

BOARD OF TRUSTEES - KERN RIVER VALLEY PUBLIC CEMETERY DISTRICT

8441 Burlando Road
P.O. Box 215
Wofford Heights, CA 93285

Special Meeting Minutes

Tuesday, April 07, 2020

Meeting will be held via conference call due to COVID-19; for dial in number call District Office 760-376-2189

1:00 P.M.

Chairperson: John Blythe
Trustees: Mark Montgomery, Harry Schustz, Gerald Wenstrand (one vacant seat)
Welcome Trustee Montgomery (Appointed March 31, 2020)

District Manager: Randy Kyt (Cell Phone: 760-549-3468)
Clerk of the Board: Laura Kyt

All agenda item supporting documentation is available for public review in the office of the Clerk of the Board of Trustees, 8441 Burlando Road, Wofford Heights, CA 93285 during regular business hours 11:00 a.m. - 3:00 p.m., Monday through Friday, following the posting of the agenda. Any supporting documentation that relates to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and prior to or during the meeting will also be available for review at the same location.

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Public restrooms are not available in the District Office

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BOARD TO RECONVENE

Board of Trustees: Blythe, Montgomery, Schustz, Wenstrand (one vacant seat)

CALL TO ORDER BY CHAIR OF THE BOARD: 1:05 p.m.

ROLL CALL BY THE CLERK OF THE BOARD: 3 present - Blythe, Lott, and Schustz

PLEDGE OF ALLEGIANCE & INVOCATION LED BY MANAGER

PUBLIC REQUESTS, COMMENTS, PRESENTATIONS:

Chairperson Blythe reports that he had received an email from Mr. McKinney regarding the McClatchey family

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. **SPEAKERS ARE LIMITED TO THREE MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK-YOU!**

END PAGE #1

BID PROPOSAL PROCESS: TRANSITION DRIVEWAY ASPHALT PROJECT

1) Invitation for Bid Proposal Process *Discussion*

- a) Invitations were sent by email to nine (9) asphalt contractors on February 29, 2020
- b) Advertising of invitation for bid proposals was published March 18, 2020 in the Kern Valley Sun
- c) Second email request for bid proposals occurred on March 30, 2020 - four (4) contractors responded

2) Mgr's Report Transition Driveway Project Scope of Work Cost Overruns *Discussion*

- a) Transition driveway project could experience unaccounted for cost overruns
- b) Connecting upper level to the culvert section may prove complicated if upper level section is undermined
- c) Connecting upper level to the culvert section may prove complicated if grade has to be adjusted to tie in
- d) Asphalt project for the upper level section: fill cracks and seal asphalt has been approved
- e) Discuss potential transition driveway scope of work cost overruns

To protect the integrity of the bid proposal process the attached notes were given to Trustees because management cost overrun allocation recommendations were indicated.

3) FY 2019-2020 Budget for the General Fund (#42010) of the District *Discussion*

- a) Discuss revisions to FY 2019-2020 Budget
- b) Discuss restricting portion of Fund #42010 for a six month District Operation's costs reserve added to budget
- c) Discuss estimated asphalt project scope of work cost overruns added to budget
- d) Review report for funds reserved in Fund #42013 and funds transferred out

Reviewed budget reports prepared by Secretary Kyt.

Action
Required

A

4) Approve Asphalt & Hazard Mitigation Scope of Work Cost Overruns *Action Required*

- a) Discuss an amount deemed appropriate for scope of work cost overruns

Action: b) Approve adding asphalt & Hazard Mitigation (spring water collection bed) scope of work cost overruns
Trustee Schustz moved to add asphalt & Hazard Mitigation (spring water collection bed) scope of work cost overruns if any to be deemed appropriate by Chairperson Blythe and Mgr Kyt at time of need thus authorizing Chairperson Blythe and Mgr Kyt to approve them if necessary. Motion was seconded by Trustee Montgomery and motion carried.
APPROVED: Schustz - Montgomery [3 Ayes] [1 Absent - Wenstrand]

A

5) Revise FY 2019-2020 Budget for the General Fund (#42010) of the District *Action Required*

- a) Add to budget a restricted portion of Fund #42010 for a six month District Operation's costs reserve
- b) Add an amount deemed appropriate for scope of work cost overruns for asphalt project

Action: c) Approve revisions to the Fiscal Year 2019-2020 Budget for the General Fund (#42010) of the District
Trustee Schustz moved to approve revisions to the FY 2019-2020 Budget for the General Fund (#42010) for the asphalt project cost overruns allocation of no more than \$7,800. Motion was seconded by Trustee Montgomery and motion carried.
APPROVED: Schustz - Montgomery [3 Ayes] [1 Absent - Wenstrand]

A

6) Asphalt and Hazard Mitigation Projects Deadline *Action Required*

- a) Asphalt & Hazard Mitigation projects completion deadline was set at the Feb 18, 2020 meeting for June 2020

Action: b) Extend deadline in contract language to July 31, 2020 due to COVID-19 Pandemic mandated requirements
Trustee Schustz moved to modify the deadline date for the asphalt and Hazard Mitigation project work to be completed changing the deadline date set for June 15, 2020 at the February special meeting by action of the Board to July 31, 2020 due to COVID-19 Pandemic. Motion was seconded by Trustee Montgomery and motion carried.
APPROVED: Schustz - Montgomery [3 Ayes] [1 Absent - Wenstrand]

A

7) Asphalt and Hazard Mitigation (spring water collection bed) Project Contract *Action Required*

- a) Review contract language of "Asphalt and Hazard Mitigation" project
- b) Discuss and recommend revisions to contract - **see attached notes for contract & addendums**

Action: c) Approve "Asphalt and Hazard Mitigation" Project Contract
Trustee Schustz moved to approve using the County of Kern Public Works format for the contract with multiple addendums - items added to the contract gathered from the County of Kern Public Works bid proposal documents. Also, the performance bond limit will be \$34,999. Motion was seconded by Trustee Montgomery and motion carried.
APPROVED: Schustz - Montgomery [3 Ayes] [1 Absent - Wenstrand]

BID PROPOSAL PROCESS: TRANSITION DRIVEWAY ASPHALT PROJECT - continued

A	8) Review Bid Proposals Received for Asphalt & Hazard Mitigation Projects	Action Required
	<p>a) Bid proposal requests were sent to nine (9) contractors in Kern County</p> <p>b) Manager Kyt reports number of bid proposals received: Mgr Kyt reports two proposals received</p> <p>c) In the event that less than three (3) bid proposals are received consider revision to number of bids required</p> <p>Action: d) If necessary, revise number of bid proposals that must be obtained to expedite project for three reasons:</p> <p>e) First reason: this is the second time District has tried to obtain bid proposals for same project</p> <p>f) Second reason: COVID-19 Pandemic mandated requirements may have caused business shut-downs</p> <p>g) Third reason: time is of the essence - project was delayed last summer - CalOES deadline is Sept. 15, 2020</p> <p>Trustee Schustz moved to revise the number of bid proposals that must be obtained to expedite the project for the reasons listed above. Trustee Schustz moved to accept <u>two</u> bid proposals.</p> <p>Motion was seconded by Trustee Montgomery and motion carried.</p> <p>APPROVED: Schustz - Montgomery [3 Ayes] [1 Absent - Wenstrand]</p>	
A	9) Award Contract for Asphalt & Hazard Mitigation (spring water collection bed)	Action Required
	<p>Action: a) Award the transition driveway Asphalt & Hazard Mitigation Contract to lowest responsible bidder</p> <p>Mgr Kyt opens the two bid proposals received & announces the contractor names & bid amounts.</p> <p>Kern Asphalt, Paving, & Sealing Company, Inc. - \$33,100.00</p> <p>Precision Grading & Paving Inc. - \$33,880.00</p> <p>Trustee Schustz moved to accept the lowest bidder: Kern Asphalt, Paving, & Sealing Co. Inc.</p> <p>Motion was seconded by Trustee Montgomery and motion carried.</p> <p>APPROVED: Schustz - Montgomery [3 Ayes] [1 Absent - Wenstrand]</p> <p>Action: b) Authorize Manager Randy Kyt to sign contract</p> <p>Trustee Schustz moved to authorize Mgr Kyt to sign the District contract and the contract of Kern Asphalt, Paving, & Sealing Co. Inc. if company presents their own contract.</p> <p>Motion was seconded by Trustee Montgomery and motion carried.</p> <p>APPROVED: Schustz - Montgomery [3 Ayes] [1 Absent - Wenstrand]</p>	

NEXT REGULAR MEETING:

Scheduled: May 12, 2020 at 1:00 p.m.

Action Required		
A	1) MOTION TO ADJOURN: motion to convene at 2:12 p.m.	Action Required
	<p>Trustee Schustz moved to adjourn meeting with regular compensation for Trustees.</p> <p>Motion was seconded by Trustee Montgomery and motion carried.</p> <p>APPROVED: Schustz - Montgomery [3 Ayes] [1 Absent - Wenstrand]</p>	

Respectfully submitted, _____ Laura Kyt, Clerk of the Board

TO PROTECT INTEGRITY OF BID PROPOSALS THESE NOTES WERE PROVIDED TO TRUSTEES

BID PROPOSAL PROCESS: TRANSITION DRIVEWAY ASPHALT PROJECT

Agenda Item	2)	Mgr's Report Transition Driveway Project Scope of Work Cost Overruns	Discussion
On Agenda		a) Transition driveway project could experience unaccounted for cost overruns	
On Agenda		b) Connecting upper level to the culvert section may prove complicated if upper level section is undermined	
On Agenda		c) Connecting upper level to the culvert section may prove complicated if grade has to be adjusted to tie in	
On Agenda		d) Asphalt project for the upper level section: fill cracks and seal asphalt has been approved	
On Agenda		e) Discuss potential transition driveway scope of work cost overruns	
NOTES	1	District current highest estimation is that the costs to fill cracks and seal section: 420 sq ft x \$5 sf = \$2,100	
NOTES	2	Manager Kyt's recommendation: factor an upper level project cost overrun based on prior estimates	
NOTES	3	Prior estimates were gathered for the asphalt project & recommendation is based on those estimates	
NOTES	4	Mgr Kyt's recommendation: allow a minimum cost overrun to remove & replace asphalt: \$12 per sf = \$5,040	
NOTES	5	Mgr Kyt's recommendation: allow a maximum cost overrun to remove & replace asphalt: \$15 per sf = \$6,300	
NOTES	6	District policy requires manager to obtain estimates if projects cost is over \$5,000	
NOTES	7	Approved \$2,100 to fill & seal; if upper level section cost overrun is estimated at \$6,300; difference is \$4,200	
NOTES	8	Discuss additional potential cost overruns (District expenses): pipe connections & other supplies (+1,500)	
NOTES	9	Manager Kyt's recommendation: allow a minimum total scope of work cost overrun of up to at least \$6,540	
NOTES	10	Manager Kyt's recommendation: allow a maximum total scope of work cost overrun of up to at least \$7,800	

Action Required	A	4)	Approve Asphalt & Hazard Mitigation Scope of Work Cost Overruns	Action Required
On Agenda			a) Discuss an amount deemed appropriate for scope of work cost overruns	
On Agenda	Action:		b) Approve adding asphalt & Hazard Mitigation (spring water collection bed) scope of work cost overruns	
NOTES	1		a) Manager Kyt's recommendation for minimum potential scope of work cost overruns: \$6,540 <u>OR</u>	
NOTES	2		b) Manager Kyt's recommendation for maximum potential scope of work cost overruns: \$7,800	

Action Required	A	5)	Revise FY 2019-2020 Budget for the General Fund (#42010) of the District	Action Required
On Agenda			a) Add to budget a restricted portion of Fund #42010 for a six month District Operation's costs reserve	
On Agenda			b) Add an amount deemed appropriate for scope of work cost overruns for asphalt project	
On Agenda	Action:		c) Approve revisions to the Fiscal Year 2019-2020 Budget for the General Fund (#42010) of the District	
NOTES	1		Add Manager Kyt's scope of work cost overruns for asphalt project estimated at a minimum of \$6,540 <u>OR</u>	
NOTES	2		Add Manager Kyt's scope of work cost overruns for asphalt project estimated at a maximum of \$7,800 <u>OR</u>	

NOTES TO TRUSTEES
April 7, 2020

BID PROPOSAL PROCESS: TRANSITION DRIVEWAY ASPHALT PROJECT
CONTRACT LANGUAGE & ADDENDUMS

Agenda Item **# 7** Asphalt and Hazard Mitigation (spring water collection bed) Project Contract **Action Required**

Contract Language: use sample contract document from Kern County Public Works (see page 59 & 60)
word for word deleting references to Kern County and inserting Kern River Valley Public Cemetery District.

Addendums (derived from the Kern County sample proposal and contract documents) that should be added to the project requirement document are as follows:

Item #	KC Pg #	Description
1)	Page 7	The Contractor shall schedule and conduct all work from the hours.....
2)	Page 8	During any excavation, should cultural resources be unearthed.....
3)	Page 9	Labor nondiscrimination.....
4)	Page 11	No subcontract releases the Contractor from the contract.....
5)	Page 13	Final payment to Contractor: the following shall apply.....
6)	Page 20	Borrow, disposal and material sites.....
7)	Page 30	Mobilization shall conform.....
8)	Page 45	Contractor shall provide information on any chemical used (MSDS).....
9)	Page 51	Contractor shall provide a list of subcontractors (see form)
10)	Page 53	Non-Collusion Declaration.....
11)	Page 63	Performance Bond required (minimum -bid proposal accepted)