



**FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS
SPECIAL BOARD MEETING**

NOTICE AND AGENDA

**FRIDAY, SEPTEMBER 2, 2022
9:00 A.M.**

**FALLBROOK PUBLIC UTILITY DISTRICT
990 E. MISSION RD., FALLBROOK, CA 92028
PHONE: (760) 728-1125**

THIS MEETING WILL BE HELD PURSUANT TO GOVERNMENT CODE SECTION 54953(e)(1)(A), WHICH WAIVES CERTAIN BROWN ACT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY WHEN STATE OR LOCAL OFFICIALS HAVE IMPOSED OR RECOMMENDED MEASURES TO PROMOTE SOCIAL DISTANCING, AND ALLOWS SOME OR ALL OF THE MEMBERS OF THE FALLBROOK PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS TO ATTEND THIS MEETING TELEPHONICALLY OR VIA VIDEO CONFERENCE.

THERE WILL BE NO PHYSICAL LOCATION FROM WHICH MEMBERS OF THE PUBLIC MAY PARTICIPATE FOR THIS MEETING. INSTEAD MEMBERS OF THE PUBLIC ARE ENCOURAGED TO PARTICIPATE IN THE MEETING VIA WEB CONFERENCE USING THE BELOW CALL-IN AND WEBLINK INFORMATION.

Join Zoom Meeting

<https://us06web.zoom.us/j/89326085414?pwd=UldQblU4K2lzMamluK2VUdk5kcFJMQT09>

MEETING ID: 893 2608 5414

AUDIO PASSCODE: 792076

Dial by your location

+1 346 248 7799 US (Houston); +1 720 707 2699 US (Denver); +1 253 215 8782 US (Tacoma);
+1 312 626 6799 US (Chicago); +1 646 558 8656 US (New York); +1 301 715 8592 US (Washington DC)

Find your local number: <https://us06web.zoom.us/j/89326085414?pwd=UldQblU4K2lzMamluK2VUdk5kcFJMQT09>

PUBLIC COMMENTS: Members of the public may submit public comments and comments on agenda items in one of the following ways:

SUBMIT COMMENTS BEFORE THE MEETING:

- By emailing to our Board Secretary at leckert@fpud.com
- By mailing to the District Offices at 990 E. Mission Rd., Fallbrook, CA 92028
- By depositing them in the District's Payment Drop Box located at 990 E. Mission Rd., Fallbrook, CA 92028

All comments submitted before the meeting by whatever means must be received at least 1 hour in advance of the meeting. All comments will be read to the Board during the appropriate portion of the meeting. Please keep any written comments to 3 minutes.

REMOTELY MAKE COMMENTS DURING THE MEETING: The Board President will inquire prior to Board discussion if there are any comments from the public on each item.

- Via Zoom Webinar go to the "Participants List," hover over your name and click on "raise hand." This will notify the moderator that you wish to speak during oral communication or during a specific item on the agenda.
- Via phone, you can raise your hand by pressing *9 to notify the moderator that you wish to speak during the current item.

THESE PUBLIC COMMENT PROCEDURES SUPERSEDE THE DISTRICT'S STANDARD PUBLIC COMMENT POLICIES AND PROCEDURES TO THE CONTRARY.

If you have a disability and need an accommodation to participate in the meeting, please call the Secretary at (760) 999-2704 for assistance so the necessary arrangements can be made.

I. PRELIMINARY FUNCTIONS

CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENT

Members of the public are invited to address the Board of Directors on any item that is within the subject matter jurisdiction of the legislative body. The Board President may limit comments to three (3) minutes.

II. ACTION / DISCUSSION CALENDAR -----(ITEM A)

A. CONSIDER AWARD OF WATERLINE REPLACEMENT FY23 PROJECT
(JOB 3186)

Recommendation: That the Board reject the bid protest and award the Waterline Replacement FY23 Project to Palm Engineering Construction Company Inc. in the amount of \$3,574,950.

III. ADJOURNMENT OF MEETING

DECLARATION OF POSTING

I, Lauren Eckert, Executive Assistant/Board Secretary of the Fallbrook Public Utility District, do hereby declare that I posted a copy of the foregoing agenda in the glass case at the entrance of the District Office located at 990 East Mission Road, Fallbrook, California, at least 24 hours prior to the meeting in accordance with Government Code § 54956.

I, Lauren Eckert, further declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

August 31, 2022
Dated / Fallbrook, CA

/s/ Lauren Eckert
Secretary, Board of Directors

M E M O

TO: Board of Directors
FROM: Aaron Cook, Engineering Manager
DATE: September 2, 2022
SUBJECT: Award of Waterline Replacement FY23 Project (Job 3186)

Description

Request for Board approval to award the Waterline Replacement FY23 Project to the lowest responsive bidder and reject the bid protest received by PK Mechanical Systems, Inc. as meritless.

Purpose

As part of the District’s pipeline and valve replacement program, a priority list of replacement projects were identified based on high rates of past failures and age of the facilities. This project replaces 9,200 linear feet of water main within Elder Street, Hawthorne Street, Potter Street, Lillian Ave, Orange Ave, and Minnesota Ave. District staff prepared the design package for the project and solicited for general contractor construction bids. The project consists of approximately 7,450 linear feet of 6-inch and 1,750 linear feet of 10-inch cement mortar lined and coated steel pipe and associated appurtenances. Bid opening was August 16. Seven bids were received. A summary of the bid results is below:

Company Name	Bid Amount
Palm Engineering	\$3,574,950
PK Mechanical	\$3,725,000
SRK Engineering	\$4,806,000
Blue Pacific	\$5,184,000
CCL Contracting	\$5,744,000
Filanc	\$6,016,145
Griffith Co.	\$6,578,919

Palm Engineering Construction Company Inc. (“Palm Engineering”) was the apparent lowest bidder at \$3,574,950. Palm Engineering has not performed work for the District in the past, but has been in business for 18 years and has successfully completed projects of a similar nature.

A formal bid protest was received from PK Mechanical Systems, Inc. (“PK Mechanical”) on August 19, 2022, claiming that Palm Engineering lacks the requisite experience to perform the work associated with this Project and that Palm Engineering’s bid failed to

list any subcontractors which it claims is a violation of the specification. Staff has reviewed Palm Engineering's bid and is satisfied that it has provided adequate experience references to demonstrate its experience and that Palm Engineering has complied with the subcontractor listing requirements in a way that meets California Public Contract Code requirements.

Accordingly, staff recommends that the Board reject PK Mechanical's bid protest as meritless and award the contract for this Project to Palm Engineering as the lowest responsible bidder submitting a responsive bid.

Budgetary Impact

The work will be completed within the Board authorized total capital budget.

Recommended Action

That the Board reject the bid protest and award the Waterline Replacement FY23 Project to Palm Engineering Construction Company Inc. in the amount of \$3,574,950.