due to the County is as follows:

Estimated Project Cost	\$552,600
20% County Contingency	<u>\$110,520</u>
Total Estimate	\$663,120
30% Deposit Paid to County	(\$294,406)
Net Additional Deposit to County	\$368,714

The FY 09-10 Budget includes \$1,000,000 in the Water Capacity Charge Fund (Fund #700) for the construction of the Willow Road Waterline Extension Project Phase 1. Staff expects that the District will incur construction management costs of approximately \$100,000 related to the project.

RECOMMENDATION

Staff recommends that your Honorable Board rescind Resolution 2009-1162 and approve Resolution 2010-XXXX Authorizing Remaining Deposit to San Luis Obispo County for Construction of the Willow Road Phase 1 Waterline Extension.

ATTACHMENTS

- Resolution 2009-1162
- Resolution 2010-XXXX Authorizing Remaining Deposit to SLO County for Construction of Willow Road Waterline Phase 1
- Project Overview Map

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**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-1162**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING REMAINING DEPOSIT TO SAN LUIS OBISPO COUNTY FOR
CONSTRUCTION OF WILLOW ROAD PHASE 1 WATERLINE EXTENSION**

WHEREAS, the County of San Luis Obispo is preparing to construct Phase 1 of the Willow Road Extension Project in Nipomo; and

WHEREAS, the District desires to have certain District waterlines and appurtenances incorporated into the County's project into the County's project; and

WHEREAS, the District agrees to reimburse the County for all reasonable costs incurred by the County, relating to the District's waterline work in accordance with the Reimbursement Agreement dated March 3, 2009; and

WHEREAS, the District paid the initial deposit of \$294,406 to the County on or about July 8, 2009 in accordance with the Reimbursement Agreement; and

WHEREAS, the District desires to amend the FY 09-10 Budget to allocate funds for the Project's completion.

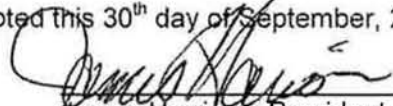
NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

- 1) The District Board of Directors does hereby authorize the payment of \$856,100 from Water Capacity Fund #700 to San Luis Obispo County for the remaining deposit for the project.
- 2) The District Board of Directors does hereby authorize the appropriation of \$150,506 from budget account #700, Water Capacity Charge Fund Reserves, to budget account #700, Water Capacity Charge Fund Willow Road Waterline Project Phase 1 line item, to fund the Project.

Upon motion of Director Winn seconded by Director Nelson and on the following roll call vote, to wit:

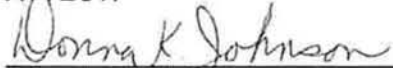
AYES: Directors Winn, Nelson, Eby, Vierheilig and Harrison
NOES: None
ABSENT: None
ABSTAINING: None

the foregoing Resolution is hereby adopted this 30th day of September, 2009.



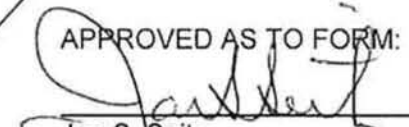
James Harrison, President
Nipomo Community Services District

ATTEST:



Donna K. Johnson
Secretary to the Board

APPROVED AS TO FORM:



Jon S. Seitz
General Counsel

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2009-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING REMAINING DEPOSIT TO SAN LUIS OBISPO COUNTY FOR
CONSTRUCTION OF WILLOW ROAD PHASE 1 WATERLINE EXTENSION**

WHEREAS, the County of San Luis Obispo is preparing to construct Phase 1 of the Willow Road Extension Project in Nipomo; and

WHEREAS, the District desires to have certain District waterlines and appurtenances incorporated into the County's project into the County's project; and

WHEREAS, the District agrees to reimburse the County for all reasonable costs incurred by the County, relating to the District's waterline work in accordance with the Reimbursement Agreement dated March 3, 2009; and

WHEREAS, the District paid the initial deposit of \$294,406 to the County on or about July 8, 2009 in accordance with the Reimbursement Agreement; and

WHEREAS, the District desires to amend the FY 09-10 Budget to allocate funds for the Project's completion.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

- 1) The District Board of Directors does hereby authorize the payment of \$368,714 from Water Capacity Fund #700 to San Luis Obispo County for the remaining deposit for the project.

Upon motion of Director _____ seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors
NOES: None
ABSENT: None
ABSTAINING: None

the foregoing Resolution is hereby adopted this XX day of March, 2010.

James Harrison, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

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J:\Users\2008\1080722\Project - Agri-Industrial\Proposed-PO-Contract-Final\Drawings\Task 23 - Willow Road Waterline\Task 23 - Willow Road Waterline.dwg 8/18/08 04:12:18 PM JRS



LEGEND

- NEW WATERLINE
- OPTIONAL WATERLINE
- EXISTING WATERLINE
- RIGHT-OF-WAY



Bakersfield, CA 661.328.6280 San Luis Obispo, CA 805.544.7407 Santa Maria, CA 805.928.7363
www.CannonAssociates.us

FIGURE 1 – UPDATED
 WILLOW ROAD WATERLINE ALIGNMENT
 PHASE I

TO: BOARD OF DIRECTORS
FROM: MICHAEL LEBRUN *ML*
DATE: MARCH 4, 2010

**AGENDA ITEM
E-4
MARCH 10, 2010**

**AUTHORIZE AMENDMENT OF CANNON DESIGN AND
CONSTRUCTION MGMT CONTRACT WILLOW ROAD PHASE 1 WATER LINE**

ITEM

AUTHORIZE EXECUTION OF AMENDMENT TO CANNON DESIGN AND CONSTRUCTION MANAGEMENT AGREEMENT IN THE AMOUNT OF \$99,960 FOR ADDITIONAL SERVICES REQUIRED TO COMPLETE PROJECT [RECOMMEND APPROVAL].

BACKGROUND

In 2008, your Honorable Board selected Cannon to provide final design services and construction management services for the Willow Road Phase 1 Waterline Extension Project. The District subsequently entered into an agreement with the County whereby the County agreed to incorporate the District's waterline into the County's road project. The final design was completed in coordination with the County's roadway design and bids for the project were opened in February 2010. Construction is anticipated to begin in May 2010.

Staff requested Cannon review the existing design and construction management budget for the Willow Road Waterline Extension Project and provide the District with a proposed budget amendment that addressed the costs required to complete the final design of the project and provide construction management for the project based on the District's reimbursement agreement with the County. Cannon incurred increased design costs due to changes in the County's roadway design that impacted the waterline design. In addition, based on the County's construction schedule and soil testing requirements, Cannon is anticipating that construction management costs will be higher than originally estimated. Finally, Cannon's initial contract envisioned District Engineer performing 50% of the construction management duties. Staff no longer feels this is realistic given the District's numerous capital improvement projects and District Engineer's workload. Therefore, the proposed contract revision includes Cannon performing 100% of the construction management for the project.

Cannon submitted the attached proposal to perform these tasks. As set forth in the attached proposal, Cannon is willing to perform this work on a time-and-materials basis with a not-to-exceed expenditure limit of \$99,600.

FISCAL IMPACT

The original contract amount was for \$140,100. The execution of the proposed amendment would increase the not-to-exceed agreement expenditure limit to \$240,060. The FY 09-10 Budget includes \$1,000,000 in the Water Capacity Charge Fund (Fund #700) for the construction of the Willow Road Waterline Extension Project Phase 1. Construction cost is estimated at \$663,120.

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AGENDA ITEM E-4
MARCH 10, 2010

RECOMMENDATION

Staff recommends that your Honorable Board authorize the General Manager to execute an amendment in the amount of \$99,600 to the existing Cannon Willow Road Phase 1 Waterline Design and Construction Management Agreement.

ATTACHMENTS

- Cannon Proposal dated February 2010

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budget revision 1.doc



March 5, 2010

Mr. Peter Sevcik, PE
District Engineer
Nipomo Community Services District
148 S. Wilson Street
Nipomo, CA 93444

**PROJECT: WILLOW ROAD WATERLINE EXTENSION PROJECT, PHASE I
SCOPE OF SERVICES AMENDMENT NO. 1**

Dear Peter:

As discussed, we are requesting an amendment to our original scope of professional services for the Willow Road Waterline Extension Project, Phase I. This amendment is necessary to memorialize and account for the changes that occurred during the **Design and Bid Phases** of the Project and to modify our scope of services in the upcoming **Construction Phase**.

The proposed amendment consists of two attachments: "Scope of Services Amendment No. 1" and "Fee Amendment for Scope of Services Amendment No. 1". The "Scope of Services Amendment No. 1" details the proposed changes for each Task and the "Fee Amendment for Scope of Services Amendment No. 1" details the fees associated with the proposed modifications accordingly.

Design and Bid Phase Amendments:

As stated in the original request for proposal (RFP), our scope of services assumed the County's project and the District's project would be constructed under two separate contracts: one issued by the County for the road work, and another by the District for the waterline work. During the course of the Design Phase, this approach changed. The District and the County entered into an agreement whereby the County agreed to incorporate the District's waterline construction documents into the same bid package as the County's road construction documents.

As a result, certain tasks in our original scope of services were no longer necessary and removed while other tasks were significantly modified or expanded. Justifications for why these changes occurred are included in the attached amendment document.

Tasks removed from Original Scope: The following tasks were removed from our original scope of services:

- *Task 3 – Assist District in Securing Right-of-Entry Agreements*
- *Task 10 – Assist in Securing Permits*
- *Task 13 – Provide Electronic Clearinghouse*
- *Task 14 – Present Bids/Recommendations to the Board for Award*
- *Task 15 – Assist the District in Resolving Bid Protests*



Tasks modified from Original Scope: The following tasks were modified or expanded from our original scope of services:

- *Task ii – Meet with District Staff*
- *Tasks 8 & 9 – Prepare and Submit Design Documents, Bid Specifications and Cost Estimates (50%/95%)*
- *Task 11 – Prepare and Submit Design Documents, Bid Specifications and Cost Estimates (Final)*

Construction Phase Amendments:

As we discussed on the phone, we have modified our scope of services in the construction phase to account for changes resulting from the District-County Reimbursement Agreement and the District staff's availability to co-observe the contractors work activities during construction. As a result, we propose to revise our construction engineering and management services tasks as detailed in the attached "Scope of Services, Amendment No. 1" document. The following is a list of the Construction Phase Tasks you have requested us to remove or modify:

- *Task 17 – Participate in Job Walk with Construction Team(s) (modify)*
- *Task 18 – Provide Engineering Services During Construction (modify)*
- *Task 19 – Provide Construction Management Services (modify)*
- *Task 20 – Participate in Forums/Workshops (remove)*
- *Task 21 – Prepare Exhibits for Public Meetings (remove)*

If this amendment meets with your approval, please sign and return our Request for Additional Services form or provide a District Task Order, which will serve as our Notice to Proceed. The fees quoted in this proposal are valid for 60 days from this date. If you have any questions, please give me a call.

Sincerely

A handwritten signature in blue ink, appearing to read "Larry Kraemer".

Larry Kraemer, PE
Director, Public Infrastructure Division
C 44813



Scope of Services Amendment No. 1

This purpose of this amendment is to modify the scope of services as detailed in the original Engineering Services Agreement between the Nipomo Community Services District and Cannon Associates dated August 27, 2008 (attached hereto). A general explanation as to why several of these changes are necessary (specifically those removed in their entirety) is provided in the attached cover letter dated March 5, 2010 and titled "Willow Road Waterline Extension Project, Phase I Scope of Services Amendment No. 1 and Fee Amendment for Scope of Services Amendment No.1".

PHASE 0 - PROJECT MANAGEMENT SERVICES

- *Task ii – Meet with District staff.* The original scope of services assumed the County's road design information would serve as the basis of our waterline design. This proved to be a good idea; however, additional effort was necessary to determine what the County used for the Basis of Bearing and Benchmark for their project. Several e-mails, phone calls, and discussions were sent back and forth between the County, the County's engineer, RRM Design Group, and Cannon to determine the required language to place on the drawings.

Coordinating with Cal-File was not a part of our original scope of work. The County requested the District to coordinate with Cal-Fire to locate and install fire hydrants or stub-outs for future fire hydrants along the new waterline in Willow Road. We attended several meetings with District staff and Cal-Fire to determine both an acceptable fire hydrant spacing and to determine which of those locations would be a fire hydrant or a stub-out for a future fire hydrant.

PHASE I - PRELIMINARY ENGINEERING SERVICES

- *Task 3 – Assist District in Securing Right-of-Entry Agreements.* **Removed in its entirety. [Due to combined project, the District's waterline work is covered under the County's right-of-entry agreements.]**

PHASE II – DESIGN AND CONSTRUCTION DOCUMENT SERVICES

- *Task 8 & 9 – Prepare and submit design documents, bid specifications and cost estimates (50%/95%).* Additional design work was required after the 50% submittal because the County required the waterline be moved to the north side of the road. This required a redesign of the pipeline in both plan and profile on all seventeen (17) sheets.

While preparing the 50% plan and profile sheets, we discovered a bust in the County's profile drawings at the centerline intersection of Pomeroy and Willow. The County's design consultant later corrected the profiles and sent us their updated drawings. Our drawings then required updates due to the new centerline of road elevations.



- *Task 10 – Assist in Securing Permits. Removed in its entirety. [The County did not require the District to obtain an encroachment permit because the project is being administered by the County.]*
- *Task 11 – Prepare and submit design documents, bid specifications and cost estimates (Final). The County made a major profile change again between the 95% and Final submittal to accommodate new storm drains, culverts, and street light conduits. This change mainly affected the intersections at Willow/Pomeroy and Willow/Hetrick. For this reason the waterline profiles needed to be redesigned to avoid conflict with these improvements.*

Additional meetings were required to meet with District and County Staff to coordinate the Reimbursement Agreement and integrate the waterline improvement plans with the County's construction documents. Additionally, the technical specifications, cost estimates, and bid sheets had to be re-worked into the County's standard format because acceptance of the reimbursement agreement occurred after we prepared our initial submittal of these documents in the District's standard format.

PHASE III– BID SUPPORT SERVICES

- *Task 13 – Provide electronic clearinghouse. Removed in its entirety. [The County will provide this as part of their process.]*
- *Task 14 – Present bids/recommendations to the Board for Award. Removed in its entirety. [District staff will present County bid results to District Board.]*
- *Task 15 – Assist the District in resolving bid protests. Removed in its entirety. [District staff will work with County staff to resolve bid protests.]*

PHASE IV - CONSTRUCTION ENGINEERING SERVICES

- *Task 17 – Participate in Job Walk with Construction Team. Remove in its entirety and replace with Task 17.1 – Participate in Job Walk – Pre-Construction Conference as follows.*
- *Task 17.1 – Participate in Job Walk - Pre-Construction Conference. Cannon's Construction Manager will attend the pre-construction conference with the Contractor, the County, and the District's team. We assume the meeting will take place at the County offices in San Luis Obispo.*
- *Task 18 – Provide Engineering Services During Construction. Remove in its entirety and replace with Task 18.1 – Progress Pay Estimate, Task 18.2 – Submittal Management, Task 18.3 – Change Order Management and Requests for Information (RFI's), Task 18.4 – Final Inspection and Punch List, and Task 18.5 – As-Build Documentation as follows.*
- *Task 18.1 – Progress Pay Estimate. We will establish a progress pay schedule with the County's Resident Engineer, in which progress pay estimates will be forwarded by the*



Contractor to Cannon on a monthly schedule. We will review the progress pay estimates and supporting materials, and forward the Contractor's progress pay estimates to the District prior to sending back to the County. We will include recommendations regarding the payment to the Contractor. We will maintain a current estimate of the earned value of work performed and an estimate of the overall construction costs based on the contractor's bid.

- **Task 18.2 – Submittal Management.** The Submittal Management process will include tracking the shop drawings and submittals received from the Contractor through the County's Resident Engineer. We will maintain a log of the shop drawings and manage the Submittal Management process, including:
 - Record all submittals and shop drawings received from the Contractor;
 - Ensure submittals are reviewed in a timely fashion and returned to the County and Contractor;
 - Ensure the sample/submittal logs reflect the same critical submittal dates as the short term look ahead schedules;
 - Ensure shop drawings have been reviewed and returned before associated work is begun;
 - Update logs on a regular basis; and
 - Maintain copies of all submittals.

We anticipate submittals on the following items:

- Project Schedule
 - Potholing Data
 - Sheeting and Shoring Plan
 - Ductile Iron Pipe and Fittings
 - Plastic Film Wrap
 - PVC Pipe
 - 12-inch, 8-inch, 6-inch, and 4-inch AWWA Resilient Seat Gate Valves
 - Special Fittings, Couplings, Restraints, Nuts, Bolts, and Gaskets
 - Hydrant Assembly
 - Air Release/Vacuum Release Assembly
 - Water Service Meter Assembly
 - Precast Concrete Products
 - Sand Bedding
 - Trench Backfill
 - Miscellaneous Concrete
- **Task 18.3 – Change Order Management and Requests for Information (RFIs).** We will coordinate all efforts regarding change orders and RFIs submitted by the Contractor or requested by the District. Change order submittals will need to include supporting documentation. We will consider how submittals impact the project budget and schedule, and will prepare a recommendation for approval or disapproval of the submittal. Various activities for this task include the following:
 - Coordinate responses to RFIs;
 - Compile documentation including inspection reports, test reports, drawings, sketches, photographs, and other materials as required;



- Evaluate impacts of the proposed change on the Contractor's schedule and operations; prepare a written response summarizing the anticipated impact of the change;
 - Evaluate price proposal submitted by the Contractor for reasonableness and accuracy of rates unit prices, construction quantities, and schedule impacts; and
 - Maintain a tool for tracking change order proposals through the review and approval process. Should the need arise, we will prepare files for potential change orders or claims in order to compile supporting documentation.
- *Task 18.4 – Final Inspection and Punch List.* In conjunction with District staff, we will evaluate the water system improvements to confirm general compliance or identify discrepancies and deficiencies in the work. We will prepare the Punch List to identify such items. Upon correction of the Punch List items by the Contractor, we will report completion of the project to the District and the County's Resident Engineer and recommend final payment to the Contractor.
 - *Task 18.5 – As-Built Documentation.* We will review as-built drawings provided by the Contractor and confirm the drawings reflect current project conditions. We will provide the District with a copy of the Contractor's as-built drawings.
 - *Task 19 – Provide Construction Management Services. **Removed in its entirety and replace with Task 19.1 – Construction Observation, Task 19.2 – Construction Staking Verification and Spot Checking, and Task 19.3 – Materials Testing as follows.***
 - *Task 19.1 – Construction Observation.* Construction Observation services will include the following:
 - Implement observation guidelines for monitoring the quality of the Contractor's work;
 - Conduct field observation (as needed) and prepare documentation of construction tasks including, but not limited to, potholing, pipe, pipe restraints, valves, fittings, hydrants, meters, air release valves, trench excavation, bedding and backfill, tracer wire, warning tape, flushing, testing, disinfecting, concrete;
 - Issue a Non Conformance Report to the County's Resident Engineer when we witnesses materials, erection or installation process, or inadequate quality that does not meet the requirements of the construction contract documents. The report will notify the County's Resident Engineer of such deviation and inquire as to the Contractor's proposed corrective action;
 - Obtain delivery slips and tickets for materials delivered to the job site to use when checking payment requests; and
 - We will maintain records and provide detailed and accurate reports in accordance with District requirements.

We understand that the Construction Observer will not be responsible for site safety, including but not limited to, OSHA and traffic control requirements, as well as safety inspection, evaluation or supervision. We understand the responsibility of site safety lies with the Contractor. We will monitor the Contractor's general compliance with its safety



program relative to the waterline work and advise the County's Resident Engineer of observed deficiencies.

We will provide NCSD a summary report of the work activities at the end of construction. The summary report will be based upon the daily work activity logs prepared by the Construction Observer and will contain printed color photos of images taken during construction.

The Bid documents do not specifically state when the Contractor must complete the waterline work relative to the overall road construction improvements. Rather, all work under the main County contract must be completed within 365 consecutive calendar days. This equates to approximately 275 working days due to weekends and holidays.

Because the waterline work will only occur during a portion of the overall road construction project, we have estimated our services based on typical waterline installation production rates, the number of waterline connections (most of which will occur at night), and the number of waterline appurtenances such as air-vacs, hydrants, meters, blowoffs and valve assemblies. (See Table 1 on the following page.)

It is assumed that construction observation will be provided during actual working days and that each observation will vary between approximately 4 and 8 hours per day in length, including travel time and field observation report preparation. For purposes of this proposal, we've estimated 84 working days and 553 hours of observation with an average observation-day of approximately 6.6 hours for our Construction Observer. To provide the necessary oversight of our Observer, we have estimated our Construction Manager at 20% of our Observer and our Chief Engineer at 5% of our Observer.



Table 1

Work Description	Measure	Quantity	Production Rate	Calc'd	Field Observation	Total Field Observation
	Unit	#Units	#Units/Day	# Days	# Hours/Day	# Hours
14-inch DIP	LF	1260	133 *	9	8	72
Testing	EA	1	1	1	8	8
12-inch PVC	LF	6280	186 *	34	8	272
Testing	EA	3	1	3	8	24
Valve Assembly	EA	15	1	15	4	60
Waterline Connections to Existing System						
Willow Road, STA 275+79	EA	1	1	1	8	8
Pomeroy Road, STA 111+30	EA	1	1	1	8	8
Willow Road, STA 275+79 (Abandon)	EA	1	1	1	8	8
Hetrick Road, STA 100+59	EA	1	1	1	8	8
Hetrick Road, STA 114+72	EA	1	1	1	8	8
Hetrick Road, STA 112+04	EA	1	1	1	8	8
Water Service Assembly	EA	2	2	1	4	4
Fire Hydrant Assembly	EA	4	2	2	8	16
Stubbed Hydrant Assembly	EA	15	4	4	4	16
Air Release Assembly	EA	7	2	4	4	16
Blowoff Assembly	EA	4	2	2	4	8
Adjust Water Valve to Grade	EA	45	15	3	3	9
				84		553

* RS Means Building Construction Cost Data

• **Task 19.2 – Construction Staking Verification and Spot-Checking.** We will perform an as-built survey of the waterline during its construction to verify conformance with the construction plans and for inclusion of the as-built data into the District's GIS database. We will coordinate our schedules to perform this work with the (General Contractor). We will base the waterline locations on the vertical and horizontal control used for construction of the County's project. The survey will provide horizontal and vertical location of the waterline's major features including: Connection points, valves, fire hydrants, blow-offs, and fittings (tees, elbows, etc...).

To efficiently perform this work, we will require access to optimal segments of the exposed pipeline and appurtenances. So as to not delay the trenching operations, we will closely coordinate scheduling with the contractor to ensure advance notice of when critical milestones are achieved during construction and performing the as-built surveys is most advantageous.

We anticipate that the District will provide a data summary, or an example, of the water line data to be provided for the GIS System. We want to ensure that the data provides the District with optimal value for use in its GIS System.



- *Task 19.3 – Materials Testing.* We will retain the services of Earth Systems Pacific to provide materials testing during construction. This will include verification of bedding, pipe zone and trench backfill materials and achievement of required compaction results. A copy of their scope of services is attached.

We will coordinate with the materials sampling and testing engineer as required. We will review results of the testing materials. Following review, we will make recommendations for acceptance of work in general compliance of the contract documents, or make recommendations if remedial actions are needed to correct unacceptable portions of the Contractor's work.

- *Task 20 – Participate in Forums/Workshops.* **Removed in its entirety [The County will provide this as part of their process.]**
- *Task 21 – Prepare Exhibits for Public Meetings.* **Removed in its entirety [The County will provide this as part of their process.]**



Cost Summary for
Willow Road Waterline Extension Phase I - Construction Management Services
Nipomo Community Services District

WORKING BUDGET

	Construction Manager (Jeff S.)	Chief Engineer (Larry K.)	Construction Observer (Anthony S.)	Electrical Engineer IV (Gary W.)	Administrative Assistant (Lynn P.)	Total Hours	Fee Estimate Subtotal	Construction Surveys	Geotechnical Engineering ³	Reimbursable Expenses ⁴	Fee Estimate TOTAL
RATES	\$130	\$160	\$90	\$120	\$70						
	HOURS										
Phase IV: Construction Engineering Services											
Task 17 – Participate in job walk with construction team(s)	4	4	4			12	\$1,520				\$1,520
Task 18 – Provide engineering services during construction											
18.1 Progress Pay Estimate	12					12	\$1,560				\$1,560
18.2 Submittal Management	20				4	24	\$2,880				\$2,880
18.3 Change Order Management and Requests for Information (RFIs)	16				4	20	\$2,360				\$2,360
18.4 Final Inspection and Punch List	8	4	8			20	\$2,400				\$2,400
18.5 As-Built Documentation	8	4	40		4	56	\$5,560				\$5,560
Task 19 – Provide Construction management services											
19.1 Construction Observation ¹	111	28	553			691	\$68,572			\$2,646	\$71,218
19.2 Construction Staking (Checking and As-building)								\$10,000			\$10,000
19.3 Soils Testing ²									\$27,566		\$27,566
Total T&M Not-To-Exceed:											\$125,064

1 Construction Observer hours based on methodology in proposal. Construction Manager hours estimated at 20% of Observer hours; Chief Engineer estimated at 5% of Observer hours.
2 Cannon will coordinate geotechnical testing and prepare field reports while performing the Construction Observation site visits (Task 19.1).



Fee Amendment for Scope of Services Amendment No. 1

Phase/Task Description	Original Budget	Revised Budget	Net Change
Phase 0 - Project Management Services			
Task i. Prepare and Submit Monthly Progress Reports	\$4,320	\$4,320	\$0
Task ii. Meet with District Staff	\$6,720	\$10,810	\$4,090
Phase 1 - Preliminary Engineering Services			
Task 1. Project Kick-off Meeting	\$1,790	\$1,790	\$0
Task 2. Coordination Meeting with County	\$1,470	\$1,470	\$0
Task 3. Assist District in Security ROE Agreement	\$1,640	\$0	-\$1,640
Task 4. Supplemental Geotechnical Evaluation	\$520	\$520	\$0
Task 5. Supplemental Topographic Survey and Utility Research	\$1,120	\$1,120	\$0
Task 6. Preliminary Design Drawings	\$20,120	\$20,120	\$0
Task 7. Preliminary Design Submittal Review Meeting	\$1,700	\$1,700	\$0
Phase 2 - Design and Construction Document Services			
Task 8. Prepare and Submit 50% Design and Construction Documents	\$11,660	\$11,660	\$0
Task 9. Prepare and Submit 95% Design and Construction Documents	\$11,660	\$27,661	\$16,001
Task 10. Assist in Securing Permits	\$1,560	\$0	-\$1,560
Task 11. Prepare and Submit Design Documents (Final)	\$7,800	\$24,165	\$16,365
Phase 3 - Bid Support Services			
Task 12. Advertise Bidding, Interact with Bidder, and Open Bids	\$4,400	\$4,400	\$0
Task 13. Provide Electronic Clearinghouse	\$1,560	\$0	-\$1,560
Task 14. Present Bids/Recommendations to Board for Award	\$3,480	\$0	-\$3,480
Task 15. Assist the District in Resolving Bid Protests	\$1,680	\$0	-\$1,680
Task 16. Secure Contract Submittals	\$1,680	\$1,680	\$0
Phase 4 - Construction Engineering Services			
Task 17. Participate in Job Walk with Construction Team(s)	\$1,160	\$0	-\$1,160
Task 17.1 Participate in Job Walk - Pre-Construction Conference	\$0	\$1,520	\$1,520
Task 18. Provide Engineering Services During Construction	\$9,700	\$0	-\$9,700
Task 18.1 Progress Pay Estimate	\$0	\$1,560	\$1,560
Task 18.2 Submittal Management	\$0	\$2,880	\$2,880
Task 18.3 Change Order Management and Requests for Information (RFI)	\$0	\$2,360	\$2,360
Task 18.4 Final Inspection and Punch List	\$0	\$2,400	\$2,400
Task 18.5 As-Built Documentation	\$0	\$5,560	\$5,560
Task 19 Provide Construction Management Services	\$38,700	\$0	-\$38,700
Task 19.1 CM Services - Construction	\$0	\$71,218	\$71,218
Task 19.2 CM Services - Staking	\$0	\$10,000	\$10,000
Task 19.3 CM Services - Materials	\$0	\$27,566	\$27,566
Task 20. Participate in Forums/Workshops	\$1,040	\$0	-\$1,040
Task 21 Prepare Exhibits for Public Review	\$1,040	\$0	-\$1,040
Task 22 Submit Electronic Copies	\$1,080	\$1,080	\$0
Task 23 Additional Design and Construction Services for Pomeroy Road Waterline Extension (Fees are included in the above tasks)	\$0	\$0	\$0
Reimbursables	\$2,500	\$2,500	\$0
Total Fees	\$140,100	\$240,060	\$99,960

TO: BOARD OF DIRECTORS
FROM: MICHAEL LEBRUN *men*
DATE: MARCH 5, 2010

**AGENDA ITEM
E-5
MARCH 10, 2010**

CONSIDER CHANGE IN BOARD MEETING SCHEDULE FOR MAY

ITEM

Consider a change to Board Meeting schedule for May 2010 [DISCUSS AND DIRECT STAFF].

BACKGROUND

Section 2.1 of the Board By-Laws state in part:

Subject to holiday and scheduling conflicts, regular meetings of the Board of Directors shall commence at 9:00 a.m. on the second and fourth Wednesday of each calendar month...

Section 2.6 of the Board By-Laws state in part:

Three (3) Directors of the Board shall constitute a quorum for the transaction of business.

The first, regular Board Meeting in May is scheduled for March 12. On May 11 and 12, President Harrison and Director Winn will be representing the District at California Special Districts Legislative Days in Sacramento. With two Directors absent, the remaining three Directors must be present to constitute a quorum.

The following options are available:

- Hold the May 12th meeting, as scheduled, with a quorum of three Directors.
- Cancel the May 12th meeting (next regular Board Meeting would be May 26).
- Hold a special meeting on an agreed-upon date.

RECOMMENDATION

Staff recommends that your Honorable Board hold the May 12th meeting, as scheduled.

ATTACHMENTS

- None

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TO: BOARD OF DIRECTORS
FROM: MICHAEL LEBRUN *MSL*
DATE: MARCH 5, 2010

**AGENDA ITEM
E-6
MARCH 10, 2010**

LAFCO SPHERE OF INFLUENCE COMMENT LETTER

ITEM

Consider draft comment letter in response to LAFCO's February 2010 Public Review Draft, Sphere of Influence Update and Municipal Services Review, Nipomo Community Services District. [REVIEW AND PROVIDE DIRECTON]

BACKGROUND

The San Luis Obispo Local Agency Formation Commission (LAFCO) is required to update the Sphere of Influence for a jurisdiction every five years. On February 3, 2010, LAFCO circulated a public review draft of the proposed 2010 update of the District's Sphere of Influence. On February 18, 2010, LAFCO conducted a public study session for the proposed update. District staff attended and participated in the study session. Comments on the Draft Update are due no later than March 22, 2010. Staff seeks Board direction and input on the attached draft comment letter.

FISCAL IMPACT

Budget staff time expended in the preparation of this item.

RECOMMENDATION

Consider draft letter, direct staff to final letter and forward to LAFCO

ATTACHMENTS

- Draft District comment letter

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NIPOMO COMMUNITY

BOARD MEMBERS

JAMES HARRISON, PRESIDENT
LARRY VIERHEILIG, VICE PRESIDENT
MICHAEL WINN, DIRECTOR
ED EBY, DIRECTOR
BILL NELSON, DIRECTOR



SERVICES DISTRICT

STAFF

MICHAEL LEBRUN, INTERIM GENERAL MANAGER
LISA BOGNUDA, FINANCE DIRECTOR/ASST. GM
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, P.E., DISTRICT ENGINEER

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: ncsd.ca.gov

March 11, 2010

Local Area Formation Commission
San Luis Obispo County
Attention: David Church
1042 Pacific Street, Suite A
San Luis Obispo, CA 93401

SUBJECT: PUBLIC REVIEW DRAFT, SPHERE OF INFLUENCE UPDATE AND MUNICIPAL SERVICES REVIEW

Dear Mr. Church:

With this letter, Nipomo Community Services District (District) conveys comments pertaining to the Commissions February 2010 Public Review Draft, Sphere of Influence Update and Municipal Service Review (Draft Update). The District's Board of Directors considered the draft document at a regular Board meeting on February 24, 2010 and reviewed a draft of this comment letter at a regular meeting on March 10, 2010.

The Board of Directors thanks the Commission and its staff for developing the Draft Update and look forward to working with the Commission to complete the process. The following comments reference the Draft Update sections and follow its order. Global comments are provided first.

Global Comments

It is important that references to the District, the greater Nipomo community, and the Nipomo Mesa area are clearly understood. Additionally, there is the Nipomo Mesa Management Area (NMMA) defined through the groundwater adjudication process and the more recently County defined Nipomo Mesa Water Conservation Area. Consider introducing the key terms and references and staying with defined nomenclature throughout the document.

The supplemental water project envisioned with the City of Santa Maria has evolved over the years. The project's March 2009, Final EIR has been certified. The EIR addresses a project that will import up to 6,200 acre-feet of water per year. The project currently underway is to design and build facilities

capable of importing up to 3,000 acre-feet of water annually. A subsequent phase of the project may be undertaken in the future to expand capacity.

The January 5, 2010 Wholesale Water Supply Agreement between the District and City of Santa Maria is an executed document that specifies the conditions under which the City will sell up to 3000 acre-feet of water annually to the District. This Agreement replaces the MOU between the District and City that is referenced in numerous locations in the Draft Update.

County Ordinance 3090 defines the Nipomo Mesa Conservation Area and places significant restrictions on new growth and general plan amendments in the Conservation Area. The restrictions are linked to development of supplemental water resources for the area. This Ordinance should be discussed and referenced, as applicable, throughout the Draft Update.

The District is the only public water purveyor operating on the Nipomo Mesa and as such, the only purveyor subject to Commission review. The District is also the only water agency on the mesa that is actively pursuing water conservation, basin management, and new source development. District customers represent less than half of the residential population estimated to live on the Mesa and depend on groundwater underlying the mesa. The efforts of the District and its customers, relative to the other users of the groundwater should be clearly recognized, where appropriate, in the Draft Update.

Specific Comments

Page 1-7, fourth sentence under Present and Planned Land Use; the sentence needs to be completed or reworded.

Page 1-9, NCSA-AREA 4 Map; the 245-acres attributed to RS-Maria Vista is excessive and should be revised. The District understands the recommended reduction in Area 4. However, the District asks that the area immediately adjacent to, and southwest of our Southland WWTP, which is proposed for reduction, remain in Area 4. This would provide the District flexibility in the future as areas for expanded effluent disposal are explored and designed. The District does not object to the proposed removal of areas lying immediately adjacent to and southeast of the Southland WWTP and suggests a straight line be drawn from the District property line extending southwest to the mesa bluff.

Page 2-5, Area 4, second sentence; a reference is made to the use of "imported" water. The District is not aware of any water sources, other than Nipomo Mesa Management Area groundwater, currently in use on the mesa. Please clarify/revise.

Page 2-10, WATER 3.A.; the District provides 2009 production and connection numbers later in this comment letter. These data indicate the District has met the 15% reduction in per connection pumping over the 2004 base year. A discussion of this condition to reduce per connection consumption and the District's success in doing so should be included here and elsewhere in the Draft Update as appropriate. The condition should clearly be 'anchored' by referencing it to the 2004 approval of the SOI. We suggest the discussion on questioning the relation between reduction and District water conservation plan implementation be dropped, such conjecture is unfounded. The fact is the reduction has been clearly documented by accepted methods. The District does intend to continue its conservation efforts

and to meet or exceed the requirements of the referenced State legislation (i.e. 20/20 Plan for water demand reduction).

Page 3-1, Municipal Services Review; there is no review of or suggested revision to the Municipal Services Line. The Services Line is commonly included in County Planning documents and is in need of review and update.

Page 3-10, Written Determinations; include County Ordinance 3090 in this list.

Page 3-14/3-15, Condition 5-Compliance; construction on the Waterline Intertie project is currently scheduled to begin in April 2011 and complete by April 2012.

Page 3-15, Santa Maria Groundwater Basin Adjudication, consider replacing the entire section with the following:

Santa Maria Groundwater Basin Adjudication Summary

The Santa Maria Valley Water Conservation District filed a groundwater adjudication lawsuit involving the Santa Maria Groundwater Basin that stretches from Orcutt to the South to Pismo Beach to the North. The greater Santa Maria Groundwater Basin includes waters underlying the Nipomo Mesa area (at the time commonly known as the Nipomo Hydrologic Sub-basin). The lawsuit includes the City of Santa Maria, landowners and other water purveyors (including the NCSD) that pump groundwater from the Santa Maria Groundwater Basin.

The Court in its Partial Statement Of Decision Re Trial Phase III found "No evidence of seawater intrusion, land subsidence, or water quality deterioration that would be evidence of overdraft has been presented. Some wells in the Nipomo Mesa area do show lowering of water levels that may result from the pumping depression or other cause, and there may be some effects in that portion of the Basin that are not shared Basin-wide. But that is not sufficient in any event to demonstrate Basin-wide overdraft". Subsequently, many of the parties including the water purveyors that overlay the Nipomo Mesa portion of the Groundwater Basin signed a June 30, 2005 Stipulation (the Stipulation), that was approved by the Court. The Final Judgment after trial provides "the Court approves the Stipulation, orders the stipulating parties only to comply with each and every term thereof, and incorporates the same herein as though set forth at length".

The Stipulation divides the Santa Maria Groundwater Basin into three management areas known as the Santa Maria Valley Management Area (Southern portion of the Groundwater Basin) the Nipomo Mesa Management Area (the NMMA) (the center portion of the Groundwater Basin) and the Northern Cities Management Area (the northern portion of the Groundwater Basin). Further, pursuant to the Stipulation the NCSD, Woodland Mutual Water Company, Golden State Water Company and an Ag representative formed the Nipomo Mesa Management Area Technical Group to monitor the groundwater underlying the Nipomo Mesa Management Area, to file reports with the Court and to make recommendations to the Court. It is the overall purpose of the Nipomo Mesa Management Area Technical Group to protect the portion of the Groundwater Basin that underlies the NMMA. In 2008 & 2009 the Nipomo Mesa

Management Area Technical Group filed with the Court: The Nipomo Mesa Monitoring Program, the Nipomo Area Water Shortage Conditions and Response Plan and the first Annual Report.

Pursuant to the Stipulation the NCSD, the Woodland Mutual Water Company, Golden State Water Company and Rural Water Company are participants in the City of Santa Maria Supplemental Water Project.

The Supplement Water Project is in the design phase of development. The NCSD and the City of Santa Maria have signed a final Agreement for the purchase of 3,000 acre feet of water. The water will be used by the water purveyors to offset current pumping of the waters underlying the Nipomo Mesa Management Area (the NMMA).

Page 3-16, NCSD Waterline-Intertie Project; as outlined above under global comments, the approved project EIR describes a 3000-AFY first phase project (combines phases I and II as described in the Draft Update) and a second phase of up to 3,200 AFY. A 3000 AFY project is currently being pursued. The apportionment shown in the Draft Update can be made correct by adding 500 af to the District's line. The assessment to fund the Project will have four distinct zones, one for each of the participating purveyors (District, Golden State Water, Rural Water, and Woodlands). The Assessment will be conducted by the County of San Luis Obispo since they are the only public agency with jurist diction over all four zones. The assessment will pass or fail based on a simple majority of voting property owners across all four zones. The District's assessment zone will cover only its service area. The only areas within the District's SOI that will be assessed are those areas that are currently served by one of the other participating water purveyors.

Page 3-17, NCSD Urban Water Management Plan, Adopted January 2006; the final sentence should reflect that the District is currently under contract to update the UWMP. The update is on schedule to be completed in October 2010. Intermediate work products will be provided to LAFCO when available.

Page 3-18, Water Demand, second paragraph, last sentence; ...promises to be a more refined approach to predicting and planning for future water demand."

Page 3-19, Table 3-8: Per Connection Water Use; the information summarized in this table comes directly from the District's Annual Production and Consumption report made to CA Dept. of Water Resources (Public Water System Statistic, DWR form 38) and is based on a calendar year. The Commission should also understand the District makes a similar report to DWR on fiscal year basis which generates slightly different numbers. Additionally, as part of our Conservation Program we report numbers based on "Urban" water consumption which omits commercial and irrigation related pumping and thus generates different per connection numbers. We recommend a citation be included with this table to avoid confusion.

We have double checked the data presented in the Draft Update and find one minor error in the raw data reported for 2006 pumping. We do not follow the percentage change calculations presented in the Draft Update. The table presented below includes corrected and update raw data and a calculation of year-to-year percent change in per connection pumping and percent change relative to the base year of

2004. In the year-to-year calculation, the divisor is the year being compared against – in this case, the previous year. In the comparison of each year to 2004 the divisor is 2004. **As you can see, the District has met/exceeded the stated goal of reducing per connection pumping by 15% since 2004.**

NCS D Per Connection Water Use

	AF Pumped	Connections	AFY/Connection	Change in AFY/Connection since previous year	Change in AFY/Connection since 2004
2004	2908	3751	0.775259931		
2005	2794	3879	0.720288734	-7%	-7%
2006	2727	3995	0.682603254	-5%	-12%
2007	2856	4077	0.700515085	3%	-10%
2008	2755	4092	0.673264907	-4%	-13%
2009	2698	4138	0.6520058	-3%	-16%

Source data: DWR Form 38, Public Water System Statistics, calendar year report.

Page 3-20, San Luis Obispo County Water Master Plan; the most updated list of water purveyors operating in the area can be obtained from the County Health Department who regulate all but the largest (District, Golden State Water Company (formerly Cal Cities Water), Woodlands, Rural, and Mesa Dunes Mobile Home park). A number of the small county regulated systems were created to serve development within the District SOI. In some cases, these small systems are created when the County approves development for which no purveyor exists to serve or, due to constraints on annexation, no purveyor is allowed to serve. Some of these listed ‘Purveyors’ are actually businesses that are required to have publicly regulated water systems due to their number of employees.

The impact that the growing number of private small purveyors accessing area groundwater to serve new residential development is having on the management of the groundwater basin should be further discussed in this section. County health does not require these purveyors to report pumping quantities and these small purveyors are not participating in management and conservation efforts. Most small purveyors do not meter water to their individual customers.

Page 3-20, Table 3-9: Water Purveyors in Nipomo Area; this list includes entities that are not operating on the Mesa and are not drawing from the groundwater sub area underlying the mesa. The list of Large Purveyors should include Mesa Dunes Mobile Home Park which is a State regulated (over 200 connections) purveyor serving a mobile home park on the west side of the mesa near Highway 1. The District developed a listing showing the small County regulated purveyors operating on the mesa – see below, next page.

Page 3-21, Nipomo WPA 7; this citation is dated. The District section discusses number of customers and should reference number of connections as is done in the sections on other purveyors. The Golden State Water Company section states 1,475; 1,495; and 2,068 connections and should be clarified.

Page 3-26, Annual Resources Summary Report, 2008; the section needs to clarify the County’s dual system whereby the water delivery system and water resources are separately evaluated. Currently the

Nipomo area system has a level of severity zero (0), while the resource has a level of severity III. Note, the County system uses roman numerals and this convention should be used in the Draft Update.

SLO County Regulated Private Water Systems, Nipomo Mesa Management Area					
Purveyor	C o n n e c t i o n s	P o p - S e r v e d			
Ball Tagawa Growers	1	55			
Black Lake Canyon Water Supply	11	40			
Callender Grove MWC	37	45			
Callender Water Association	7	15			
Conoco Phillips	1	200			
Crossroads Community Church Water	1	25			
Greenheart Water Supply	2	70			
La Colonia Water Association	6	18			
La Mesa Water Co.	11	30			
Laguna Negra MWC	29	80			
Mutual Water Association	8	35			
Nunes Water Company	12	45			
T&A Properties Water Company	7	25			
True Water Supply	7	20			
Vista De Las Flores	12	40			
Woodland Park MWC	151	500			
Totals	303	1243			
Information Source is County Inspection records dated May 2005- August 2007.					
Information on County # and System Type Class is also available.					

Page 3-31, number 4; future annexations should also consider the proposed development's ability to access area groundwater via formation of a new independent water company. In such cases where the County approves a development, annexation should be considered in order to provide better management of water resources.

Page 3-31, number 5.; the District has an executed agreement with the City of Santa Maria to purchase a 2,000 to 3,000 acre-feet of water annually once the intertie is complete. The reference to "This area of the Santa Maria Basin..." in the second sentence is not clear. The City of Santa Maria has proven up water rights far in excess of their build out connections. These water rights include water from the larger groundwater basin, 'twitchell groundwater' and water imported by the state pipeline.

Page 3-31, Wastewater; the District currently returns all of its collected and treated wastewater to the supply basin, or, in the case of Blacklake customers, uses treated wastewater to offset irrigation demands. Additionally, 100% of interior water use by the District's approximately 1,100 customers who utilize individual on site disposal systems (septic tanks) is returned to the supply basin. Exterior/landscape water is the only water 'lost' to the water cycle locally. For this reason the District's conservation plan focuses on reducing landscape water demands.

Page 3-40, first bullet; update the reference to the Water Wholesale Agreement between the District and City of Santa Maria.

Page 3-40, third bullet; this should reflect an agreement in place to install a District *waterline* in conjunction with the County's Willow Road Phase I project. The District and the County are currently negotiating a similar Agreement to facilitate waterline installation in conjunction with Willow Road Phase II.

Page 3-43, numbered item 5; The District does not currently possess the administrative capacity to provide services to the entire SOI. We suggest the statement be reworded to reflect the fact that over its 45-year history the District has consistently grown administrative capacity to meet the needs of a growing customer base.

The District greatly appreciates the opportunity to comment on this Draft Update and looks forward to finalizing the Sphere of Influence Update and Municipal Services Review. Please contact us with any questions you may have.

Very truly yours,
Nipomo Community Services District

Michael LeBrun
Interim General Manager