



SPECIAL NOTICE
PUBLIC ATTENDANCE & PARTICIPATION AT PUBLIC MEETINGS
Administration Committee Meeting
Wednesday, April 10, 2024
5:00 p.m.

Your participation is always welcome. OC San offers several ways in which to interact during meetings. You will find information as to these opportunities below.

IN-PERSON MEETING ATTENDANCE

You may attend the meeting in-person at the following location:

Orange County Sanitation District
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708

ONLINE MEETING PARTICIPATION

You may join the meeting live via Teams on your computer or similar device or web browser by using the link below:

[Click here to join the meeting](#)

We suggest testing joining a Teams meeting on your device prior to the commencement of the meeting. For recommendations, general guidance on using Teams, and instructions on joining a Teams meeting, [please click here](#).

Please mute yourself upon entry to the meeting. Please raise your hand if you wish to speak during the public comment section of the meeting. The Clerk of the Board will call upon you by using the name you joined with.

Meeting attendees are not provided the ability to make a presentation during the meeting. Please contact the Clerk of the Board at least 48 hours prior to the meeting if you wish to present any items. Additionally, camera feeds may be controlled by the meeting moderator to avoid inappropriate content.

HOW TO PARTICIPATE IN THE MEETING BY TELEPHONE

To join the meeting from your phone: Dial (213) 279-1455
When prompted, enter the Phone Conference ID: 165 316 026#

All meeting participants may be muted during the meeting to alleviate background noise. If you are muted, please use *6 to unmute. You may also mute yourself on your device.

Please raise your hand to speak by use *5, during the public comment section of the meeting. The Clerk of the Board will call upon you by using the last 4 digits of your phone number as identification.

NOTE: All attendees will be disconnected from the meeting at the beginning of Closed Session. If you would like to return to the Open Session portion of the meeting, please login or dial-in to the Teams meeting again and wait in the Lobby for admittance.

WATCH THE MEETING ONLINE

The meeting will be available for online viewing at:

<https://ocsd.legistar.com/Calendar.aspx>

SUBMIT A COMMENT

You may submit your comments and questions in writing for consideration in advance of the meeting by using the eComment feature available online at: <https://ocsd.legistar.com/Calendar.aspx> or sending them to OCSanClerk@ocsan.gov with the subject line "PUBLIC COMMENT ITEM # (insert the item number relevant to your comment)" or "PUBLIC COMMENT NON-AGENDA ITEM".

You may also submit comments and questions for consideration during the meeting by using the eComment feature available online at: <https://ocsd.legistar.com/Calendar.aspx>. The eComment feature will be available for the duration of the meeting.

All written public comments will be provided to the legislative body and may be read into the record or compiled as part of the record.

For any questions and/or concerns, please contact the Clerk of the Board's office at 714-593-7433. Thank you for your interest in OC San!

April 3, 2024

NOTICE OF REGULAR MEETING

**ADMINISTRATION COMMITTEE
ORANGE COUNTY SANITATION DISTRICT**

Wednesday, April 10, 2024 – 5:00 P.M.

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708

ACCESSIBILITY FOR THE GENERAL PUBLIC

Your participation is always welcome. Specific information as to how to participate in this meeting is detailed on the Special Notice attached to this agenda. In general, OC San offers several ways in which to interact during this meeting: you may participate in person, join the meeting live via Teams on your computer or similar device or web browser, join the meeting live via telephone, view the meeting online, and/or submit comments for consideration before or during the meeting.

The Regular Meeting of the Administration Committee of the Orange County Sanitation District will be held at the above location and in the manner indicated on Wednesday, April 10, 2024 at 5:00 p.m.



Clerk of the Board

- Serving:*
- Anaheim
 - Brea
 - Buena Park
 - Cypress
 - Fountain Valley
 - Fullerton
 - Garden Grove
 - Huntington Beach
 - Irvine
 - La Habra
 - La Palma
 - Los Alamitos
 - Newport Beach
 - Orange
 - Placentia
 - Santa Ana
 - Seal Beach
 - Stanton
 - Tustin
 - Villa Park
 - County of Orange
 - Costa Mesa Sanitary District
 - Midway City Sanitary District
 - Irvine Ranch Water District
 - Yorba Linda Water District

ADMINISTRATION COMMITTEE MEETING DATE	BOARD MEETING DATE
04/10/24	04/24/24
05/08/24	05/22/24
06/12/24	06/26/24
07/17/24 *	07/24/24
AUGUST DARK	08/28/24
09/11/24	09/25/24
10/09/24	10/23/24
11/13/24	11/20/24 *
12/11/24	12/18/24 *
JANUARY DARK	01/22/25
02/12/25	02/26/25
03/12/25	03/26/25

**** Meeting will be held on the third Wednesday of the month***

ROLL CALL
ADMINISTRATION COMMITTEE
Finance, Information Technology, Environmental Services
and Human Resources

Meeting Date: April 10, 2024

Time: 5:00 p.m.

Adjourn: _____

COMMITTEE MEMBERS (13)

Christine Marick, Chair	
Glenn Grandis, Vice-Chair	
Brad Avery	
Pat Burns	
Rose Espinoza	
Farrah Khan	
Jordan Nefulda	
Andrew Nguyen	
Robbie Pitts	
David Shawver	
John Withers	
Chad Wanke (Board Chair)	
Ryan Gallagher (Board Vice-Chair)	

OTHERS

Brad Hogin, General Counsel	
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STAFF

Rob Thompson, General Manager	
Lorenzo Tyner, Assistant General Manager	
Mike Dorman, Director of Engineering	
Laura Maravilla, Director of Human Resources	
Riaz Moinuddin, Director of Operations & Maintenance	
Wally Ritchie, Director of Finance	
Lan Wiborg, Director of Environmental Services	
Kelly Lore, Clerk of the Board	

ORANGE COUNTY SANITATION DISTRICT
BOARD OF DIRECTORS
Complete Roster

Effective 01/23/2024

AGENCY/CITIES	ACTIVE DIRECTOR	ALTERNATE DIRECTOR
Anaheim	Stephen Faessel	Carlos A. Leon
Brea	Christine Marick	Cecilia Hupp
Buena Park	Joyce Ahn	Art Brown
Cypress	Scott Minikus	Bonnie Peat
Fountain Valley	Glenn Grandis	Ted Bui
Fullerton	Bruce Whitaker	Nick Dunlap
Garden Grove	Stephanie Klopfenstein	John O'Neill
Huntington Beach	Pat Burns	Gracey Van Der Mark
Irvine	Farrah N. Khan	Kathleen Treseder
La Habra	Rose Espinoza	Jose Medrano
La Palma	Debbie Baker	Mark I. Waldman
Los Alamitos	Jordan Nefulda	Shelley Hasselbrink
Newport Beach	Brad Avery	Erik Weigand
Orange	Jon Dumitru	John Gyllenhammer
Placentia	Chad Wanke	Ward Smith
Santa Ana	Johnathan Ryan Hernandez	Benjamin Vazquez
Seal Beach	Schelly Sustarsic	Lisa Landau
Stanton	David Shawver	Carol Warren
Tustin	Ryan Gallagher	Austin Lumbard
Villa Park	Robbie Pitts	Jordan Wu

Sanitary/Water Districts

Costa Mesa Sanitary District	Bob Ooten	Art Perry
Midway City Sanitary District	Andrew Nguyen	Tyler Diep
Irvine Ranch Water District	John Withers	Douglas Reinhart
Yorba Linda Water District	Phil Hawkins	Tom Lindsey

County Areas

Board of Supervisors	Doug Chaffee	Donald P. Wagner
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ADMINISTRATION COMMITTEE
Regular Meeting Agenda
Wednesday, April 10, 2024 - 5:00 PM
Board Room
Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

ACCOMMODATIONS FOR THE DISABLED: If you require any special disability related accommodations, please contact the Orange County Sanitation District (OC San) Clerk of the Board's office at (714) 593-7433 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

AGENDA POSTING: In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted outside the main gate of the OC San's Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, and on the OC San's website at www.ocsan.gov not less than 72 hours prior to the meeting date and time above. All public records relating to each agenda item, including any public records distributed less than 72 hours prior to the meeting to all, or a majority of the Board of Directors, are available for public inspection in the office of the Clerk of the Board.

AGENDA DESCRIPTION: The agenda provides a brief general description of each item of business to be considered or discussed. The recommended action does not indicate what action will be taken. The Board of Directors may take any action which is deemed appropriate.

MEETING RECORDING: A recording of this meeting is available within 24 hours after adjournment of the meeting at <https://ocsd.legistar.com/Calendar.aspx> or by contacting the Clerk of the Board at (714) 593-7433.

NOTICE TO DIRECTORS: To place items on the agenda for a Committee or Board Meeting, the item must be submitted in writing to the Clerk of the Board: Kelly A. Lore, MMC, (714) 593-7433 / klore@ocsan.gov at least 14 days before the meeting.

FOR ANY QUESTIONS ON THE AGENDA, BOARD MEMBERS MAY CONTACT STAFF AT:

General Manager: Rob Thompson, rthompson@ocsan.gov / (714) 593-7110
Asst. General Manager: Lorenzo Tyner, ltyner@ocsan.gov / (714) 593-7550
Director of Engineering: Mike Dorman, mdorman@ocsan.gov / (714) 593-7104
Director of Environmental Services: Lan Wiborg, lwiborg@ocsan.gov / (714) 593-7450
Director of Finance: Wally Ritchie, writchie@ocsan.gov / (714) 593-7570
Director of Human Resources: Laura Maravilla, lmavilla@ocsan.gov / (714) 593-7007
Director of Operations & Maintenance: Riaz Moinuddin, rmoinuddin@ocsan.gov / (714) 593-7269

CALL TO ORDER**PLEDGE OF ALLEGIANCE****ROLL CALL AND DECLARATION OF QUORUM:**

Clerk of the Board

PUBLIC COMMENTS:

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REPORTS:

The Committee Chairperson and the General Manager may present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.

CONSENT CALENDAR:

Consent Calendar Items are considered to be routine and will be enacted, by the Committee, after one motion, without discussion. Any items withdrawn from the Consent Calendar for separate discussion will be considered in the regular order of business.

1. APPROVAL OF MINUTES**[2024-3523](#)****RECOMMENDATION:**

Approve minutes of the Regular meeting of the Administration Committee held March 13, 2024.

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[03-13-2024 Administration Committee Minutes](#)

2. PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR INDUSTRIAL HYGIENE SERVICES**[2024-3538](#)**

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Approve a Professional Consultant Services Agreement for Arcadis U.S., Inc. to provide Industrial Hygiene Services, Specification No. S-2023-1441BD, for a

total amount not to exceed \$443,157 for a one-year period beginning May 1, 2024 through April 30, 2025, with four one-year renewal options; and

- B. Approve an annual contingency of \$44,316 (10%).

Originator: Laura Maravilla

Attachments: [Agenda Report](#)
[Arcadis U.S., Inc. Professional Services Agreement](#)

3. UPDATE TO RECORDS MANAGEMENT PROGRAM PROCEDURES AND RECORDS RETENTION SCHEDULE RESOLUTION [2024-3511](#)

RECOMMENDATION: Recommend to the Board of Directors to:

Adopt Resolution No. OC SAN 24-XX entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Adopting the Records Management Program Procedures and Records Retention Schedule, Authorizing Destruction of Obsolete Records, and Repealing Resolution No. OC SAN 23-21".

Originator: Kelly Lore

Attachments: [Agenda Report](#)
[Resolution No. OC SAN 24-XX](#)
[Procedure Manual Complete Redline 03-26-24](#)
[Records Retention Schedule Redline 2024-03-05](#)

NON-CONSENT:

4. SERVICE CONTRACT FOR SECURITY SERVICES [2024-3537](#)

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Approve a General Services Contract for Universal Protection Service LP DBA Allied Universal Security Services (Allied Universal) to provide Security Services, Specification No. S-2023-1429BD, for a total annual amount not to exceed \$2,246,973 for the period beginning June 1, 2024, through May 31, 2025, with four one-year renewal options; and

- B. Approve an annual contingency of \$224,697 (10%) for the contract period and all remaining renewal periods.

Originator: Laura Maravilla

Attachments: [Agenda Report](#)
[General Services Contract](#)

5. PROPOSED ORDINANCE NO. OC SAN-59A AMENDING ORDINANCE NO. OC SAN- 59 TO CORRECT AN ERROR IN THE TABLE OF SECTION 2.10(B) [2024-3547](#)

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Motion to read Ordinance No. OC SAN-59A by title only and waive reading of said entire Ordinance;
- B. Introduce Ordinance No. OC SAN-59A entitled, “An Ordinance of the Board of Directors of the Orange County Sanitation District, Amending Ordinance No. OC SAN-59 to correct an error in the table of Section 2.10(B)”;
- C. Set May 22, 2024 as the date of the Public Hearing to hear protests and for the second reading of Ordinance No. OC SAN-59A; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

Originator: Wally Ritchie

Attachments: [Agenda Report](#)
[Proposed Ordinance No. OC SAN-59A](#)
[Ordinance No. OC SAN-59](#)

6. PROPOSED ORDINANCE NO. OC SAN-60A AMENDING ORDINANCE NO. OC SAN- 60 TO CORRECT ERRORS IN TABLES OF ARTICLE II [2024-3548](#)

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Motion to read Ordinance No. OC SAN-60A by title only and waive reading of said entire Ordinance;
- B. Introduce Ordinance No. OC SAN-60A entitled, “An Ordinance of the Board of Directors of the Orange County Sanitation District, Amending Ordinance No. OC SAN-60 to correct errors in Article II, Table F and Table G”;
- C. Set May 22, 2024 as the date of the Public Hearing to hear protests and for the second reading of Ordinance No. OC SAN-60A; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

Originator: Wally Ritchie

Attachments: [Agenda Report](#)
[Proposed Ordinance No. OC SAN-60A](#)
[Ordinance No. OC SAN-60](#)

INFORMATION ITEMS:**7. FY 2024-25 AND 2025-26 OPERATING BUDGET EXPENDITURES [2024-3552](#)****RECOMMENDATION:**

Information Item.

Originator: Wally Ritchie**Attachments:** [Agenda Report](#)
[FY2024-25 and 2025-26 Budget Expense Update](#)
[FY 2024-25 and 2025-26 Budget Expense Summary](#)
[Presentation - Operating Budget Expenditures for FY24-25 and 25-26](#)**8. TPAD DIGESTER FACILITY AT PLANT NO. 2, PROJECT NO. P2-128 [2024-3553](#)****RECOMMENDATION:**

Information Item.

Originator: Mike Dorman**Attachments:** [Agenda Report](#)
[Presentation - TPAD P2-128 Update](#)**DEPARTMENT HEAD REPORTS:****CLOSED SESSION:**

None.

OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY:**BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:**

At this time Directors may request staff to place an item on a future agenda.

ADJOURNMENT:

Adjourn the meeting until the Regular Meeting of the Administration Committee on May 8, 2024 at 5:00 p.m.



ADMINISTRATION COMMITTEE

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

Agenda Report

File #: 2024-3523

Agenda Date: 4/10/2024

Agenda Item No: 1.

FROM: Robert Thompson, General Manager
Originator: Kelly A. Lore, Clerk of the Board

SUBJECT:

APPROVAL OF MINUTES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Approve minutes of the Regular meeting of the Administration Committee held March 13, 2024.

BACKGROUND

In accordance with the Board of Directors Rules of Procedure, an accurate record of each meeting will be provided to the Directors for subsequent approval at the following meeting.

RELEVANT STANDARDS

- Resolution No. OC SAN 22-37

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- March 13, 2024 Administration Committee meeting minutes



CALL TO ORDER

A regular meeting of the Administration Committee of the Orange County Sanitation District was called to order by Committee Chairwoman Christine Marick on Wednesday, March 13, 2024 at 5:00 p.m. in the Administration Building of the Orange County Sanitation District. Director Pat Burns led the pledge of allegiance.

ROLL CALL AND DECLARATION OF QUORUM:

The Clerk of the Board declared a quorum present as follows:

PRESENT: Pat Burns, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Farrah Khan, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robbie Pitts, David Shawver, Chad Wanke and John Withers

ABSENT: Brad Avery

STAFF PRESENT: Rob Thompson, General Manager; Lorenzo Tyner, Assistant General Manager; Mike Dorman, Director of Engineering; Laura Maravilla, Director of Human Resources; Riaz Moinuddin, Director of Operations and Maintenance; Wally Ritchie, Director of Finance; Lan Wiborg, Director of Environmental Services; Kelly Lore, Clerk of the Board; Jennifer Cabral; Mortimer Caparas; Thys DeVries; Al Garcia; Tina Knapp; Rob Michaels; Perla Rodriguez; Thomas Vu; and Ruth Zintzun were present in the Board Room.

OTHERS PRESENT: Brad Hogin, General Counsel, was present in the Board Room.

PUBLIC COMMENTS:

None.

REPORTS:

Chair Marick and General Manager Rob Thompson did not provide a report.

CONSENT CALENDAR:

1. APPROVAL OF MINUTES

[2024-3512](#)

Originator: Kelly Lore

MOVED, SECONDED, AND DULY CARRIED TO:

Approve minutes of the Regular meeting of the Administration Committee held February 14, 2024.

AYES: Pat Burns, Ryan Gallagher, Glenn Grandis, Farrah Khan, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robbie Pitts, David Shawver, Chad Wanke and John Withers
NOES: None
ABSENT: Brad Avery
ABSTENTIONS: Rose Espinoza

NON-CONSENT:

**2. WASTEWATER REFUNDING REVENUE OBLIGATIONS, SERIES [2024-3423](#)
2024A**

Originator: Wally Ritchie

Director of Finance Wally Ritchie provided a brief introduction to the item.

MOVED, SECONDED, AND DULY CARRIED TO: Recommend to the Board of Directors to:

- A. Adopt Resolution No. OC SAN 24-XX entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District authorizing the execution and delivery by the District of an Installment Purchase Agreement, a Trust Agreement, a Continuing Disclosure Agreement and an Escrow Agreement in connection with the Orange County Sanitation District Wastewater Refunding Revenue Obligations, Series 2024A, authorizing the execution and delivery of such Revenue Obligations evidencing principal in an aggregate amount of not to exceed \$157,605,000, approving a Notice of Intention to Sell, authorizing the distribution of an Official Notice Inviting Bids and an Official Statement in connection with the offering and sale of such Revenue Obligations and authorizing the execution of necessary documents and related actions"; and
- B. That the Orange County Sanitation District Financing Corporation approve the documents supporting and authorizing the Revenue Obligations in an aggregate amount not to exceed \$157,605,000.

AYES: Pat Burns, Rose Espinoza, Ryan Gallagher, Glenn Grandis, Farrah Khan, Christine Marick, Jordan Nefulda, Andrew Nguyen, Robbie Pitts, David Shawver, Chad Wanke and John Withers
NOES: None
ABSENT: Brad Avery
ABSTENTIONS: None

INFORMATION ITEMS:

**3. FY 2024-25 AND 2025-26 ORANGE COUNTY SANITATION DISTRICT [2024-3378](#)
BUDGET REVENUES AND RESERVES OVERVIEW**

Originator: Wally Ritchie

Director of Finance Wally Ritchie introduced the item and introduced Finance and Procurement Manager Ruth Zintzun who provided a PowerPoint presentation regarding the FY 2024-25 and FY 2025-26 revenues and reserves which included an overview of the four major revenue categories: fees and charges, general and other income, and debt financing. Ms. Zintzun also provided an overview of the reserve policy and key meeting dates.

ITEM RECEIVED AS AN:

Information Item.

DEPARTMENT HEAD REPORTS:

None.

CLOSED SESSION:

None.

OTHER BUSINESS AND COMMUNICATIONS OR SUPPLEMENTAL AGENDA ITEMS, IF ANY:

None.

BOARD OF DIRECTORS INITIATED ITEMS FOR A FUTURE MEETING:

None.

ADJOURNMENT:

Chair Marick declared the meeting adjourned at 5:09 p.m. to the next Regular Administration Committee meeting to be held on Wednesday, April 10, 2024 at 5:00 p.m.

Submitted by:

Kelly A. Lore, MMC
Clerk of the Board



ADMINISTRATION COMMITTEE

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

Agenda Report

File #: 2024-3538

Agenda Date: 4/10/2024

Agenda Item No: 2.

FROM: Robert Thompson, General Manager
Originator: Laura Maravilla, Director of Human Resources

SUBJECT:

PROFESSIONAL CONSULTANT SERVICES AGREEMENT FOR INDUSTRIAL HYGIENE SERVICES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Approve a Professional Consultant Services Agreement for Arcadis U.S., Inc. to provide Industrial Hygiene Services, Specification No. S-2023-1441BD, for a total amount not to exceed \$443,157 for a one-year period beginning May 1, 2024 through April 30, 2025, with four one-year renewal options; and
- B. Approve an annual contingency of \$44,316 (10%).

BACKGROUND

The Orange County Sanitation District (OC San) utilizes a third-party Industrial Hygiene Services consultant for workplace safety and compliance with California OSHA (Cal/OSHA) regulations. Under Cal/OSHA regulations, employers like OC San are required to provide a safe workplace for employees and to regularly monitor the workplace for known or potential occupational hazards. The required monitoring and assessments to identify and evaluate occupational health hazards are ordinarily achieved through this service contract and are used for CIPs and organization-wide, as needed.

In March 2019, the Board of Directors approved a one-year contract with Arcadis U.S., Inc. for Industrial Hygiene Services, with four one-year renewal options. The contract was renewed four times, with the final renewal period set to expire on April 30, 2024. In December 2023, in anticipation of the expiration of the current contract, staff initiated the RFP process seeking qualified industrial hygiene consultants.

RELEVANT STANDARDS

- Comply with Government Code Section (Title 8, CCR, Section 5155)
- Commitment to safety & reducing risk in all operations
- Provide a safe and collegial workplace

PROBLEM

OC San requires industrial hygiene services for compliance with Cal/OSHA regulations and risk mitigation to control and assess employee exposures to potential or known occupational hazards.

PROPOSED SOLUTION

Approve a Professional Consultant Services Agreement with Arcadis U.S., Inc. for Industrial Hygiene Services.

TIMING CONCERNS

The RFP process was initiated in December 2023 and completed in March 2024, resulting in Arcadis U.S., Inc. being identified for consideration by the Board of Directors. Proposals are valid for 180 calendar days from the proposal due date of January 30, 2024. Additionally, the current contract will no longer be available after April 30, 2024, as all approved renewal periods have been utilized.

RAMIFICATIONS OF NOT TAKING ACTION

Without approval of the Professional Consultant Services Agreement, OC San will be unable to conduct the required industrial hygiene surveys and assessments and ensure compliance with Cal/OSHA regulations.

PRIOR COMMITTEE/BOARD ACTIONS

March 2019 - Board approved a Professional Services Agreement for Arcadis U.S., Inc. to provide Industrial Hygiene Services, Specification S-2018-1008, for a total amount not to exceed \$500,000 for a one-year period beginning May 1, 2019 through April 30, 2020, with four (4) one-year renewal options.

ADDITIONAL INFORMATION

A RFP was issued on December 28, 2023 via PlanetBids. Proposals were due on January 30, 2024. OC San received seven proposals, which are valid for 180 calendar days from the proposal due date.

Prior to receipt of proposals, an evaluation team was formed consisting of the Safety and Health Manager and two Senior Safety and Health Specialists. The team was chaired by a Purchasing representative as a non-voting member. On February 12, 2024, an evaluation kick-off meeting was held with the evaluation team to discuss the policies and procedures of the evaluation process.

Individual scoring was the chosen method of evaluation for this procurement. Members of the team performed an independent review of the proposals and later met as a group with the assigned Purchasing representative to discuss their preliminary scores and discuss any questions/concerns they had.

Proposals were evaluated based on the following criteria:

Criterion	Weight
1. Proposed Staffing and Project Organization	20%
2. Qualifications of Firm	20%
3. Work Plan	40%
4. Cost	20%

The evaluation team first reviewed and scored the proposals based upon the criteria listed above, other than cost.

Rank	Proposer:	Proposed Staffing and Project Organization (Max 20%)	Qualifications of Firm (Max 20%)	Work Plan (Max 40%)	Subtotal (Max 80%)
1	Arcadis U.S., Inc	20%	20%	37%	77%
2	Tetra Tech	18%	17%	36%	71%
3	LAD Aviation, Inc.	15%	16%	33%	64%
4	ACC Environmental Consultants	10%	12%	21%	43%
5	All Environmental Inc	11%	11%	19%	41%
6	Kasai, Inc.	10%	9%	21%	40%
7	Advanced Environmental Group, Inc.	10%	11%	13%	34%

The cost files for two highest scoring proposals were opened. A best and final offer (BAFO) was received from both Proposers.

Rank	Proposer	Original Cost	BAFO
1	Arcadis U.S., Inc	\$ 443,156.66	\$ 443,156.66
2	Tetra Tech	\$ 589,373.00	\$ 556,573.00

Based on these results, staff recommends awarding the Professional Consultant Services Agreement to Arcadis U.S., Inc. The term of this agreement will begin on May 1, 2024, through April 30, 2025, with four optional one-year renewals.

CEQA

N/A

FINANCIAL CONSIDERATIONS

This request complies with the authority levels of OC San’s Purchasing Ordinance. This item has been budgeted (Fiscal Year 2023-2024, Section 6, Page 20, Professional & Contractual Services) and the budget is sufficient for the recommended action.

<u>Date of Approval</u>	<u>Contract Amount</u>	<u>Contingency</u>
04/24/2024	\$443,157	\$44,316 (10%)

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Arcadis U.S., Inc. Professional Consultant Services Agreement

PROFESSIONAL CONSULTANT SERVICES AGREEMENT
Industrial Hygiene Services
Specification No. S-2023-1441BD

This PROFESSIONAL CONSULTANT SERVICES AGREEMENT (hereinafter referred to as “Agreement”) is made and entered into as of the date fully executed below, by and between Orange County Sanitation District (hereinafter referred to as “OC San”) and Arcadis U.S., Inc. (hereinafter referred to as “Consultant”), and collectively referred to herein as the “Parties.”

RECITALS

WHEREAS, OC San desires to obtain industrial hygiene services as described in Exhibit “A” attached hereto and incorporated herein by this reference (“Services”); and

WHEREAS, Consultant is qualified to provide the Services by virtue of experience, training, and expertise; and

WHEREAS, OC San desires to engage Consultant to render the Services as provided herein; and

WHEREAS, OC San selected Consultant to provide the Services in accordance with OC San’s current Purchasing Ordinance; and

WHEREAS, on April 24, 2024, OC San’s Board of Directors, by minute order, authorized execution of this Agreement.

NOW, THEREFORE, in consideration of the above recitals and the mutual promises and benefits specified below, the Parties agree as follows:

1. General.

1.1 This Agreement and all exhibits hereto are made by OC San and the Consultant.

1.2 The following exhibits, in order of precedence, are incorporated by reference and made part of this Agreement.

Exhibit “A” – Scope of Work

Exhibit “B” – Proposal and BAFO

Exhibit “C” – Determined Insurance Requirement Form

Exhibit “D” – Contractor Safety Standards

Exhibit “E” – Human Resources Policies

1.3 In the event of any conflict or inconsistency between the provisions of this Agreement and any of the provisions of the exhibits hereto, the provisions in the Agreement shall control and thereafter the provisions in the document highest in precedence shall be controlling.

1.4 Except as expressly provided otherwise, OC San accepts no liability for any expenses, losses, or actions incurred or undertaken by Consultant as a result of work performed in anticipation of purchases of the Services by OC San.

1.5 Work Hours: The work required under the Agreement may include normal business

hours, evenings, and weekends. OC San will not pay for travel time.

- 1.6 Days: Shall mean calendar days, unless otherwise noted.
- 1.7 OC San holidays (non-working days) are as follows: New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, and Christmas Day.
- 1.8 The provisions of this Agreement may be amended or waived only by an amendment executed by authorized representatives of both Parties.
- 1.9 The various headings in this Agreement are inserted for convenience only and shall not affect the meaning or interpretation of this Agreement or any paragraph or provision hereof.

2. Scope of Work.

- 2.1 Consultant shall provide the Services identified in Exhibit "A" in a competent, professional, and satisfactory manner in accordance with generally accepted industry and professional standards, including fiduciary standards, ethical practices, and standards of care and competence for its trade/profession.
- 2.2 Modifications to Scope of Work. OC San shall have the right to modify the Scope of Work at any time. All modifications must be made by an amendment signed by both Parties.
- 2.3 Familiarity with Work. By executing this Agreement, Consultant warrants that: (a) it has investigated the work to be performed and (b) it understands the facilities, difficulties, and restrictions of the work under this Agreement. Should Consultant discover any latent or unknown condition materially differing from those inherent in the work or as represented by OC San, it shall immediately inform OC San of this and shall not proceed, except at Consultant's risk, until written instructions are received from OC San.
- 2.4 Performance. Time is of the essence in the performance of the provisions hereof.

3. Agreement Term.

- 3.1 The term of this Agreement shall be for one (1) year commencing on May 1, 2024 and continuing through April 30, 2025.
- 3.2 Renewals. At its sole discretion, OC San may exercise the option to renew this Agreement for up to four (4) one-year periods. This Agreement may be renewed by an OC San Purchase Order. OC San shall have no obligation to renew the Agreement nor to give a reason if it elects not to renew it.
- 3.3 Extensions. The term of this Agreement may be extended only by an amendment signed by both Parties.

4. Compensation.

- 4.1 As compensation for the Services provided under this Agreement, OC San shall pay Consultant a total amount not to exceed Four Hundred Forty-Three Thousand One Hundred Fifty-Six Dollars and Sixty-Six Cents (\$443,156.66).

4.2 Consultant shall provide OC San with all required premiums and/or overtime work at no charge beyond the amount specified above.

5. Payments and Invoicing.

5.1 OC San shall pay itemized invoices submitted monthly for work completed in accordance with Exhibit "A" and consistent with Exhibit "B" thirty (30) days from receipt of the invoice and after approval by OC San's Project Manager or designee. OC San shall be the determining party, in its sole discretion, as to whether the Services have been satisfactorily completed.

5.2 Consultant shall submit its invoices to OC San Accounts Payable by electronic mail to APStaff@OCSan.gov. In the subject line include "INVOICE" and the Purchase Order Number.

6. California Department of Industrial Relations Registration and Record of Wages.

6.1 To the extent Consultant's employees and/or its subconsultants perform work related to this Agreement for which Prevailing Wage Determinations have been issued by the California Department of Industrial Relations (DIR) as more specifically defined under Labor Code section 1720 et seq., prevailing wages are required to be paid for applicable work under this Agreement. It is Consultant's responsibility to interpret and implement any prevailing wage requirements and Consultant agrees to pay any penalty or civil damages resulting from a violation of the prevailing wage laws.

6.2 Consultant and its subconsultants shall comply with the registration requirements of Labor Code section 1725.5. Pursuant to Labor Code section 1771.4(a)(1), the work is subject to compliance monitoring and enforcement by the California Department of Industrial Relations (DIR).

6.3 Pursuant to Labor Code section 1773.2, a copy of the prevailing rate of per diem wages is available upon request at OC San's principal office. The prevailing rate of per diem wages may also be found at the DIR website for prevailing wage determinations at <http://www.dir.ca.gov/DLSR/PWD>.

6.4 Consultant and its subconsultants shall comply with the job site notices posting requirements established by the Labor Commissioner per Title 8, California Code of Regulations section 16461(e). Pursuant to Labor Code sections 1773.2 and 1771.4(a)(2), Consultant shall post a copy of the prevailing rate of per diem wages at the job site.

6.5 Consultant and its subconsultants shall maintain accurate payroll records and shall comply with all the provisions of Labor Code section 1776. Consultant and its subconsultants shall submit payroll records to the Labor Commissioner pursuant to Labor Code section 1771.4(a)(3). Pursuant to Labor Code section 1776, the Consultant and its subconsultants shall furnish a copy of all certified payroll records to OC San and/or the general public upon request, provided the public request is made through OC San, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement of the Department of Industrial Relations. Pursuant to Labor Code section 1776(h), penalties for non-compliance with a request for payroll records may be deducted from progress payments.

6.5.1 As a condition to receiving payments, Consultant agrees to present to OC San, along with any request for payment, all applicable and necessary certified

payrolls and other required documents for the period covering such payment request. Pursuant to Title 8, California Code of Regulations section 16463, OC San shall withhold any portion of a payment, up to and including the entire payment amount, until certified payroll forms and any other required documents are properly submitted. In the event certified payroll forms do not comply with the requirements of Labor Code section 1776, OC San may continue to withhold sufficient funds to cover estimated wages and penalties under the Agreement.

- 6.6 The Consultant and its subconsultants shall comply with Labor Code section 1774 and section 1775. Pursuant to Labor Code section 1775, the Consultant and any of its subconsultants shall forfeit to OC San a penalty of not more than two hundred dollars (\$200) for each calendar day, or portion thereof, for each worker paid less than the prevailing rates as determined by the DIR for the work or craft in which the worker is employed for any work.
- 6.6.1 In addition to the penalty and pursuant to Labor Code section 1775, the difference between the prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate shall be paid to each worker by the Consultant or its subconsultant.
- 6.7 Consultant and its subconsultants shall comply with Labor Code sections 1810 through 1815. Consultant and its subconsultants shall restrict working hours to eight (8) hours per day and forty (40) hours per week, except that work performed in excess of those limits shall be permitted upon compensation for all excess hours worked at not less than one and one-half (1.5) times the basic rate of pay, as provided in Labor Code section 1815. The Consultant shall forfeit, as a penalty to OC San, twenty-five dollars (\$25) per worker per calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week in violation of Labor Code sections 1810 through 1815.
- 6.8 Consultant and its subconsultants shall comply with Labor Code sections 1777.5, 1777.6, and 1777.7 concerning the employment of apprentices by Consultant or any subconsultant.
- 6.9 Consultant shall include, at a minimum, a copy of the following provisions in any contract it enters into with any subconsultant: Labor Code sections 1771, 1771.1, 1775, 1776, 1777.5, 1810, 1813, 1815, 1860, and 1861.
- 6.10 Pursuant to Labor Code sections 1860 and 3700, the Consultant and its subconsultants will be required to secure the payment of compensation to employees. Pursuant to Labor Code section 1861, Consultant, by accepting this Agreement, certifies that:

“I am aware of the provisions of section 3700 of the Labor Code which require every employer to be insured against liability for workers’ compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.”

Consultant shall ensure that all its contracts with its subconsultants provide the

provision above.

7. **Davis-Bacon Act.** Not Used.
8. **Key Personnel.** Personnel, as provided in Exhibit “B,” are considered “key” to the work under this Agreement and will be available for the term of the Agreement. No person designated as key under this Agreement shall be removed or replaced without prior written consent of OC San. If OC San asks Consultant to remove a person designated as key under this Agreement, Consultant agrees to do so immediately regardless of the reason, or the lack of reason, for OC San’s request. Consultant shall assign only competent personnel to perform Services under this Agreement.
9. **Ownership of Documents.** All drawings, specifications, reports, records, documents, memoranda, correspondence, computations, and other materials prepared by Consultant, its employees, subconsultants, and agents in the performance of this Agreement shall be the property of OC San and shall be promptly delivered to OC San upon request of OC San’s Project Manager or designee or upon the termination of this Agreement and Consultant shall have no claim for further employment or additional compensation as a result of the exercise by OC San of its full rights of ownership of the documents and materials hereunder. Any use of such completed documents for other projects and/or use of incomplete documents without specific written authorization by the Consultant will be at OC San’s sole risk and without liability to Consultant. Consultant shall ensure that all its contracts with its subconsultants provide for assignment to OC San of any documents or materials prepared by them.
10. **Ownership of Intellectual Property.**
 - 10.1 Consultant agrees that all designs, plans, reports, specifications, drawings, schematics, prototypes, models, inventions, and all other information and items made during the course of this Agreement and arising from the Services (hereinafter referred to as “New Developments”) shall be and are assigned to OC San as its sole and exclusive property.
 - 10.2 Consultant agrees to promptly disclose to OC San all such New Developments. Upon OC San’s request, Consultant agrees to assist OC San, at OC San’s expense, to obtain patents or copyrights for such New Developments, including the disclosure of all pertinent information and data with respect thereto, the execution of all applications, specifications, assignments, and all other instruments and papers which OC San shall deem necessary to apply for and to assign or convey to OC San, its successors and assigns, the sole and exclusive right, title, and interest in such New Developments. Consultant agrees to obtain or has obtained written assurances from its employees and contract personnel of their agreement to the terms hereof regarding New Developments and confidential information.
 - 10.3 Consultant warrants that Consultant will have good title to any New Developments and the right to assign New Developments to OC San free of any proprietary rights of any other party or any other encumbrance whatever.
 - 10.4 The originals of all computations, drawings, designs, graphics, studies, reports, manuals, photographs, videotapes, data, computer files, and other documents prepared or caused to be prepared by Consultant or its subconsultants in connection with the Services hereunder shall be delivered to and shall become the exclusive property of OC San. OC San may utilize such documents, at its own risk, for OC San’s

applications on other projects or extensions of this project.

11. Right to Review Services, Facilities, and Records.

11.1 OC San reserves the right to review any portion of the Services performed by Consultant under this Agreement and Consultant agrees to cooperate to the fullest extent possible in such endeavor.

11.2 Consultant shall furnish to OC San such reports, statistical data, and other information pertaining to Consultant's Services as shall be reasonably required by OC San to carry out its rights and responsibilities under its agreements with its bondholders or noteholders and any other agreement relating to the development of the project(s) and in connection with the issuance of its official statements and other prospectuses with respect to the offering, sale, and issuance of its bonds and other obligations.

11.3 The right of OC San to review or approve drawings, specifications, procedures, instructions, reports, test results, calculations, schedules, or other data that are developed by Consultant shall not relieve Consultant of any obligation set forth herein.

12. Conflict of Interest and Reporting.

12.1 Consultant shall, at all times, avoid conflicts of interest or appearance of conflicts of interest in performance of this Agreement.

12.2 Consultant affirms that, to the best of its knowledge, there exists no actual or potential conflict between Consultant's families, business, or financial interest and the Services under this Agreement and in the event of change in either its private interests or Services under this Agreement, it shall raise with OC San any question regarding possible conflict of interest which may arise as a result of such change.

13. Damage to OC San's Property. Any of OC San's property damaged by Consultant, any subconsultant, subcontractor, or by the personnel of either will be subject to repair or replacement by Consultant at no cost to OC San.

14. Freight (F.O.B. Destination). Consultant assumes full responsibility for all transportation, transportation scheduling, packing, handling, insurance, and other services associated with delivery of all products deemed necessary under this Agreement.

15. Audit Rights. Consultant agrees that, during the term of this Agreement and for a period of three (3) years after its expiration or termination, OC San shall have access to and the right to examine any directly pertinent books, documents, and records of Consultant relating to the invoices submitted by Consultant pursuant to this Agreement.

16. Contractor Safety Standards and Human Resources Policies. OC San requires Consultant, its subconsultants, and its subcontractors to follow and ensure their employees follow all Federal, State, and local regulations as well as Contractor Safety Standards while working at OC San locations. If, during the course of the Agreement, it is discovered that Contractor Safety Standards do not comply with Federal, State, or local regulations, the Consultant is required to follow the most stringent regulatory requirement at no additional cost to OC San. Consultant, its subconsultants, and all of their employees shall adhere to all applicable Contractor Safety Standards in Exhibit "D" and the Human Resources Policies in Exhibit "E."

17. Insurance. Consultant and all its subconsultants shall purchase and maintain, throughout the term of this Agreement and any periods of warranty or extensions, insurance in amounts

equal to the requirements set forth in the signed Exhibit "C" – Determined Insurance Requirement Form. Consultant shall not commence work under this Agreement until all required insurance is obtained in a form acceptable to OC San, nor shall Consultant allow any subconsultant to commence service pursuant to a subcontract until all insurance required of the subconsultant has been obtained. Failure to obtain and maintain the required insurance coverage shall result in termination of this Agreement.

18. Indemnification and Hold Harmless Provision. Consultant shall assume all responsibility for damages to property and/or injuries to persons, including accidental death, which may arise out of or may be caused by Consultant's Services under this Agreement, or by its subconsultant(s), or by anyone directly or indirectly employed by Consultant, and whether such damage or injury shall accrue or be discovered before or after the termination of the Agreement. Except as to the sole active negligence of or willful misconduct of OC San, Consultant shall indemnify, protect, defend, and hold harmless OC San, its elected and appointed officials, officers, agents, and employees from and against any and all claims, liabilities, damages, or expenses of any nature, including attorneys' fees: (a) for injury to or death of any person, or damage to property, or interference with the use of property arising out of or in connection with Consultant's performance under the Agreement, and/or (b) on account of use of any copyrighted or uncopyrighted material, composition, or process; or any patented or unpatented invention, article, or appliance furnished or used under the Agreement, and/or (c) on account of any goods and services provided under this Agreement. This indemnification provision shall apply to any acts or omissions, willful misconduct, or negligent misconduct, whether active or passive, on the part of Consultant or anyone employed by or working under Consultant. To the maximum extent permitted by law, Consultant's duty to defend shall apply whether or not such claims, allegations, lawsuits, or proceedings have merit or are meritless, or which involve claims or allegations that any of the parties to be defended were actively, passively, or concurrently negligent, or which otherwise assert that the parties to be defended are responsible, in whole or in part, for any loss, damage, or injury. Consultant agrees to provide this defense immediately upon written notice from OC San, and with well qualified, adequately insured, and experienced legal counsel acceptable to OC San. This section shall survive the expiration or early termination of the Agreement.

19. Independent Contractor.

19.1 The relationship between the Parties hereto is that of an independent contractor and nothing herein shall be construed as creating an employment or agency relationship.

19.2 During the performance of this Agreement, Consultant and its officers, employees, and agents shall act in an independent capacity and shall not act as OC San's officers, employees, or agents. OC San assumes no liability for Consultant's action and performance nor assumes responsibility for taxes, funds, payments, or other commitments, expressed or implied, by or for Consultant.

19.3 Consultant shall not be considered an agent of OC San for any purpose whatsoever nor shall Consultant have the right to, and shall not, commit OC San to any agreement, contract, or undertaking. Consultant shall not use OC San's name in its promotional material or for any advertising or publicity purposes without prior expressed written consent.

19.4 Consultant shall not be entitled to any benefits accorded to those individuals listed on OC San's payroll as regular employees including, without limitation, worker's compensation, disability insurance, vacation, or holiday or sick pay. Consultant shall be responsible for providing, at Consultant's expense, disability, worker's

compensation, and other insurance as well as licenses and permits usual or necessary for conducting the Services hereunder.

19.5 Consultant shall be obligated to pay any and all applicable Federal, State, and local payroll and other taxes incurred as a result of fees hereunder. Consultant hereby indemnifies OC San for any claims, losses, costs, fees, liabilities, damages, or penalties suffered by OC San arising out of Consultant's breach of this provision.

19.6 Consultant shall not be eligible to join or participate in any benefit plans offered to those individuals listed on OC San's payroll as regular employees. Consultant shall remain ineligible for such benefits or participation in such benefit plans even if a court later decides that OC San misclassified Consultant for tax purposes.

20. Subcontracting and Assignment. Consultant shall not delegate any duties nor assign any rights under this Agreement without the prior written consent of OC San. Any such attempted delegation or assignment shall be void.

21. No Solicitation of Employees.

21.1 Consultant agrees that it shall not, during the term of this Agreement and for a period of one (1) year immediately following expiration or termination of this Agreement or any extension hereof, call on, solicit, or take away any of the employees whom Consultant became aware of as a result of Consultant's Services to OC San.

21.2 Consultant acknowledges that OC San's employees are critical to its business and OC San expends significant resources to hire, employ, and train employees. Should Consultant employ or otherwise engage OC San's employees during the term of this Agreement and for a period of one (1) year following expiration or termination of this Agreement, Consultant shall pay OC San fifty percent (50%) of the former employee's most recent annual salary earned at OC San to accurately reflect the reasonable value of OC San's time and costs. This payment is in addition to any other rights and remedies OC San may have at law.

22. Confidentiality and Non-Disclosure.

22.1 Consultant acknowledges that, in performing the Services hereunder, OC San may have to disclose to Consultant, orally and in writing, certain confidential information that OC San considers proprietary and has developed at great expense and effort.

22.2 Consultant agrees to maintain in confidence and not disclose to any person, firm, or corporation, without OC San's prior written consent, any trade secret, confidential information, knowledge, or data relating to the products, process, or operation of OC San.

22.3 Consultant further agrees to maintain in confidence and not to disclose to any person, firm, or corporation any data, information, technology, or material developed or obtained by Consultant during the term of this Agreement.

22.4 Consultant agrees as follows:

22.4.1 To use the confidential information only for the purposes described herein; to not reproduce the confidential information; to hold in confidence and protect the confidential information from dissemination to and use by anyone not a party to this Agreement; and to not use the confidential information to benefit itself or others.

- 22.4.2 To restrict access to the confidential information to its subconsultant or personnel of Consultant who (1) have a need to have such access and (2) have been advised of and have agreed in writing to treat such information in accordance with the terms of this Agreement.
- 22.4.3 To return all confidential information in Consultant's possession upon termination of this Agreement or upon OC San's request, whichever occurs first.
- 22.4.4 To hold in confidence information and materials, if any, developed pursuant to the Services hereunder.
- 22.4.5 The provisions of this section shall survive termination or expiration of this Agreement and shall continue for so long as the material remains confidential.
- 23. Non-Liability of OC San Officers and Employees.** No officer or employee of OC San shall be personally liable to Consultant, or any successor-in-interest, in the event of any default or breach by OC San or for any amount which may become due to Consultant or to its successor, or for breach of any obligation under the terms of this Agreement.
- 24. Third-Party Rights.** Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than OC San and Consultant.
- 25. Applicable Laws and Regulations.** Consultant shall comply with all applicable Federal, State, and local laws, rules, and regulations. Consultant also agrees to indemnify and hold OC San harmless from any and all damages and liabilities assessed against OC San as a result of Consultant's noncompliance therewith. Any provision required by law to be included herein shall be deemed included as a part of this Agreement whether or not specifically included or referenced.
- 26. Licenses, Permits, Ordinances, and Regulations.** Consultant represents and warrants to OC San that it has obtained all licenses, permits, qualifications, and approvals of whatever nature that are legally required to provide the Services. Any and all fees required by Federal, State, County, City, and/or municipal laws, codes, and/or tariffs that pertain to the work performed under this Agreement will be paid by Consultant.
- 27. Regulatory Requirements.** Consultant shall perform all work under this Agreement in strict conformance with applicable Federal, State, and local regulatory requirements including, but not limited to, 40 CFR 122, 123, 124, 257, 258, 260, 261, and 503, Title 22, 23, and Water Codes Division 2.
- 28. Environmental Compliance.** Consultant shall, at its own cost and expense, comply with all Federal, State, and local environmental laws, regulations, and policies which apply to the Consultant, its subconsultants, subcontractors, and the Services, including, but not limited to, all applicable Federal, State, and local air pollution control laws and regulations.
- 29. Dispute Resolution.**
- 29.1 In the event of a dispute as to the construction or interpretation of this Agreement, or any rights or obligations hereunder, the Parties shall first attempt, in good faith, to resolve the dispute by mediation. The Parties shall mutually select a mediator to facilitate the resolution of the dispute. If the Parties are unable to agree on a mediator, the mediation shall be conducted in accordance with the Commercial Mediation Rules

of the American Arbitration Agreement, through the alternate dispute resolution procedures of Judicial Arbitration through Mediation Services of Orange County (“JAMS”), or any similar organization or entity conducting an alternate dispute resolution process.

- 29.2 In the event the Parties are unable to timely resolve the dispute through mediation, the issues in dispute shall be submitted to arbitration pursuant to Code of Civil Procedure, Part 3, Title 9, sections 1280 et seq. For such purpose, an agreed arbitrator shall be selected, or in the absence of agreement, each party shall select an arbitrator, and those two (2) arbitrators shall select a third. Discovery may be conducted in connection with the arbitration proceeding pursuant to Code of Civil Procedure section 1283.05. The arbitrator, or three (3) arbitrators acting as a board, shall take such evidence and make such investigation as deemed appropriate and shall render a written decision on the matter in question. The arbitrator shall decide each and every dispute in accordance with the laws of the State of California. The arbitrator’s decision and award shall be subject to review for errors of fact or law in the Superior Court for the County of Orange, with a right of appeal from any judgment issued therein.
30. **Remedies.** In addition to other remedies available in law or equity, if the Consultant fails to make delivery of the goods or Services or repudiates its obligations under this Agreement, or if OC San rejects the goods or Services or revokes acceptance of the goods or Services, OC San may (a) cancel the Agreement; (b) recover whatever amount of the purchase price OC San has paid, and/or (c) “cover” by purchasing, or contracting to purchase, substitute goods or services for those due from Consultant. In the event OC San elects to “cover” as described in (c), OC San shall be entitled to recover from Consultant as damages the difference between the cost of the substitute goods or services and the Agreement price, together with any incidental or consequential damages.
31. **Force Majeure.** Neither party shall be liable for delays caused by accident, flood, acts of God, fire, labor trouble, war, acts of government, or any other cause beyond its control, but the affected party shall use reasonable efforts to minimize the extent of the delay. Work affected by a force majeure condition may be rescheduled by mutual consent of the Parties.
32. **Termination.**
- 32.1 OC San reserves the right to terminate this Agreement for its convenience, with or without cause, in whole or in part, at any time, by written notice from OC San. Upon receipt of a termination notice, Consultant shall immediately discontinue all work under this Agreement (unless the notice directs otherwise). OC San shall thereafter, within thirty (30) days, pay Consultant for work performed (cost and fee) through the date of termination. Consultant expressly waives any claim to receive anticipated profits to be earned during the uncompleted portion of this Agreement. Such notice of termination shall terminate this Agreement and release OC San from any further fee, cost, or claim hereunder by Consultant other than for work performed through the date of termination.
- 32.2 OC San reserves the right to terminate this Agreement immediately upon OC San’s determination that Consultant is not complying with the Scope of Work requirements, if the level of service is inadequate, or for any other default of this Agreement.
- 32.3 OC San may also immediately terminate this Agreement for default, in whole or in part, by written notice to Consultant:

- if Consultant becomes insolvent or files a petition under the Bankruptcy Act; or
- if Consultant sells its business; or
- if Consultant breaches any of the terms of this Agreement; or
- if the total amount of compensation exceeds the amount authorized under this Agreement.

32.4 All OC San's property in the possession or control of Consultant shall be returned by Consultant to OC San on demand or at the expiration or termination of this Agreement, whichever occurs first.

33. **Attorney's Fees.** If any action at law or in equity or if any proceeding in the form of an Alternative Dispute Resolution (ADR) is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees, costs, and necessary disbursements in addition to any other relief to which the prevailing party may be entitled.
34. **Waiver.** The waiver by either party of any breach or violation of, or default under, any provision of this Agreement, shall not be deemed a continuing waiver by such party of any other provision or of any subsequent breach or violation of this Agreement or default thereunder. Any breach by Consultant to which OC San does not object shall not operate as a waiver of OC San's rights to seek remedies available to it for any subsequent breach.
35. **Severability.** If any section, subsection, or provision of this Agreement, or any agreement or instrument contemplated hereby, or the application of such section, subsection, or provision is held invalid, the remainder of this Agreement or instrument in the application of such section, subsection, or provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, unless the effect of such invalidity shall be to substantially frustrate the expectations of the Parties.
36. **Survival.** The provisions of this Agreement dealing with payment, warranty, indemnity, and forum for enforcement shall survive expiration or early termination of this Agreement.
37. **Governing Law.** This Agreement shall be governed by and interpreted under the laws of the State of California and the Parties submit to jurisdiction in the County of Orange in the event any action is brought in connection with this Agreement or the performance thereof.
38. **Notices.**
 38.1 All notices under this Agreement must be in writing. Written notice shall be delivered by personal service, by electronic telecommunication, or sent by registered or certified mail, postage prepaid, return receipt requested, or by any other overnight delivery service which delivers to the noticed destination and provides proof of delivery to the sender. Rejection or other refusal to accept or the inability to deliver because of changed address for which no notice was given as provided hereunder shall be deemed to be receipt of the notice, demand, or request sent. All notices shall be effective when first received at the following addresses:

OC San: Jordan Cabral
 Buyer
 Orange County Sanitation District
 10844 Ellis Avenue

Fountain Valley, CA 92708
jocabral@ocsan.gov

Consultant: Peter Rosen
Industrial Hygiene Program Manager US
Arcadis U.S., Inc.
18401 Von Karman Avenue, Suite 300
Irvine, CA 92612
Peter.rosen@arcadis.com

38.2 Each party shall provide the other party written notice of any change in address as soon as practicable.

39. **Read and Understood.** By signing this Agreement, Consultant represents that it has read and understood the terms and conditions of the Agreement.
40. **Authority to Execute.** The persons executing this Agreement on behalf of the Parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the Parties are formally bound.
41. **Entire Agreement.** This Agreement constitutes the entire agreement of the Parties and supersedes all prior written or oral communications and all contemporaneous oral agreements, understandings, and negotiations between the Parties with respect to the subject matter hereof.

Intentionally left blank. Signatures follow on the next page.

IN WITNESS WHEREOF, intending to be legally bound, the Parties hereto have caused this Agreement to be signed by their duly authorized representatives.

ORANGE COUNTY SANITATION DISTRICT

Dated: _____

By: _____
Chad P. Wanke
Chair, Board of Directors

Dated: _____

By: _____
Kelly A. Lore
Clerk of the Board

Dated: _____

By: _____
Ruth Zintzun
Finance & Procurement Manager

ARCADIS U.S., INC.

Dated: _____

By: _____

Print Name and Title of Officer

IG

Exhibit “A”

SCOPE OF WORK

**EXHIBIT A
SCOPE OF WORK
INDUSTRIAL HYGIENE SERVICES
SPECIFICATION NO. S-2023-1441BD**

EXECUTIVE SUMMARY/OVERVIEW

The Orange County Sanitation District (OC San) operates the third largest wastewater agency west of the Mississippi River. Since 1954, we have safely collected, treated, and disposed of and/or reclaimed the wastewater generated by 2.6 million people living and working in central and northwestern Orange County, California.

Each day we treat approximately 185 million gallons of wastewater, enough water to fill Anaheim stadium over two and a quarter times. About 80 percent of the wastewater comes from homes – sinks, toilets, showers, laundry, and dishwashers. The remaining come from businesses – retail stores, restaurants, manufacturers, hotels, offices, and other industries.

A professional staff of more than 600 employees manages the day-to-day activities of OC San. Our facilities include 396 miles of sewer pipes, located throughout the county, and two treatment plants – one in Fountain Valley, CA and the other in Huntington Beach, CA – where wastewater is treated in accordance with strict state and federal standards.

Our employees are on duty protecting health and the environment by ensuring the sewer system efficiently operates 24 hours a day, 7 days a week and 365 days a year. We are very proud of the job we do and take pride in providing our customers with quality service.

1 PURPOSE

- 1.1 OC San is requesting proposals from highly qualified and experienced firms or individuals (Consultant) with a proven record of accomplishment to provide Industrial Hygiene Services on behalf of OC San's Risk Management Division. OC San requires Industrial Hygiene Services from the Consultant on an as-needed basis.
- 1.2 The Consultant must demonstrate their expertise and experience in Industrial Hygiene Services and its related documentation to be awarded the contract.

2 PROJECT/WORK ELEMENTS

- 2.1 The Consultant shall be prepared to conduct a wide range of Industrial Hygiene Services. These services can include, but are not limited to:
 - 2.1.1 Asbestos, Lead and/or Hazardous Building Material Surveys
 - 2.1.2 Asbestos and Lead Abatement Oversight and Air Monitoring
 - 2.1.3 Develop Procedure 5 Report for SCAQMD Rule 1403
 - 2.1.4 Develop Specifications for Abatement and/or Remediation of Hazardous Building Materials
 - 2.1.5 Indoor Air Quality Assessments
 - 2.1.6 Mold Investigations
 - 2.1.7 Mold Remediation Oversight and Validation Testing
 - 2.1.8 Personal and Area Air Sampling for Various Contaminants
 - 2.1.9 Personal and Area Noise Exposure Surveys
 - 2.1.10 Office and Industrial Ergonomic Assessments
 - 2.1.11 Waste Characterization and Profiling (including unknown materials)

- 2.1.12 Ventilation System Surveys
- 2.1.13 Illumination Surveys
- 2.1.14 Phase I or II Environmental Site Assessments
- 2.1.15 Other safety or environmental testing, as requested.

- 2.2 OC San is going through a rehabilitation phase of our structures and facilities, so the Consultant must be able to support sampling of multiple buildings and structures or working on multiple projects at one time.
- 2.3 Industrial Hygiene Services will occur within OC San's Service Area, which includes Plant 1, Plant 2, Headquarters Building, off-site pumping stations, and our sewer collection system.
- 2.4 The Consultant will be expected to follow all applicable Health and Safety regulations including South Coast Air Quality Management District (SCAQMD) and Cal/OSHA industrial hygiene sampling standards and methods at all times, unless standards are not available, then American Conference of Governmental Industrial Hygienists (ACGIH) or National Institute for Occupational Safety and Health (NIOSH) standards will be used. All sampling media shall be analyzed by an accredited laboratory. Results shall be compared to applicable regulatory standards and/or appropriate consensus bodies where regulations do not exist. Recommendation should be provided when appropriate.

3 QUALIFICATIONS

- 3.1 The Consultant shall have the following minimum qualifications:
 - 3.1.1 Consultant shall have all work directed and certified by a Certified Industrial Hygienist (CIH).
 - 3.1.2 Consultant must have five (5) years of direct experience providing Industrial Hygiene Services as stated within this document.
 - 3.1.3 Consultant shall have Certified Asbestos Consultant to perform asbestos-related work, including survey, reporting and abatement oversight services. Note: A Certified Site Surveillance Technician can work under the direct supervision of a Certified Asbestos Consultant to complete these tasks, where permitted by regulation.
 - 3.1.4 Consultant shall have California State Certified Lead Inspector/Assessor and Project Monitor to perform lead-related work, including survey, reporting and abatement oversight services. Note: A Certified Sampling Technician can work under the direct supervision of a Certified Inspector/Assessor, where permitted by regulation.

4 PROJECT PROPOSALS

- 4.1 Risk Management will contact the Consultant via phone or email to request Industrial Hygiene Services. Risk Management will provide the Consultant with a project-specific scope of work.
- 4.2 The Consultant shall submit a formal proposal with itemized quote via email to the Risk Management Safety & Health Manager for project authorization. The formal proposal with quote shall include the following:
 - 4.2.1 Project Background
 - 4.2.2 Proposed Scope of Work
 - 4.2.3 Methodology and Evaluation
 - 4.2.4 Exclusions or Limitations

4.2.5 Project Schedule

4.2.6 Line-Item Quote

- 4.3 If the proposal is approved, Risk Management Safety & Health Manager will sign the proposal to authorize services.

5 FIELD SURVEY

- 5.1 The Consultant shall work with Risk Management and other OC San employees or Contractors, as needed to conduct the assessments and monitoring. The Consultant shall follow all Cal/OSHA and OC San safety requirements and procedures while conducting work on OC San property.
- 5.2 Compliance with the Cal/OSHA General Industry Safety Orders and Construction Safety Orders remains the Consultants responsibility.
- 5.3 Consultant shall provide all equipment and supplies necessary to complete the work. Consultant can request services such as access to power or water; however, such services cannot be guaranteed.

6 REPORTING

- 6.1 Notification of Preliminary Findings
- 6.1.1 The Consultant shall communicate any preliminary observations or findings to Risk Management point of contact upon completion of field work.
- 6.1.2 Notification can be made in person, over the phone, email, or a combination thereof. This will help OC San implement correctives actions, if needed, in a timely manner as to not delay providing a safe and healthy work environment for all employees or contractors.
- 6.2 Draft Report
- 6.2.1 For each project, the Consultant shall prepare a report that includes title page, executive summary, introduction, method and results of analysis, discussion or remarks, recommendations and conclusion, and appendix. The appendix shall contain necessary plans, figures, tables, calibration records, staff certification records, photographs, and any other documents relevant to the specific project.
- 6.2.2 The Consultant shall submit a draft electronic report of the assessment to the Risk Management Division.
- 6.2.3 Consultant shall provide the draft report to OC San within an agreed upon timeframe, generally not to exceed five (5) working day from completion of work or receipt of laboratory data.
- 6.2.4 OC San will have five (5) working days to review and comment on the draft document.
- 6.3 Final Report
- 6.3.1 The Consultant shall incorporate comments provided by OC San into the final report. The Consultant shall submit all final reports electronically.
- 6.3.2 Consultant will have five (5) working days to provide the final report upon receipt of any comments by OC San.

7 PROJECT MANAGEMENT

- 7.1 Project Management will be provided by the Risk Management Division.
- 7.2 After the Consultant is awarded the Industrial Hygiene Services Contract, Risk Management will coordinate a meeting to discuss the program in greater detail, including a program overview, copies of historical data, and a tour of the OC San facilities.

8 INVOICES

- 8.1 Consultant shall provide itemized invoices for each project.
- 8.2 The invoice shall contain the OC San Project Number or unique description for the specific project in which the work was conducted.

9 STAFF ASSISTANCE

- 9.1 The Consultant shall be assigned a single point of contact for the Industrial Hygiene Services Contract.
- 9.2 Any meetings and/or correspondence related to this Contract shall be scheduled and approved by the point of contact.

10 PROJECT SCHEDULE

Each project will have its own timeline; however, the table below can be used as an example.

MILESTONES	DEADLINE
Kick-Off Meeting	Within 1 week from request*
Field Survey	Within 2 weeks from request
Draft Report (PDF, Microsoft Excel, etc.)	5 working days after completion of field survey**
Comment Period	5 working days
Approved Final Report	5 working days after receipt of OC San comments

Notes:

* – Not all projects will have a formal kick-off meeting. Kick-off meetings are typically held virtually, through email, or over the phone.

** – Draft report milestone may be extended depending on turnaround time of samples.

11 SAFETY AND HEALTH REQUIREMENTS

The Consultant and any Subconsultants shall comply with all applicable provisions of the OC San Contractor Safety Standards, Federal OSHA, California OSHA, and Local regulations, whichever is most stringent.

11.1 Injury and Illness Prevention Program

The Consultant shall submit a copy of their written, Injury and Illness Prevention Program (IIPP). The IIPP must address responsibility, compliance, communication, hazard assessment, incident investigation, hazard correction, and training as required by Title 8, California Code of Regulations, Section 3203.

11.2 Contractor Safety Orientation (CSO)

The Consultant shall attend a (CSO) meeting prior to the start of work. The CSO is a Sanitation District safety orientation conducted between the Risk Management Division (safety and health) and the Consultant. The CSO is conducted once per year or as job conditions or scope of work changes. The Consultant shall participate in these meetings by providing work plans and other requested safety deliverables described below. The Consultant shall sign the CSO documentation.

11.3 Job Safety Analysis (JSA)

The Consultant shall prepare Job Safety Analysis (JSA) for work tasks completed by the Consultant. The JSA is a procedure where each basic step of the work task has identified hazards and recommended controls for the safest way to complete the work task.

11.4 Chemical Safety

All chemicals brought onsite shall be accompanied with a safety data sheet (SDS). The Consultant must store and use those chemicals in accordance with the SDS and manufacturer instructions.

11.5 Training Records and Certifications

The Consultant shall submit copies of its employee trainings records to Risk Management for retention.

11.6 Personal Protective Equipment (PPE)

The Consultant shall wear Level D personal protective equipment (PPE), which includes hard-toe work boots, safety glasses, hard hats, high-visibility safety vests, long pants, sleeved shirts, gloves, and hearing protection (as needed). All work performed in the wastewater treatment plant requires a calibrated 4-gas monitor (CO, H₂S, LEL, O₂).

The Consultant shall be capable of working in asbestos and lead regulated work areas, thereby requiring Level C Personal Protective Equipment. Level C work shall include wearing air-purifying respirators and impermeable coveralls.



ADMINISTRATION COMMITTEE

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

Agenda Report

File #: 2024-3511

Agenda Date: 4/10/2024

Agenda Item No: 3.

FROM: Robert Thompson, General Manager
Originator: Kelly A. Lore, Clerk of the Board

SUBJECT:

UPDATE TO RECORDS MANAGEMENT PROGRAM PROCEDURES AND RECORDS RETENTION SCHEDULE RESOLUTION

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

Adopt Resolution No. OC SAN 24-XX entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District Adopting the Records Management Program Procedures and Records Retention Schedule, Authorizing Destruction of Obsolete Records, and Repealing Resolution No. OC SAN 23-21".

BACKGROUND

The Orange County Sanitation District's (OC San) Records Management Program is being updated to meet statutory regulations and agency changes to better serve the operational needs of OC San. OC San's Records Management Program documents how long various types of information is to be kept, as dictated by the legal, fiscal, operational, and audit needs of OC San. As a public agency, there is an obligation to effectively manage and maintain OC San's information, most of which is classified as public information.

RELEVANT STANDARDS

- Maintain and adhere to appropriate internal planning documents: Resolution No. OC SAN 23-21 (Current Records Management Program Procedures and Records Retention Schedule)
- Comply with Government Code §60200 through 60204
- Comply with Government Code §7920.000 et seq.

PROBLEM

There are current legal regulatory requirements and operational requests that are not reflected in OC San's existing Records Management Program Procedures and Records Retention Schedule.

PROPOSED SOLUTION

Adopt the updated OC San Records Management Program Procedures and updated Records Retention Schedule to reflect the current legal regulatory requirements and operational requests.

TIMING CONCERNS

Destruction of some records may not be authorized until the updated Records Retention Schedule is approved.

RAMIFICATIONS OF NOT TAKING ACTION

Records will be kept longer than legally required, which will impact compliance with the current retention regulations, as well as the need and costs associated with additional storage space.

PRIOR COMMITTEE/BOARD ACTIONS

December 2023 - Adopted Resolution No. OC SAN 23-21 Adopting the Records Management Program Procedures and Records Retention Schedule, Authorizing Destruction of Obsolete Records, and Repealing Resolution No. OC SAN 23-08.

ADDITIONAL INFORMATION

As dictated by the current legal, audit, business, and operational needs of OC San, changes were made to existing record types, which include the retention length, record descriptions, and legal citations.

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Resolution No. OC SAN 24-XX
- Records Management Procedure Manual Redline
- Records Retention Schedule Redline

RESOLUTION NO. OC SAN ~~24-XX23-21~~

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT ADOPTING THE RECORDS MANAGEMENT PROGRAM PROCEDURES & RECORDS RETENTION SCHEDULE, AUTHORIZING DESTRUCTION OF OBSOLETE RECORDS, AND REPEALING RESOLUTION NO. OC SAN 23-~~2108~~

WHEREAS, it is necessary to establish a policy to maintain a Records Management Program ("Program") that provides for the identification, access, and protection of all records generated or received by the Orange County Sanitation District; and

WHEREAS, said Program ensures that all the Orange County Sanitation District records are created, received, maintained, and destroyed in a legal and cost-effective manner, in accordance with operating requirements for the Orange County Sanitation District business and applicable statutes and regulations; and

WHEREAS, the Board of Directors of the Orange County Sanitation District are authorized, by the provisions of California Government Code Sections 60200 through 60204, inclusive, to destroy records under certain conditions; and

WHEREAS, it is described and appropriate to authorize the destruction of the records on a routine basis; that have been retained for a defined period of time, that are copies of originals on file with the Orange County Sanitation District, or that have been preserved in conformance with all applicable statutes.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District, DOES HEREBY RESOLVE, DETERMINE, AND ORDER:

Section 1: Adoption of the Updated Records Management Procedures. The Board of Directors of the Orange County Sanitation District hereby adopts changes to the Records Management Procedure Manual attached hereto.

Section 2: Adoption of the Updated Records Retention Schedule. The Board of Directors of the Orange County Sanitation District hereby adopts changes to the Records Retention Schedule, attached hereto in the Records Management Procedure Manual.

Section 3: Authorization for Destruction of Records. The destruction of records, papers, and documents is hereby authorized, pursuant to California Government Code Sections 60200 et seq., after such records have been retained for the minimum time set forth in the Records Retention Schedule.

Section 4: Destruction of Records After Preservation. Any record not expressly required by law to be filed and preserved may be destroyed at any time after it is preserved in conformance with the requirements of California Government Code Section 60203.

Section 5: Destruction of Duplicates. Pursuant to California Government Code Section 60200, any duplicate record, paper, or document (the original or a permanent copy of which is in the files of any office or Department of the Orange County Sanitation District) may be destroyed after confirmation with Records Management that such original or permanent copy remains on file in the Orange County Sanitation District.

Section 6: Retention of Records Not Mentioned. All records, papers, and documents not mentioned in this Resolution shall be retained.

Section 7: Resolution No. OC SAN 23-~~2108~~ is hereby repealed.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Orange County Sanitation District held ~~April 24, 2024~~~~December 14, 2023~~.

Chad P. Wanke
Board Chairman

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE) ss

I, Kelly A. Lore, Clerk of the Board of Directors of the Orange County Sanitation District, do hereby certify that the foregoing Resolution No. OC SAN ~~24-XX23-21~~ was passed and adopted at a regular meeting of said Board on the ~~24th of April 2024~~^{14th of December 2023}, by the following vote, to wit:

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- AYES:**
- NOES:**
- ABSTENTIONS:**
- ABSENT:**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Orange County Sanitation District this ~~24th of April 2024~~^{14th of December 2023}.

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Kelly A. Lore, MMC
Clerk of the Board of Directors
Orange County Sanitation District




RECORDS MANAGEMENT PROCEDURE MANUAL

APRIL 2024~~DECEMBER 2023~~



Adopted

April 24, 2024~~December 14, 2023~~
Resolution No. OC SAN 24-XX23-21

	Orange County Sanitation District	Procedure Number: 00
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>04/24/2024</u> 12/14/2023
		Supersedes: <u>12/14/2023</u> 03/22/2023
SUBJECT: TABLE OF CONTENTS	Approved by: OC San Board of Directors	

POLICY CONTACT:

Clerk of the Board (Custodian of Records)


REGULATORY REFERENCES:

Resolution No. OC SAN ~~24-XX23-24~~


California Government Code §34090 (How Long Records are Held-Records Retention)

California Government Code §7920.000 (California Public Records Act)

SECTION	TITLE
1.0	RECORDS MANAGEMENT PROGRAM POLICY
2.0	PROGRAM GUIDELINES
3.0	STAFF RESPONSIBILITIES
4.0	RECORDS RETENTION
4.0 Exhibit A	Records Retention Schedule Change Request Form
4.0 Exhibit B	Records Retention Schedule
4.0 Exhibit C	Record Series With Definitions
5.0	RECORDS DISPOSITION
5.0 Exhibit A	Records Management Disposition Form
5.0 Exhibit B	Request for Authorization to Destroy Records Form
5.0 Exhibit C	Certificate of Digital Record Destruction
5.0 Exhibit D	Legal Counsel Written Consent Authorizing the Destruction of Video Surveillance Files
6.0	VITAL RECORDS
7.0	HISTORICAL RECORDS
8.0	RECORDS MANAGEMENT PROGRAM AUDIT & COMPLIANCE REVIEW

	Orange County Sanitation District	Procedure Number: 00
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>04/24/2024</u> 12/14/2023
		Supersedes: <u>12/14/2023</u> 03/22/2023
SUBJECT: TABLE OF CONTENTS	Approved by: OC San Board of Directors	

SECTION	TITLE
9.0	RECORDS HOLD AND RELEASE
9.0 Exhibit A	Records Hold & Records Hold Release Request Form
10.0	PUBLIC RECORDS ACT – RELEASE OF RECORDS TO THE PUBLIC
11.0	ELECTRONIC COMMUNICATIONS POLICY
11.0 Exhibit A	Declaration Regarding Search of Personal Electronic Messaging Accounts
12.0	ESCROW OF BID DOCUMENTS
13.0	DIGITIZATION OF RECORDS

	Orange County Sanitation District	Procedure Number: 1.0
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>04/24/24</u> 12/14/2023
		Supersedes: <u>12/14/23</u> 03/22/2023
SUBJECT: RECORDS MANAGEMENT PROGRAM POLICY	Approved by: OC San Board of Directors	

1.0 POLICY STATEMENT

1.1 The Board of Directors shall not less than annually adopt a Resolution updating the Records Management Procedure Manual as presented by the Custodian of Records (Clerk of the Board). The Orange County Sanitation District (OC San) is committed to effective records management including, but not limited to:

- A. Meeting legal requirements for records retention;
- B. Identifying and protecting all records;
- C. Managing record holds;
- D. Protecting privacy;
- E. Optimizing the use of space;
- F. Minimizing the cost of records retention;
- G. Providing open access to public records; and
- H. Disposing of outdated records properly.


2.0 PURPOSE

2.1 The purpose of the Records Management Program Policy is to establish a Records Management Program (the Program) that will develop a systematic method for managing OC San's records. The Program ensures that all OC San records are created, received, maintained, and dispositioned in a cost-effective manner, in accordance with operating requirements for OC San business, and applicable statutes and regulations. Failure to follow the Program may result in excessive costs, litigation, loss of productivity, etc.

3.0 PROGRAM RESPONSIBILITY

3.1 Under the authority of OC San's Board of Directors, the General Manager and the Executive Management Team oversee the Program. The Clerk of the Board is responsible for oversight, implementation, administration, and operation of the Program.

3.2 The Administration Manager, Clerk of the Board and/or designee, and General Counsel will meet as needed to review Records Retention Schedule (RRS) change requests and approve changes, which are then presented to the Board of Directors.

	Orange County Sanitation District	Procedure Number: 1.0
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>04/24/24</u> 12/14/2023
		Supersedes: <u>12/14/23</u> 03/22/2023
SUBJECT: RECORDS MANAGEMENT PROGRAM POLICY	Approved by: OC San Board of Directors	

3.3 Departments/Divisions that maintain OC San records are responsible for understanding appropriate records management procedures and practices. Each Department/Division Manager, or a designee, must:

- A. Ensure compliance with the approved RRS;
- B. Be familiar with the Program;
- C. Develop the Department's/Division's procedures and practices consistent with this Policy;
- D. Educate staff within the Department/Division about sound records management practices;
- E. Coordinate the disposition of records as provided in OC San's RRS; and
- F. Restrict access to confidential records and information appropriately.


4.0 APPLICABILITY

4.1 This Policy applies to all OC San and contract staff who create, receive, or maintain OC San records. OC San requires the maintenance of records in a consistent and logical manner so that OC San:

- A. Meets legal standards for public examination, protection, storage, and retrieval;
- B. Protects the privacy of customers, ratepayers, and staff;
- C. Optimizes the use of space;
- D. Minimizes the cost of record retention; and
- E. Disposes of outdated records in accordance with the applicable statutes indicated in OC San's RRS.

4.2 Record policies apply to all records, whether they are maintained in hard (paper) copy, electronically, or in some other fashion. Each Department/Division shall appoint a Records Coordinator(s) who serves as a liaison to Records Management to assist in the development, implementation, maintenance, and adherence to a records management plan appropriate for the particular records it maintains, in cooperation with the Clerk of the Board and/or designee.


4.3 The Department/Division Records Coordinator facilitates ~~p~~Program compliance within their respective Department/Division in applying the Program Policy.

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SUBJECT: RECORDS MANAGEMENT PROGRAM POLICY	Approved by: OC San Board of Directors	

- 4.4 OC San is subject to a range of statutes and rules regarding records retention and disclosure. All OC San employees are responsible for complying with the requirements of the Program Policy and OC San 's RRS.

5.0 HISTORY OF PROGRAM

- 5.1 OC San, through an outside consultant, conducted the initial records inventory from February through August of 2000. The inventory consisted of a physical inventory of records stored in active office work areas and various storage areas within the Plant No. 1 and Plant No. 2 facilities. The purpose of the inventory was to describe, identify, locate, and quantify OC San records. To supplement the data gathered during the physical inventory, the consultant conducted interviews with staff members from each Department/Division who were most familiar with records creation and maintenance.
- 5.2 Based on the physical inventory of records and the data gathered during the interviews, the initial RRS was developed. Files were identified by their record titles and classified into record series based on having similar business functions (purposes) and retention requirements.
- 5.3 Extensive legal research was performed to ensure that all legal requirements were met in assigning the records retention periods to each record series. Other attributes were also assigned to each record series to ensure that vital, historical, and confidential records are properly protected and processed for retention.


	Orange County Sanitation District	Procedure Number: 2.0
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>04/24/2024</u> 12/14/2023
		Supersedes: <u>12/14/2023</u> 03/22/2023
SUBJECT: PROGRAM GUIDELINES		Approved by: OC San Board of Directors

1.0 INTRODUCTION

- 1.1 The Orange County Sanitation District's (OC San) Records Management Program (the Program) is intended to effectively identify, manage, store, and destroy records that have been created and received by OC San.
- 1.2 Records received and created by OC San in fulfillment of its responsibility to the public and in compliance with government regulations are identified in the Records Retention Schedule (RRS), and accurate retention periods are assigned.
- 1.3 OC San records that are no longer needed to be in the immediate office of each Department/Division for convenient access are processed for storage, retrieval, or disposition in accordance with the guidelines established by the Program.
- 1.4 Records that have met the retention requirements identified in the RRS are processed for destruction in accordance with this Program.
- 1.5 Historical and vital records are identified and processed in accordance with the guidelines established by the Program.
- 1.6 Records management activities are completed in a cost-effective manner.
- 1.7 The Program promotes an increase in productivity by decreasing the volume of obsolete records stored, thus reducing the amount of time necessary for document retrieval.
- 1.8 The Program contributes to industry best practices by ensuring accountability, efficiency, and compliance in a cost-effective manner.

2.0 PURPOSE

- 2.1 Identify OC San records to facilitate access to information required to conduct OC San business and to provide appropriate access by the public.
- 2.2 Maintain OC San records for the duration of the approved retention period.

	Orange County Sanitation District RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Procedure Number: 2.0
		Effective Date: <u>04/24/2024</u> 12/14/2023
		Supersedes: <u>12/14/2023</u> 03/22/2023
SUBJECT: PROGRAM GUIDELINES		Approved by: OC San Board of Directors


- 2.3 Provide access to OC San records for operational, legal, or public access requirements.
- 2.4 Digitize records.
- 2.5 Protect OC San records.
- 2.6 Ensure compliance with legal statutes and governmental regulations regarding recordkeeping and public access requirements.
- 2.7 Destroy OC San records in accordance with the approved RRS or process those deemed historical records for long-term retention.

3.0 SCOPE

- 3.1 Create, receive, maintain, and dispose of OC San Records.
- 3.2 Maintain approved RRS.
- 3.3 Ensure use of appropriate technology in facilitating records and information storage and retrieval.
- 3.4 Provide systematic control of all OC San records through processing, distribution, maintenance, retrieval, and disposition.

4.0 RECORDS

- 4.1 OC San records must be managed throughout their “life cycle”.
- 4.2 The life cycle of a record is the time period from the creation or receipt of a record to its final disposition.
- 4.3 Final disposition can be either destruction or perpetual retention.
- 4.4 Life cycle of a record is inclusive of five (5) stages:
 - Stage 1 – Creation or receipt of records
 - Stage 2 – Use or distribution
 - Stage 3 – Storage or maintenance

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SUBJECT: PROGRAM GUIDELINES		Approved by: OC San Board of Directors

- Stage 4 – Retention or disposition
- Stage 5 – Archival preservation


4.5 Some records do not require managing throughout their life cycle. Such records are termed “transitory records”. The value of transitory records is limited to a very short time, i.e., a day, a week, or no more than three months. These records do not require digitization.

4.6 Transitory records do not carry the requirement to retain the documentation of any transaction. Transitory records include:

- Extra copies of publications, pamphlets, and blank forms. These are considered “supplies” rather than records.
- Reference materials not produced by OC San.
- Working copies of documents used solely until the finished record is declared or declined.
- Notices of meetings, events, office or holiday gatherings, or employee meetings which do not relate directly to the functional responsibility of the organization.
- Informational copies of widely distributed OC San materials.
- Preliminary drafts of documents such as letters, memoranda, reports, and worksheets which do not represent significant steps in the preparation of OC San records, and **which do not record decisions**. Once the completed record is included in the filing system (in the appropriate medium), the working materials (drafts) are considered transitory records.
- Catalogs, trade journals, and other published materials received from other organizations, commercial firms, vendors, or private institutions which require no action and are not needed for documentary purposes. These materials are usually considered “reference materials” and should be controlled as such, but **are not OC San records**.
- Incorrect versions of documents, forms, or reports that had to be regenerated in order to correct errors in typing, data entry, spelling, grammar, or format.

5.0 RECORDS RETENTION SCHEDULE (RRS)

5.1 The RRS is a list of OC San records organized by record series to which are assigned retention periods and other attributes.

	Orange County Sanitation District RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Procedure Number: 2.0
		Effective Date: <u>04/24/2024</u> 12/14/2023
		Supersedes: <u>12/14/2023</u> 03/22/2023
SUBJECT: PROGRAM GUIDELINES		Approved by: OC San Board of Directors


- 5.2 The retention periods identified in the RRS have been established after extensive legal research of all government regulations applicable to OC San.
- 5.3 The RRS has been reviewed and has received concurrence of the various OC San Departments/Divisions, Clerk of the Board and/or designees, Administration Manager, Executive Management, Legal Counsel, and the Administration Committee, as well as the approval of the OC San Board of Directors for implementation.
- 5.4 The RRS has been developed to ensure that each Department/Division maintains its records for the duration of the period legally required by applicable legal statutes and government regulations, and until all the operational business functions are met.

6.0 HISTORICAL RECORDS

- 6.1 Historical records are identified and preserved.
- 6.2 The Program ensures that records with permanent historical value are identified, documented, and preserved for the life of OC San.
- 6.3 The Clerk of the Board and/or designee, prior to processing records for destruction, shall identify records having historical significance.
- 6.4 Historical records are retrieved, prepared, and processed for preservation.

7.0 VITAL RECORDS

- 7.1 Vital records are those documents identified by each Department/Division as necessary to enable OC San to continue vital operations in the event of a disaster or major interruption to business.
- 7.2 Vital records enable OC San to reconstruct its legal obligations and rights.
- 7.3 Vital records enable OC San to reconstruct its financial position.
- 7.4 Vital records enable OC San to satisfy its obligations to its employees.

	Orange County Sanitation District	Procedure Number: 2.0
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>04/24/2024</u> 12/14/2023
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SUBJECT: PROGRAM GUIDELINES	Approved by: OC San Board of Directors	

7.5 Vital records enable OC San to protect employee and public health and safety.

7.6 Vital records enable OC San to reconstruct its assets and ownership.


8.0 CONFIDENTIAL RECORDS

8.1 Records containing proprietary or sensitive information to which access must be restricted are considered confidential.

8.2 Confidential information must be protected and preserved to avoid unauthorized disclosure that could be harmful to a person, to OC San, or to an OC San business process.

8.3 Confidential records shall be managed, controlled, and disposed of separately from records containing non-confidential information.

8.4 Confidentiality of information shall be protected until it is destroyed or until OC San has changed the status of the confidentiality of information.

 RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Orange County Sanitation District	Procedure Number: 3.0
		Effective Date: <u>04/24/2024</u> 12/14/2023
		Supersedes: <u>12/14/2023</u> 03/22/2023
SUBJECT: STAFF RESPONSIBILITIES		Approved by: OC San Board of Directors

1.0 INTRODUCTION


1.1 The Records Management Program (the Program) is a decentralized administrative ~~p~~**P**rogram. As such, Program activities are carried out by the Orange County Sanitation District (OC San) Clerk of the Board (Custodian of Records) and/or designee, and by OC San staff in each Department/Division. OC San's Clerk of the Board and/or designee is responsible for coordinating and overseeing the Program and Program procedures, and Department/Division staff are responsible for complying with the Program requirements for records in their respective areas. In the procedures that follow, the individual responsible for running the daily operations of the Program is identified as the Clerk of the Board and/or designee.

2.0 PURPOSE


The purpose of this procedure is to describe the roles and responsibilities of the Clerk of the Board and/or designee and OC San Department/Division staff.

3.0 STAFFING AND RESPONSIBILITIES


Responsibility	Action
CLERK OF THE BOARD	Custodian of Records of OC San
CLERK OF THE BOARD AND/OR DESIGNEE	<p>If designee, under the direction of the Clerk of the Board:</p> <ul style="list-style-type: none"> Oversee OC San's public requests for records/information. Maintain Public Records Act (PRA) Log and PRA information in the relevant software. Oversee the Program and act as a liaison between Department/Division Records Coordinators and General Counsel.

 RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Orange County Sanitation District	Procedure Number: 3.0
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SUBJECT:	STAFF RESPONSIBILITIES	Approved by: OC San Board of Directors

Responsibility	Action
	<ul style="list-style-type: none"> • Act as an advisor on all records and information management issues and related projects. • Maintain the Records Retention Schedule (RRS) and related record series documentation. • Develop and conduct training sessions on appropriate Program activities, including any Records Management software. • Maintain and update the Records Management Procedure Manual as needed. • Coordinate record destruction suspension (“holds”) and destruction resumption (“releases”) with legal counsel, auditors, and the Office of Record to ensure that records are available as required. • Manage the records retention, offsite transfer, and destruction activities of the Program. • Conduct periodic audits of the Program to ensure compliance. • In collaboration with IT and the Office of Record, coordinate vital record protection and ensure that the Program supports the Integrated Emergency Response Plan.

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SUBJECT: STAFF RESPONSIBILITIES		Approved by: OC San Board of Directors

Responsibility	Action
DEPARTMENT/DIVISION RECORDS COORDINATORS A list of Department/Division Records Coordinators can be found via the link.	<ul style="list-style-type: none"> • Review Department/Division records and the RRS periodically to ensure compliance with the Program. Forward any requests for changes to the RRS to the Clerk of the Board and/or designee. • Ensure that records are maintained and protected in compliance with the Program. • Coordinate preparation of records for transfer to offsite storage. • Coordinate managing pertinent records after receipt of a Records Hold or Records Release. • Coordinate records disposition activities, including the preparation of a Disposition Form.


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	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: 04/24/2024 12/14/2023
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SUBJECT:	RECORDS RETENTION	Approved by: OC San Board of Directors

1.0 INTRODUCTION


1.1 Records retention activities of the Records Management Program (the Program) control the maintenance and storage of Orange County Sanitation District (OC San) records. Following the retention procedures ensures compliance with pertinent statutory, regulatory, operating, and administrative recordkeeping requirements. In addition, it ensures that records needed to conduct OC San business are protected and accessible. The Records Retention Schedule (RRS) is the foundation of the Program and defines the period required to maintain OC San records. The RRS is included as Exhibit B to this Procedure.

1.2 Records Management Terms:

Term	Definition
Active	Records that are required for current day-to-day business and are subject to frequent use; generally located near the user (if hardcopy); can easily be accessible on a network server (if electronic); generally referred to more than once per month.
Administrative Value	A record that assists in the operation of the business, and ensures administrative consistency and continuity, serving a particular purpose for that office at that particular time. In appraisal, the usefulness of records for the conduct of current or future administrative business needs.
Appraisal	The process of determining the value and thus the disposition of records based on their current administrative, fiscal, and legal value; their evidential and informational value; their arrangement and condition; their intrinsic value; and their relationship to other records.
Archival Records (also called Historical Records)	Records identified as having archival value or potential archival value and designated as Historical on the OC San RRS.
Audit	Review for acceptance of records relating to operations, policies and procedures, financial documentation, and historical documents by regulating agencies.
Closed / Completed	A file or record on which action has been completed and to which an audit or further action is not likely to occur.
Copy (also called Duplicate)	A reproduction of the contents of an original document which is not the official file copy of the agency. Copies are usually identified by their function, i.e., action copy, reading file copy, tickler file copy, etc. In most instances, copies will have a shorter retention than the official file copy (see Official Copy) of a Record Type.

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Current	When specified as the "minimum retention period" means that superseded, rescinded, expired, or no longer useful records may be removed from the files and may be destroyed.
Disposition	The predetermined action taken with regard to records including form of retention (hard copy or image), period of time retained (archive or destroy), where to store (on-site or off-site), and method of destruction (recycle, burn, or shred).
Duplicate	A document that is a copy of the original or official version of a record. A duplicate may be a paper version or an electronic version of the official record.
Evidential Value	In appraisal, the value of a record that documents the activities of an organization or agency.
File Integrity	Accuracy and completeness of the file or records.
Fiscal Value	Documents and accounts for receipt of or expenditure of public funds such as budget, ledgers of accounts receivable and payable, payrolls, and vouchers. Documents availability of funds for operational purposes. In appraisal, records required until a financial audit is completed, or financial obligations are fulfilled.
Historical Value	In appraisal, the value attributed to a record which preserves documentation on significant historical events including the agency's operations, origin, policies, authorities, functions, and organizations, as well as significant administrative decisions.
Legal Value	In appraisal, value attributed to records which document business ownership, agreements, and transactions.
Life	The retention period assigned to a record that has continuing value to the organization throughout its existence.
Minimum Retention Period	The least amount of time a record must be kept determined by assessment of administrative, legal, fiscal, and historical values.
Office of Record	The Department/Division that created or is responsible for retaining the official copy until it is dispositioned.
Official Copy	The original or official copy of a record maintained by the Office of Record.
Record	Any documentary material, regardless of physical form or characteristic, made or received by an organization in pursuance of law or in connection with the transaction of business and used by that organization as evidence of activities or because of informational value.


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Records Retrieval	Locating records and delivering them for use.
Retention Period	The period of time that records must be kept according to legal or organizational requirements.
Retention Schedule	A list describing the Record Type, the length of time records are retained (may include active and inactive storage detail), the Office of Record, and the final disposition.
Supersede	The replacement of an existing document.
Termination	Designates the end of a specific term, e.g., appointed or elected official's terms; employment; training, course, program; use or ownership.
Transitory Records	Documents retained for a short time having no long-term administrative, fiscal, legal, or archival value. These records are kept for a very short time and are not necessary to document the completion of a business transaction.
Vital Records	Those records containing information necessary to continue the operation of government, affirm the powers and duties of government, and to protect the rights and interest of persons.

1.3 Retention Length Codes:

The RRS provides information to guide the organization in maintenance of business records. Some retention periods are assigned a number representing the length of time (stated in years) for which the records must be maintained and accessible (retrievable). Others are based on the occurrence of an event or a transaction, or a combination of both. The following table describes the meaning of each event as it pertains to records retention and disposition.

Event Code	Event	Definition
CL	Closed or Completed	Maintain records until the transaction or the terms of the activity, the project, assignment, contract, etc. is closed or completed. Then destroy in accordance with procedures.
CU	Current Year (Calendar or Fiscal, As Appropriate)	Maintain records for the transaction, activity, project, assignment, contract, etc. for the current year. Then destroy in accordance with procedures. Current year may be defined as calendar year or fiscal year, whichever is most appropriate for the specific record(s).
EX	Expired	Maintain records until the term, period, permit, or license is expired. Then destroy in accordance with procedures.
LO LF	Life of Organization or	Maintain records for the "life" of the organization, facility, project, physical plant or building, a building system or sub-system, asset, piece


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	Facility	of equipment, or component. These records are not eligible for destruction.
NN	When No Longer Needed	Maintain records until they are no longer needed for any business purposes. Then destroy in accordance with procedures.
OB	Obsolete	Maintain records until they are representative of equipment, information, materials, data, etc. that is no longer in use and/or relevant. Then destroy in accordance with procedures.
S	Superseded	Maintain records until record is superseded or made obsolete by a newer version or edition. Then destroy in accordance with procedures.
T	Terminated	Maintain records until activity is concluded or employee is terminated, retires, or otherwise leaves the employ of the organization. Then destroy in accordance with procedures.

1.4 Special Storage Consideration Codes:

Some retention periods are assigned a "characteristic" to identify any special handling required for documents classified in that records series. The following table describes the meaning of each "characteristic" as it pertains to records retention and disposition.

Code	Characteristics	Definition
V	Vital	Vital Records are required to be available in the event of an emergency or major interruption to normal business operations to continue to provide safe treatment of wastewater during the event. Vital Records may protect OC San's rights and interests; and ensure that it can continue to effectively protect the environment, the public, and meet its obligation to its employees. Identifying records as "vital records" ensures that they are handled in a manner that protects them and makes them readily accessible during the time period that the information is vital. This characteristic does not affect the length of the retention period.
H	Historical	Historical Records potentially have historical significance. Records may document the formation of OC San, annexations, consolidation, major projects, and strategic direction. Historical Records may have intrinsic value due to their age, author, or special nature. Identifying records as "historical records" ensures that they are handled in a manner that protects them and preserves them for long-term storage and research purposes. This characteristic may affect the length of the retention period as historical records are usually maintained for the life of OC San.

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C	Confidential	Confidential Records contain confidential, sensitive, or proprietary information that would be harmful to an employee or would harm OC San's business if accessed by unauthorized individuals. Confidential Records may be confidential throughout their useful life, or only during a portion of their useful life. Identifying records as "confidential records" ensures that they are handled in a manner that protects them from unauthorized access. This characteristic does not affect the length of the retention period.
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2.0 RECORDS CLASSIFICATION

- 2.1 Records are classified into Records Series to facilitate assignment of retention times, legal citations, and the overall maintenance of OC San records. Exhibit C to this Procedure is a list of Records Series and the associated definitions of each.
- 2.2 Classifications contain like records grouped together based on similar business function, usage, and retention time.
- 2.3 A Records Series is comprised of similar or related record titles that have a similar business function (purpose), are normally used and filed as a unit, and are retained for a similar time period.

3.0 RECORDS RETENTION SCHEDULE (RRS) MAINTENANCE

- 3.1 The RRS is a list of OC San records organized by Department/Division and Record Type/Records Series to which are assigned retention periods and other attributes.
- 3.2 Following the retention standards of the schedule ensures that OC San maintains appropriate records of OC San transactions and meets its legal obligations cost effectively by storing records as long as is operationally and legally required. The RRS shall be reviewed, evaluated, and updated periodically by the Clerk of the Board and/or designee, OC San Management, and General Counsel.
- 3.3 The retention periods assigned to each record series shall be maintained and updated, as needed, to meet changing business, legal, and regulatory requirements.

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Responsibility	Action
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Clerk of the Board and/or Designee	<ul style="list-style-type: none"> Coordinate the periodic update of the RRS and Records Series With Definitions. Provide training on RRS use and maintenance.
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Department/Division Records Coordinator	<ul style="list-style-type: none"> Periodically (but not less than annually) review the RRS associated with records in the Department/Division. Match the RRS against records stored in the office, shop, field, and other storage locations. Mark for deletion any records that are no longer maintained by the Department/Division. Note any new records that are not represented. Include a description of the record, the business function, the operating record retention requirements, and special records characteristics (vital, historical, or confidential). <p>Contact the Clerk of the Board <u>and/or designee</u> for direction as to how to proceed. A Records Retention Schedule Change Request Form (Exhibit A) may be requested to identify any updates or changes requested.</p>
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Clerk of the Board and/or Designee	<ul style="list-style-type: none"> Review the RRS change request and determine in which Records Series the record titles logically belong. Create a new Record Series if the record title does not logically belong to an existing series. In cooperation with the requesting Department/Division, develop a definition for the Records Series.
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- Assign to the new Record Series the applicable characteristics (if any): vital, historical, or confidential, as indicated by the Department/Division Records Coordinator.
- Determine legal retention requirements by reviewing pertinent legal citations.
- Provide direction to the Department/Division Records Coordinators for proper management of historical, vital, and confidential records.

4.0 RECORDS RETENTION SCHEDULE CHANGES

- 4.1 The Department/Division Records Coordinator may request a change to the RRS at any time.
- 4.2 Examples of changes that may initiate a change to the RRS include:
 - Change in the assigned Office of Record due to reorganization.
 - Change in the characteristics associated with the records: vital, historical, or confidential.
 - Change in the retention event associated with the records, for example: closed, complete, expired, or superseded.
 - Change in the legal and administrative requirements.
 - New record types that are generated or used in performing business functions.
 - Change in the definition of the Records Series that applies to Department/Division records.
 - Contact the ~~Assistant~~ Clerk of the Board and/or designee for any changes to the RRS. A Records Retention Schedule Change Request Form may be requested. The Clerk of the Board and/or

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designee will secure all the required approvals to initiate the requested modification.


- The Clerk of the Board and/or designee will communicate with the Department/Division Records Coordinator as to the outcome of the request, update the RRS, and distribute the updated RRS to all applicable parties (persons and web sites).

5.0 RECORDS PURGE

- 5.1 Eliminate records from active files and facilitate their timely destruction after all legal and business requirements have been met.
- 5.2 Only records that are useful in current business activities are retained, enabling timely retrieval of frequently used records.
- 5.3 Records with research or historical value are preserved in a controlled environment.
- 5.4 Records stored offsite are reviewed semi-annually and a list of retention expired records prepared by the Clerk of the Board and/or designee for each Department/Division.

6.0 INACTIVE RECORDS TRANSFER AND STORAGE

- 6.1 Inactive records are those records that have not met their required retention periods but are no longer current or frequently referenced.
- 6.2 Inactive files management standards are established by OC San to ensure that OC San records remain accessible and protected throughout the duration of their required retention periods.
- 6.3 Active files are periodically reviewed to identify those records that are inactive.
- 6.4 Inactive records that are identified during the review are purged from active file areas and processed for offsite storage.

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6.5 Systematic control of inactive records consists of:

- Properly packing the records in records storage boxes obtained from the warehouse and properly labeling the boxes.
- Preparing an index of the contents of the box using a Disposition Form.
- Contacting the Clerk of the Board and/or designee for a barcode.
- Follow the guidelines below when packing the records:
 - Each box shall only contain official inactive records. **Non-records and duplicate records should not be transferred to offsite storage.** They are destroyed in the active office area as appropriate.
 - **Do not pack different Records Series in the same box. Records Series packed together should have the same destruction date.**
 - Schedule the pick-up and transfer of the box(s) to offsite storage by contacting the Clerk of the Board and/or designee.

7.0 PURGING TRANSITORY RECORDS


7.1 Transitory records can be purged from file storage equipment and destroyed as soon as their usefulness in the performance of business functions are met.

7.2 **Do not send transitory records to offsite storage.**

8.0 RETRIEVING BOXES FROM OFFSITE STORAGE

8.1 Inactive records may be retrieved from the offsite storage center at any time by contacting the Clerk of the Board and/or designee.

8.2 Records may be retrieved only by staff from the Department/Division designated as “owner” of the records.

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- 8.3 In the event that staff from a Department/Division other than the owner requires access to the records, the retrieval request shall be approved by the Clerk of the Board and/or designee and the Department/Division that owns the records.
- 8.4 Boxes retrieved from the offsite storage center shall be returned to the center with the same records and in the same order as when they were received. Records should not be removed, nor should additional records be added. Should records need to be added/removed, or the box content altered in any way, contact the Clerk of the Board and/or designee as to how best to proceed.

Procedure 4.0

Records Retention Schedule Change Request Form

Exhibit A



Records Retention Schedule (RRS) Change Request Form

Date: _____ Division Number: _____

Retention Number (If Applicable): _____

Record Series/Record Type, Including Description (If Applicable):

Change Requested:

- Add Change Delete Combine
 Review Other (Describe): _____

Description of Change Requested:

Examples:

- Add: Need to Add a Record Series/Record Type for the retention of a certain type of record.
 Add a record to the Record Series/Record Type description.
 Add Media Type.
- Change: Need to Change the Retention Length of a certain Record Series/Record Type.
 Change Special Storage Consideration information.
- Delete: Delete a certain Retention Number; Delete a record in Record Series/Record Type description.
- Combine: Need to combine certain entries or information on the RRS.
- Review: Review the Retention Citations/Comments on a particular RRS entry.

Requester's Name & Signature:

Name (Print)	Signature	Date
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Authorization:

Legal Counsel Name & Signature:

Name (Print)	Signature	Date
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Records Management Name & Signature:

Name (Print)	Signature	Date
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For completion by Records Management	
Date Action Taken:	
Action Taken (Describe):	
Date Revised RRS Distributed & Posted to SharePoint:	


Procedure 4.0
Records Retention Schedule
Exhibit B

Procedure 4.0

Record Series With Definitions

Exhibit C

PLACEHOLDER

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SUBJECT: RECORDS DISPOSITION		Approved by: OC San Board of Directors

1.0 INTRODUCTION


- 1.1 Records disposition is a specific set of actions taken with regard to inactive records as determined through records appraisal.
- 1.2 Records disposition includes determining whether OC San records are eligible for destruction (records have been determined to be retention expired) or for longer-term preservation (records have been determined to be Historical Records or Inactive Records).

2.0 PURPOSE

- 2.1 The purpose of this procedure is to describe the procedures for dispositioning OC San Retention Expired Records, Inactive Records, and Historical Records in an organized and efficient manner.
- 2.2 This procedure ensures that appropriate review and approval are completed prior to destruction or longer-term storage of OC San records.
- 2.3 This procedure ensures that records that have an expired retention, but that are subject to a Records Hold of any sort (legal, audit, or other), are maintained until resolution of the matter or conclusion of the reason necessitating the Records Hold.
- 2.4 This procedure applies to all OC San records regardless of whether or not the records contain sensitive information (confidential). Should a unique process for disposition be required for any record, please contact the Clerk of the Board and/or designee and a process will be established that is mutually acceptable for all business purposes.

3.0 PROCEDURES

- 3.1 Records are periodically reviewed in order to identify those records that have met the required retention periods established in the Records Retention Schedule (RRS).
- 3.2 The review activity usually groups records into the following frequently used disposition groups:


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- 3.2.1 Retention Expired Records: Records that have met the required retention are considered obsolete and are processed for destruction.
- 3.2.2 Inactive Records: Records that have not met their retention periods but are no longer required to be in the immediate office area are considered inactive and are processed for offsite storage.
- 3.2.3 Historical Records: Records that have met their business function retention requirements but have historical or intrinsic value are considered Historical Records and are digitized and processed for long-term storage.
- 3.2.4 Active Records: Records that are required for current day-to-day business and are subject to frequent use; generally located near the user (if hardcopy); can easily be accessible on a networked server (if electronic); generally referred to more than once per month. May also be stored offsite.


4.0 PROCESSING OFFICIAL DISTRICT RECORDS FOR DESTRUCTION

- 4.1 Destruction of the official version of OC San records requires the approval of the following, as applicable:
 - Submitter
 - Department/Division Records Coordinator
 - Department/Division Supervisor
 - Department/Division Manager
 - Department/Division Director
 - Clerk of the Board (or designee)
 - Legal Counsel
- 4.2 Procedures to process destruction of expired records are included in the following chart:


Responsibility	Action
Clerk of the Board and/or designee	<ul style="list-style-type: none"> • Annually, at the start of the calendar year, issue a call to all Records Coordinators requesting a review and purge of their Active, Inactive, and Historical Records.

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Responsibility	Action
Division Records Coordinators (may also be a Submitter separate from the Records Coordinator)	<ul style="list-style-type: none"> Review existing records currently maintained in the office area or stored offsite. Review can be done annually at the start of the calendar year based on the call from the Clerk of the Board and/or designee (step above), or as business needs warrant. Review should be conducted using the appropriate RRS, using all components of any given Record Type (Record Type description, Retention Length, etc.). Calculate destruction dates using the Records Management Disposition Form (Exhibit A). Cross-reference records with any active Records Holds. The Clerk of the Board and/or designee should be contacted for any questions pertaining to Records Holds. Purge the files in accordance with the process outlined below and in Procedure 4.0. Do not purge any documents subject to a Records Hold. If there are records identified that have met the required retention periods, that are not subject to a Records Hold, complete a Records Management Disposition Form (Exhibit A). The Clerk of the Board and/or designee will prepare the Request for Authorization to Destroy Records (Exhibit B) and route the documents for digital signatures/approval. The Submitter and Records Coordinator are first and second, respectively, in the approval routing sequence.
Clerk of the Board and/or designee	<ul style="list-style-type: none"> Review the submitted Disposition Form and validate all information on the Disposition Form, including confirming the records are eligible for destruction (checking historical value, Records Holds, etc.). If the records identified are not eligible for destruction, advise the Records Coordinator and Submitter and handle according to the type of record. Prepare the Request for Authorization to Destroy Records, ensuring the appropriate RRS is included in the information that

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Responsibility	Action
Department/Division Supervisor	<p>is routed, and route for signature/approval. Digitally sign the forms approving destruction (in the approval routing sequence after Legal Counsel).</p> <ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Clerk of the Board and/or designee. The Clerk of the Board and/or designee will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Department/Division Manager	<ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Clerk of the Board and/or designee. The Clerk of the Board and/or designee will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Department/Division Director	<ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Clerk of the Board and/or designee. The Clerk of the Board and/or designee will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Legal Counsel	<ul style="list-style-type: none"> Review the submitted forms and determine whether to approve or disapprove the request for destruction of records. If you do not approve, please contact the Clerk of the Board and/or designee. The Clerk of the Board and/or designee will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues. Authorize approval to destroy records by digitally signing/approving the forms.


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Responsibility	Action
Clerk of the Board and/or designee	<ul style="list-style-type: none"> Upon complete approval, the Clerk of the Board and/or designee will send a copy of the approved forms to the Division Records Coordinator.
Division Records Coordinator & Assistant -Clerk of the Board <u>and/or designee</u>	<ul style="list-style-type: none"> Upon approval of the destruction request, the Records Coordinator and Clerk of the Board and/or designee will proceed with destruction procedures. If request for destruction is not approved for any reason, records will be maintained until resolution of the matter or conclusion of the reason necessitating the Records Hold.
Clerk of the Board and/or designee	<ul style="list-style-type: none"> Coordinate destruction of records. If the records are digital, notify IT of the necessary destruction or handle in other appropriate manner. Whoever destroys electronic files will be required to complete a Certificate of Digital Record Destruction (Exhibit C). The Clerk of the Board and/or designee will coordinate the completion of this document. If the records are confidential, arrange for destruction that will protect the confidentiality of the information. After destruction, ensure that a Certificate of Destruction is properly completed and signed. Maintain the Certificate of Destruction in the appropriate files. Update the Master Records Inventory and GRM database as applicable.

5.0 PROCESSING DUPLICATE RECORDS FOR DESTRUCTION

5.1 Duplicate records are documents that are copies of the original or official version of a record. A duplicate may be a paper version or an electronic version of the official record. Retention periods of original or official versions of a record do not apply to duplicate files. Duplicate records may be destroyed at any time, upon confirmation that the record is a duplicate.


5.2 Duplicate records should not be transferred or stored offsite.

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SUBJECT: RECORDS DISPOSITION		Approved by: OC San Board of Directors

- 5.3 Duplicate records are destroyed in the office or work area. To destroy a duplicate record, please contact the Clerk of the Board and/or designee for determination and confirmation that records are, in fact, duplicate records.
- 5.4 Formal destruction authorization may be required to destroy duplicate records.
- 5.5 If the duplicate records contain confidential information, they should be shredded to protect the confidentiality of the information. If the records are not confidential, they may be recycled or discarded.

6.0 PROCESSING VIDEO SURVEILLANCE FILES FOR DESTRUCTION


- 6.1 As allowed for in Government Code Section 53160, recordings of routine video monitoring are automatically overwritten after one year, on a daily basis on any given calendar date plus one year. Further, in the event that recordings are evidence in any claim filed or any pending litigation or hold, the recordings are preserved until pending litigation is resolved.
- 6.2 The OC San Board of Directors Resolution adopting the Records Management Program Procedures & Records Retention Schedule authorizes OC San to destroy recordings of routine video monitoring after any given calendar date plus one year.
- 6.3 The Information Technology (IT) Division has developed a daily task to perform the overwriting of OC San’s video recordings. The IT Division is responsible for the management of this activity.
- 6.4 Should OC San keep another record, such as written minutes or an audio recording of the event that is recorded in the video medium, the video recording may be destroyed or erased no less than 90 days after occurrence of the event recorded.
- 6.5 By signing the written consent (Exhibit D), OC San’s legal counsel approves of the foregoing destruction practices of video surveillance files and no further consent by legal counsel is required. Legal Counsel shall update this written consent should these practices be substantively modified at any time.

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7.0 PROCESSING LASERFICHE FILES FOR DESTRUCTION

- 7.1 The destruction of files from Laserfiche follows a similar process to Section 4.0 above, Processing Official District Records for Destruction.
- 7.2 Destruction of the official version of OC San records from Laserfiche requires the approval of the following, as applicable:
- Submitter
 - Department/Division Records Coordinator
 - Department/Division Supervisor
 - Department/Division Manager
 - Department/Division Director
 - Clerk of the Board (or designee)
 - Legal Counsel
- 7.3 Procedures to process destruction of expired records in Laserfiche are included in the following chart:


Responsibility	Action
Division Records Coordinators (may also be a Submitter separate from the Records Coordinator)	<ul style="list-style-type: none"> • Either in response to the automated workflow notification email from Laserfiche or during independent review of existing records maintained in Laserfiche, records are identified for destruction. Automated workflow notification emails from Laserfiche are generated by the retention workflow that is developed in Laserfiche using the RRS. • Hard copy records that might correlate to the identified records for destruction will be processed for destruction concurrent with the process below. The process outlined in Section 4.0 above applies. • Review should be conducted using the appropriate RRS, using all components of any given Record Type (Record Type description, Retention Length, etc.). Calculate destruction dates using the Records Management Disposition Form (Exhibit A). Cross-reference records with any active Records Holds. The Clerk of the Board and/or designee

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Responsibility	Action
Department/Division Manager	<ul style="list-style-type: none"> coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues. Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Clerk of the Board and/or designee. The Clerk of the Board and/or designee will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Department/Division Director	<ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Clerk of the Board and/or designee. The Clerk of the Board and/or designee will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Legal Counsel	<ul style="list-style-type: none"> Review the submitted forms and determine whether to approve or disapprove the request for destruction of records. If you do not approve, please contact the Clerk of the Board and/or designee. The Clerk of the Board and/or designee will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues. Authorize approval to destroy records by digitally signing/approving the forms.
Clerk of the Board and/or designee	<ul style="list-style-type: none"> Upon complete approval, the Clerk of the Board and/or designee will send a copy of the approved forms to the Division Records Coordinator.
Division Records Coordinator & Clerk of the Board and/or designee	<ul style="list-style-type: none"> Upon approval of the destruction request, the Records Coordinator and Clerk of the Board and/or designee will proceed with destruction procedures.

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Responsibility	Action
Clerk of the Board and/or designee	<ul style="list-style-type: none"> • If request for destruction is not approved for any reason, records will be maintained until resolution of the matter or conclusion of the reason necessitating the Records Hold. • Coordinate destruction of records. As these records are digital and in Laserfiche, only specific users with delete permissions in Laserfiche can delete the records from the active repository. If the records are confidential, arrange for destruction that will protect the confidentiality of the information. The authorized user will delete the records from the active Laserfiche repository. • Records will remain in the authorized user’s Laserfiche Recycle Bin for 90 days upon deletion from the active repository. The automatic purge of records in this location will occur after 90 days. • If the user restores a record from the recycle bin to the active repository that has been identified on the disposition form and authorized for destruction, the user is to notify Records Management as soon as possible. • Using the Laserfiche Global Recycle Bin, the Clerk of the Board and/or designee will review the user’s Laserfiche Recycle Bin to ensure its contents match the records approved for destruction. • The authorized user who destroys electronic files in Laserfiche will be required to complete a Certificate of Digital Record Destruction (Exhibit C). The Clerk of the Board and/or designee will coordinate the completion of this document. • The Clerk of the Board and/or designee will review the Global Recycle Bin at 91 days to ensure the records are no longer in the Global Recycle Bin.

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Responsibility	Action
	<ul style="list-style-type: none"> • Once purged from the Laserfiche Recycle Bin, the Laserfiche service account will delete the files from OC San's Laserfiche server. • The Assureon File Sync process will notice the deleted files and will verify authenticity of the deletion via two methods: Verify that the records were deleted by the Laserfiche application (lf.exe) and verify that the records were deleted by the Laserfiche service account. • Assureon will mark the records as expired in the restorVault Trusted System cloud and will permanently delete the records after a holding period of seven (7) days. • The Clerk of the Board and/or designee will maintain the Certificate of Destruction in the appropriate files and update the Master Records Inventory with destruction information.

Procedure 5.0

Records Management Disposition Form

Exhibit A

Procedure 5.0

Request for Authorization to Destroy Records Form

Exhibit B

Procedure 5.0

Certificate of Digital Record Destruction

Exhibit C



Certificate of Digital Record Destruction

THIS IS TO CERTIFY THAT THE DIGITAL RECORDS IDENTIFIED IN THE ATTACHED DOCUMENTATION*
HAVE BEEN COMPLETELY DESTROYED BY THE UNDERSIGNED IN ACCORDANCE WITH THE
RECORDS MANAGEMENT PROGRAM ADOPTED BY THE BOARD OF DIRECTORS OF THE ORANGE
COUNTY SANITATION DISTRICT

DIVISION NUMBER: _____

**RECORDS DESTROYED FROM THE FOLLOWING LOCATIONS
(LIST BELOW, FOR EXAMPLE: SHAREPOINT, H DRIVE):**

SIGNATURE: _____

PRINT NAME: _____

DATE OF DESTRUCTION: _____

**Disposition form and authorized destruction approval form must be attached*

Procedure 5.0

Legal Counsel Written Consent Authorizing the Destruction of Video Surveillance Files

Exhibit D




Legal Counsel Written Consent Authorizing the Destruction of Video Surveillance Files

This written consent serves as authorization by Orange County Sanitation District's legal counsel to perform destruction of video surveillance recordings as detailed in OC San Records Management Program Procedure 5.0 and adopted by the OC San Board of Directors by Resolution, and attached hereto.

Bradley R. Hogin
General Counsel

Date

	Orange County Sanitation District	Procedure Number: 6.0
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		Supersedes: <u>12/14/2023</u> 03/22/2023
SUBJECT: VITAL RECORDS		Approved by: OC San Board of Directors

1.0 INTRODUCTION


- 1.1 Vital records are those documents that contain information that enables the Orange County Sanitation District (OC San) to continue vital and critical operations in the event of a major interruption to business.
- 1.2 Such interruptions could be natural disasters (for example, earthquake, pandemic, sudden and severe energy shortage, or flood) or man-made disasters (for example, accidental fire, cyberterrorism, arson, or civil unrest) which result in the loss of the normal means of access to vital records.
- 1.3 In most organizations, vital records comprise between two and five percent of the total record volume. Vital records are identified with a “V” on the OC San Records Retention Schedule (RRS).

2.0 PURPOSE

- 2.1 The purpose of vital records management is to ensure that vital records are identified, protected, and accessible during or shortly following a disaster or major interruption to business.

3.0 SCOPE


- 3.1 Vital records are either irreplaceable or very difficult to replace.
- 3.2 Absence of vital records, or the inability to locate or translate vital records (in the case of machine-readable or digital records), means that OC San may not be able to provide critical services to the public and its employees during a disaster or shortly thereafter.
- 3.3 Vital records are maintained and protected in the format (paper, digital, BOLDplanning, etc.) that is most appropriate for efficient retrieval.
- 3.4 Vital records include records that enable OC San to:
 - 3.4.1 Provide required OC San safety and health services during and immediately following a disaster or other major interruption to business.

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- 3.4.2 Meet the obligations to OC San employees and retirees.
- 3.4.3 Reconstruct legal obligations and rights.
- 3.4.4 Establish the financial position of OC San.
- 3.4.5 Reconstruct OC San’s assets and ownership.

4.0 PROCEDURES

<u>Responsibility</u>	<u>Action</u>
Clerk of the Board <u>and/or</u> designee	Develop procedures for protecting vital records, either digitization and/or storing them onsite in fire-resistive equipment or by sending copies offsite. Identify viable onsite or remote storage sites for records protection. Coordinate vital records protection procedures with OC San’s Integrated Emergency Response Plan. Develop procedures for retrieving vital records within the identified time requirements following a disaster. Coordinate, identify, and develop agreements with vendors to provide records retrieval or recovery services required following a disaster. Work with the IT and Risk Managers to ensure that the management of vital records meets OC San’s needs.
Risk & IT Managers	Review the vital records procedures to ensure that OC San’s interests are protected and to ensure minimum exposure to risk in the event of a disaster.
Department/Division Records Coordinator	Identify vital records based on an evaluation of Department/Division business functions. Comply with procedures that protect vital records.

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Determine the frequency with which vital records must be stored both onsite and offsite.

Routinely copy and forward vital records to onsite or offsite protective storage facilities.

5.0 VITAL RECORDS CATEGORIES

- 5.1 The following is a list of records that are usually considered vital. If the Record Series/Record Type is indicated in the RRS, the Record Series/Record Type is identified as vital in the RRS.

Financial


Accounts Receivable
Fixed Asset Records
General Ledger
Loan Payments
Bank Statements
Stock Certificates
Payroll Tax Returns

Negotiable Instruments

OC San Benefit Contracts
Bonds
Employee Benefits Plans and Programs
Notes
Payroll

Ownership

Capital Investments
Titles

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OC San Administration

- Board Meeting Minutes
- Continuity of Operations Plan (COOP)
- Delegation of Authority
- Formation Files & Annexation Files
- Grant Deeds
- Ordinances
- Property & Other Lease Agreements
- Resolutions
- Significant Agreements
- Significant Capital Improvements/Construction Contracts and Other

Insurance

- Certificates of Insurance

Engineering


- Drawings
- Specification Conformed

Information Technology

- System and Software Documentation (Licenses, Source Code, Manuals (if created by OC San))

6.0 VITAL RECORDS FORMAT

- 6.1 Select the format for protecting and maintaining vital records that ensures accessibility and usability during a disaster or emergency response:
 - 6.1.1 Source document (original or designated official version, regardless of format).
 - 6.1.2 Distributed copy (copy of record that is routinely distributed).
 - 6.1.3 Reproduced copy (hard copy of record that is copied for OC San needs).
 - 6.1.4 Scan (scanned version of vital records).
 - 6.1.5 Magnetic Tape (digital version of vital record).


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6.2 Select Vital Records Protection Methods

- 6.2.1 Select the method most appropriate method to protect the vital record.
- 6.2.2 Verify existing dispersal of record and ensure that vital records are available in multiple, geographically separate locations as part of normal business activities.
- 6.2.3 Improve dispersal by initiating distribution of copies of vital records to a secure location at the time of document creation.
- 6.2.4 Duplicate records by reproducing copies of vital records in a medium appropriate to efficient storage and use and send to a secure location.
- 6.2.5 Move electronic vital records to Electronic Content Management System (Laserfiche).
- 6.2.6 Move hard copy vital records from active use areas once digitized and when no longer needed for active reference and send to a secure location.
- 6.2.7 Store vital records onsite in a secure location, such as the vault, that meets National Fire Protection Association (NFPA) standards for fire resistance.

6.3 Select Vital Records Update Frequency

- 6.3.1 Determine how often it is necessary to update vital records to ensure that the information is current.

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SUBJECT: HISTORICAL RECORDS		Approved by: OC San Board of Directors

1.0 INTRODUCTION

- 1.1 It is the policy of the Orange County Sanitation District (OC San) to identify and preserve records that have historical significance for OC San.

2.0 PURPOSE


- 2.1 The purpose of this procedure is to ensure that all OC San records are reviewed for historical value prior to destruction through the application of well-accepted appraisal criteria.
- 2.2 Historical Records are processed according to standard archival practices to ensure their preservation.

3.0 RESPONSIBILITY

- 3.1 The identification and review of Historical Records is administered under the authority of OC San's Records Management Program.
- 3.2 Both the Office of Record and OC San's Clerk of the Board and/or designee have a direct role in the implementation of identifying Historical Records.

4.0 OBJECTIVES

- 4.1 The objectives are:
- 4.1.1 Identify OC San records of historical value.
 - 4.1.2 Process OC San records of historical value in a manner that will ensure that they are properly preserved.
 - 4.1.3 To facilitate access to Historical Records by OC San and outside parties, OC San's Historical Records are identified as such on the Records Retention Schedule (RRS).
 - 4.1.4 Promote the use of OC San's historical records in such areas as agency planning, management, development, public relations, and litigation support.

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SUBJECT: HISTORICAL RECORDS	Approved by: OC San Board of Directors	

5.0 SCOPE

5.1 The scope includes the identification of records designated as historical on the RRS, the application of standard appraisal criteria at the end of the official retention period, and the processing and arrangement of historical records.

5.1.1 Processing and arrangement for paper records includes:


5.1.1.1 Removal of hardware (staples, brads, and other fasteners).

5.1.1.2 Placing documents in acid free folders and boxes that meet the standards for archival preservation.

5.1.1.3 Preparation of inventories and finding guides to the Historical Records.

6.0 PROCEDURE

6.1 The procedure applies to all OC San and contract staff who create, receive, or maintain OC San records.

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SUBJECT:	RECORDS MANAGEMENT PROGRAM AUDIT AND COMPLIANCE REVIEW	Approved by: OC San Board of Directors

1.0 INTRODUCTION


- 1.1 The Records Management Program Compliance Audit reviews and monitors compliance with the Orange County Sanitation District's (OC San) Records Management Program (the Program).
- 1.2 Periodically, Records Management conducts a compliance audit with several Departments/Divisions.
- 1.3 All Departments/Divisions should complete the audit process every two years.

2.0 PURPOSE

- 2.1 The purpose of the Program Compliance Audit is to ensure that all OC San records are created, received, maintained, and disposed of in accordance with the Board of Directors approved Records Management Policy and Procedure.

3.0 PROGRAM PROCEDURES

Responsibility	Action
Clerk of the Board and/or designee	<p>Review how Department/Division records are kept, where they are located, in what format (hardcopy or electronic), and security (who has access).</p> <p>Compare records eligible to be destroyed with those actually destroyed by the Department/Division. Note any record series destroyed prematurely or that have been retained beyond the approved destruction date.</p> <p>Review the Program, particularly the Records Retention Schedule and records disposition, with staff.</p> <p>Run a summary report of findings with recommended corrective action, if necessary, such as additional training or</p>

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SUBJECT:	RECORDS MANAGEMENT PROGRAM AUDIT AND COMPLIANCE REVIEW	Approved by: OC San Board of Directors


revisions to existing documentation. Submit the report to the Division Manager and Department Head.

**Department/Division
Records
Coordinator**

Assist the Clerk of the Board and/or designee in conducting the records compliance review in the designated Departments/Divisions.

Respond to the summary audit report findings by identifying which corrective actions are planned or have been completed.

Inform Records Management of changes within the Department/Division and business practices that potentially may have an effect on the Program.

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SUBJECT: RECORDS HOLD AND RELEASE	Approved by: OC San Board of Directors	

1.0 INTRODUCTION


1.1 At any time during the life of a record, Record Series, or types of records, there may be circumstances that require the “holding” or suspension of destruction of certain Record Series or types of records from being disposed of due to reasons specified by Legal Counsel, auditors, or Department/Division management.

1.2 Destruction suspension is a hold placed on the scheduled destruction of records that may be relevant to foreseeable or pending litigation, governmental investigation, audit, special organizational requirements, or other business needs not contemplated when the records were originally scheduled for disposal.

1.2.1 Examples of holds are:

- A. RIM Hold – Used when there is cause for Records Management to research records for inconsistent, missing, or incorrect information.
- B. Legal/Regulatory Hold – Used for financial audits or tax purposes and anticipated or pending litigation.
- C. Department/Division Hold – Request to hold records from a Department/Division with justification.
- D. Historical Hold – Preservation of records with justification requested.
- E. Retention Schedule Change Hold – Used when a change, addition, or deletion is required until the time the Records Retention Schedule (RRS) can be changed.
- F. Public Records Request – Preservation of records may be needed in relation to Orange County Sanitation District’s (OC San) response to any particular Public Records Request.

1.3 Depending upon the circumstances, a Records Hold may require the retention of all documents of a certain kind, whether they are hard copy records, electronic records, or non-records, as defined in Procedure 4.0.

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SUBJECT: RECORDS HOLD AND RELEASE		Approved by: OC San Board of Directors

1.4 Once a Records Hold has been placed on particular records or Record Series, the records will not be disposed of until a Records Hold Release has been issued by a Records Hold Requester and all parties have been informed as detailed below.

2.0 PURPOSE

2.1 The purpose of this procedure is to describe the procedures for suspending destruction or placing a Hold on the destruction of records that may be relevant to foreseeable or pending litigation, governmental investigations, audits, or other special OC San requirements; and for releasing the Hold when it is no longer necessary.

2.2 This procedure requires that the Clerk of the Board and/or designee and Department/Division Records Coordinators be notified when holds on the destruction of certain records are necessary, in addition to other parties as detailed below.

2.3 This procedure ensures that records subject to holds for any purpose are maintained until resolution or conclusion of the matter.


3.0 SCOPE

3.1 This Procedure documents the process of suspending destruction or placing a Hold on the destruction of records, and the related release of the Hold.

3.2 This Procedure applies to **any record, non-record, or transitory record, in any format, at any time** during the life of the record or transitory record.

4.0 PROCEDURES FOR REQUESTING RECORDS DESTRUCTION HOLD


Responsibility	Action
Legal Counsel Department/Division Management	<ul style="list-style-type: none"> Upon becoming aware of the need for the suspension of destruction of certain OC San records that may be relevant to <u>foreseeable</u> or <u>pending</u> litigation, governmental investigations, audits, other special OC San requirements, or other business reasons, notify the Clerk of the Board and/or designee. A form may be required for implementing the Hold (Records Hold & Records Hold Request Form, Exhibit A).

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SUBJECT: RECORDS HOLD AND RELEASE		Approved by: OC San Board of Directors

Responsibility

Action

Clerk of the Board and/or designee	<ul style="list-style-type: none"> Review all documentation submitted by Records Hold Requester (Legal Counsel or Department/Division Management). If necessary, contact Records Hold Requester to clarify scope of requested Hold. In collaboration with Legal Counsel, approve/authorize the Records Hold. Upload all information to GovQA Records Hold functionality to reflect the Hold and the Estimated Date of Release. Route Legal Hold to Legal Counsel, the EMT, IT, Manager, and Records Coordinators in <u>all</u> affected Departments/Divisions along with any specific instructions.
Department/Division Records Coordinators	<ul style="list-style-type: none"> Review and file all Records Hold information forwarded by Records Management. Prior to purging files or requesting destruction of records, cross-reference records identified to be purged or destroyed against Records Hold Requests on file. Identify documents subject to a Records Hold. Do not purge or request destruction of any documents subject to a Records Hold.
ECMS Administrator (IT)	<ul style="list-style-type: none"> The Electronic Content Management System (ECMS) (Laserfiche) Administrator (IT) will place a Legal Hold on relevant records in the ECMS.

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SUBJECT: RECORDS HOLD AND RELEASE	Approved by: OC San Board of Directors	

5.0 PROCEDURES FOR REQUESTING RECORDS HOLD RELEASE

Responsibility	Action
Clerk of the Board and/or designee	<ul style="list-style-type: none"> Periodically review Records Hold & Records Hold Release information in the GovQA portal and identify Estimated Dates of Release for previously placed Records Holds. If the Estimated Date of Release on a Records Hold has passed, contact the Records Hold Requester to inquire whether release of the Hold is appropriate. If the Records Hold Requester indicates that release of the Hold is appropriate, the Form (Records Hold & Records Hold Release Request Form), as previously submitted for implementation of the Records Hold, will be routed to the Records Hold Requester and completion requested. In collaboration with Legal Counsel, approve/authorize the Records Hold Release. Upon completion and submission of the Form, upload Form to GovQA and update the entry as appropriate and notify the Record Coordinators in all affected Departments/Divisions and provide any specific instructions. Legal Counsel, the EMT, Manager, and IT shall also be notified. If the Records Hold Requester indicates that release of the Hold is not yet appropriate, obtain and note the new Estimated Date of Release. Update all affected parties as indicated in the Holds process of this Procedure above.
Department/Division Records Coordinators	<ul style="list-style-type: none"> Review Records Hold Release information forwarded by the Clerk of the Board and/or designee. Identify documents within scope of the Records Hold Release and remove any notation of prior Hold. Any transitory records or records falling within the scope of the Records Hold Release may be purged or destroyed, following the appropriate process.
ECMS Administrator (IT)	<ul style="list-style-type: none"> The ECMS Administrator (IT) will release the Hold in the ECMS.

Procedure 9.0

Records Hold & Records Hold Release Request Form

Exhibit A



Records Hold & Records Hold Release Request Form

This form is for the purpose of both a Records Hold request and related Records Hold Release request.

Records Hold Request:

When specific types of records have been identified as needing to be held and disposal suspended, complete the Records Hold Request section of this form and send to Records Management. Records Management will return the completed form to the Requester for use, when appropriate, for the Release request.

Division Number: _____ Retention Number: _____

Record Series/Record Type to Hold, Including Description:

Record Dates: _____

Reason for Hold (Select All That Apply):

- RIM Hold Litigation Audit Tax Purposes
 Department/Division Hold Historical RRS Change Public Records Request
 Other (Describe): _____

Estimated Date of Records Hold Release: _____

Requester's Name & Signature:

Name (Print)	Signature	Date
--------------	-----------	------

Hold Authorization:

Legal Counsel Name & Signature:

Name (Print)	Signature	Date
--------------	-----------	------

Records Management Name & Signature:

Name (Print)	Signature	Date
--------------	-----------	------

For completion by Records Management

Date Hold Entered in GovQA: _____

Name of Records Coordinator & Date Informed of Hold: _____

Name of Manager & Date Informed of Hold: _____

Name of IT Staff & Date Informed of Hold: _____



Records Hold & Records Hold Release Request Form

This form is for the purpose of both a Records Hold request and related Records Hold Release request.

Records Hold Release Request:

This section should be completed and submitted when the records identified above (Records Hold Request section) no longer need to be held. Send the completed form to Records Management. Records Management will return the completed form to the Requester.

Reason for Release (Select All That Apply):

- RIM Release
 Litigation Concluded
 Audit Completed
 Tax Purposes Met
 Department/Division Release
 Historical Needs Met
 RRS Chang Completed
 Public Records Request Completed
 Other (Describe): _____

Date of Records Hold Release: _____

Requester's Name & Signature:

Name (Print)	Signature	Date
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Hold Authorization:

Legal Counsel Name & Signature:

Name (Print)	Signature	Date
--------------	-----------	------

Records Management Name & Signature:

Name (Print)	Signature	Date
--------------	-----------	------


For completion by Records Management

Date Release Entered in GovQA: _____

Name of Records Coordinator & Date Informed of Release: _____

Name of Manager & Date Informed of Release: _____

Name of IT Staff & Date Informed of Release: _____

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SUBJECT: PUBLIC RECORDS ACT - RELEASE OF RECORDS TO THE PUBLIC	Approved by: OC San Board of Directors	

1.0 STATEMENT OF POLICY AND LAW


The California Public Records Act (Government Code §7920.000 et seq.) (the “CPRA”, “PRA”, or “Act”) declares that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person. In furtherance of that policy, the Act mandates, with specified exceptions, that public records are open to inspection at all times during the office hours of state and local agencies. The Act, however, recognizes a number of specific statutory exemptions to the general rule of public disclosure. The Act also authorizes local agencies to adopt procedures for making records available and for recovering the direct costs of duplicating those records.

The spirit of the Act, and the policy of the Orange County Sanitation District (OC San), is to permit access to all disclosable public records in the possession of OC San, unless doing so would constitute an unwarranted invasion of personal privacy or the request calls for the production of records that are exempt from disclosure under the Act. Other records may be kept confidential on a case-by-case basis only after an OC San determination that the public interest served by non-disclosure clearly outweighs the public interest served by disclosure. An example of that type of record would be preliminary drafts of agreements prepared to facilitate discussion and/or negotiations if disclosure prior to final agreement would have an adverse effect on the negotiation process. However, such analysis will usually involve the assistance of General Counsel.

In addition, California courts have also recognized that certain records need not be disclosed if disclosure would reveal the public agency’s decision-making process in such a way as to discourage candid discussion within the agency, which would thereby undermine the agency’s ability to perform its functions.

2.0 PROCEDURE

2.1 The Clerk of the Board/Custodian of Records and/or designee (PRA Team) receive and process all Public Records Requests (Request) in accordance with Government Code §7920.000 et seq., California Public Records Act, and OC San Board approved Resolution. The PRA Team interprets each Request in accordance with Government Code §7922.600 and attempts to assist members of the public to identify the record that contains the information requested.

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- 2.2 OC San uses the GovQA Public Records Request Management Software (GovQA) to receive, correspond, route, track, and respond to Requests.
- 2.3 To ensure consistency with the process of Requests, if a Department/Division receives a request from the public or other party to provide public records, the Department/Division should direct the requestor to the [OC San Public Records Portal](#) link on the ocsan.gov website so that the request may be routed and tracked in the GovQA portal for response. The PRA team should be notified and will be able to assist.


3. PROCESS

- 3.1 Requests are received by OC San and placed in GovQA by either the requestor or in a few cases the PRA Team; and OC San staff users/approvers enter the portal to respond or upload documents to fulfill the request.
- 3.2 When a request is initially received, the PRA Team immediately responds to the requestor, via established, automated GovQA workflows, with an email receipt for the request that provides a legal explanation of the PRA process. The PRA Team determines if the request is complete or requires clarification (e.g., too broad, apparent typographical errors, etc.). If necessary, the PRA Team contacts the requestor for clarification.

If the PRA Team and Department Head believe that employee rights or significant interests of OC San could be compromised by the requested disclosure, the PRA Team and Department Head shall discuss the request with General Counsel prior to making such disclosure.

3.3 TIMELINESS.

Although OC San policy encourages a quicker response, the Act requires that the person requesting copies of OC San records be notified within ten (10) calendar days of OC San’s determination as to whether the request, in whole or in part, calls for the production of disclosable, non-privileged records that are in the possession of OC San. Occasionally, where assistance of General Counsel is appropriate, for example, the full ten (10)

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calendar days may be required in order to make the requisite determination. Under the Act, OC San may also be entitled to an additional fourteen (14) calendar days in which to make its initial determination under the following four (4) circumstances:


- 3.3.1 There is a need to search for and collect the requested documents from other offices, or offsite storage, separate from the office processing the request;
- 3.3.2 There is a need to search for, collect, and examine a voluminous amount of separate and distinct records which are demanded in a single request; or
- 3.3.3 There is a need to consult with another Agency or Department having a substantial interest in the determination of the request. This includes requests for Certified Payroll from an OC San Contractor or Sub-Contractor.
- 3.3.4 In the case of electronic records, there is a need to compile data, write programming language or a computer program, or to construct a computer report to extract data.

If the additional fourteen (14) calendar days are needed, either General Counsel or the PRA Team must notify the requestor, in writing, of the reason(s) for the fourteen (14) day extension and the date on which the determination is expected.

If the final determination is to deny a request to inspect or copy OC San records, General Counsel or the PRA Team shall notify the requestor, in writing, of the reasons for the denial.

3.4 PARTIAL DISCLOSURE.

If portions of the requested record(s) are determined to be exempt from disclosure and those portions can be reasonably segregated from the rest of the record(s) by deletion, redaction, or other means, the non-exempt portion shall be provided to the requestor.

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3.5 COST OF COPIES.

Under the Act, OC San is entitled to be reimbursed by the requestor for the direct costs of duplication. OC San has, however, made a policy determination to not charge the requestor for the first ten (10) pages. If a PRA request calls for the production of records in excess of ten (10) pages, then the requestor shall be required to pay twenty-five cents per page for each additional page, which shall be reimbursement of OC San's direct costs for duplication. The reimbursement rate shall not include recovery of costs for staff time spent searching for, retrieving, reviewing, evaluating, and/or handling of responsive records. At the sole discretion of OC San, OC San may require the requestor to submit, in advance, a check based on the estimated direct duplication costs.

Electronic records, which can easily be transmitted to the requestor via GovQA, are encouraged and will not be subject to the twenty-five cents per page copying charge.


At the sole discretion of OC San, and depending on the estimated number of responsive records, the requestor or OC San may retain the professional reprographic services of a bonded copy service. The requestor shall be required to pay for or reimburse OC San for the direct costs of duplication associated with the use of a bonded copying service. In the event OC San approves of the use of a bonded copying service, the requestor may select and retain a bonded copying service; however, such selection shall be subject to OC San's approval.

3.6 COST OF VIDEOTAPES, AUDIOTAPES, COMPACT DISCS, OR THUMB DRIVES.

The charge to the requestor for copies of videotapes, audiotapes, compact discs, DVD recordings, or thumb drives shall be at OC San's actual cost of reproduction and cost of device (videotape, audiotape, etc.).

3.7 MEDIA CONTACTS.

Employees are encouraged to refer all media contacts and media inquiries to the Administration Manager. All information requests requiring

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production of records shall be processed in accordance with the terms of this Procedure and, upon completion of the preparation of the copies, shall be delivered to the requesting media representative by the Administration Manager. Department Heads shall report any and all media contacts to the Administration Manager as soon as possible. The Administration Manager shall coordinate any action required by such contact with the Clerk of the Board and/or designee and keep the appropriate Department Head, General Manager, and General Counsel informed.

3.8 FORMS.

GovQA generated forms and letters shall be used by OC San staff for purposes of complying with this administrative procedure.

3.9 ACCESS TO FILES.

No member of the public and no OC San employee, other than an employee of the Department/Division processing records, shall enter GovQA or any file cabinets, record storage areas, or containers that hold OC San records, except when authorized by the PRA Team or Department Head.


When a requestor is reviewing physical files, a member of OC San staff must be present during the entire file review. This may be the Clerk of the Board, and/or designee, or staff member of the Department/Division that owns the records. The requestor may not remove any records during the file review.

3.10 REMOVAL OF RECORDS.

The unauthorized removal of any record of OC San is a violation of California Government Code §6201, and is punishable by imprisonment, fine, or both.

3.11 LITIGATION DOCUMENTS.

The charge for all copies of any OC San document or record produced pursuant to a subpoena or request for production of documents issued by a Court or an authorized administrative or regulatory agency or tribunal,

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shall be twenty-five (\$0.25) cents per page to reimburse OC San for its costs of research, retrieval, examination, handling, copying, and certification of the documents.

In the event, due to size or volume of the responsive records, special reproduction services are required, the person making the request shall pay the actual charges incurred for either OC San’s in-house copy service or an outside copy service.


For large records requests, OC San shall require an advance deposit based on the estimated direct copying costs. Said deposit shall be paid by the requestor prior to OC San commencing any work to obtain and copy the requested records.

Litigation document requests shall be handled by General Counsel and the Clerk of the Board, and/or designee.

4.0 ROUTINE REQUESTS

4.1 If the PRA Team determines the nature of the request to be routine (e.g., Environmental Site Assessments, stale check data requests, contract documents, etc.), the PRA Team will then determine which Department/Division should receive the request and route it accordingly via GovQA. The following types of requests route directly to the staff liaison that has been pre-designated by Department/Division management:

- A. Contracts and Purchasing. If a request is made to either Division, the entire Division, including the Supervisor and Manager, are notified. The request is fulfilled,, and the Supervisor or Manager approves prior to release. This prevents delays in turn-around due to absenteeism. Routine requests include RFP/RFQ bidder information, cumulative purchase order lists, and contract compliance.
- B. Environmental Services. Requests for Environmental Site Assessment data are routed to the Department Director, Environmental Services Managers, and designated administrative staff members in the Environmental Services Department.

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- C. Finance Department. Routine requests for stale check data and Sewer Service Fees/Rebate information automatically route to a designated staff member as determined by the Director of Finance.
- D. Planning/Engineering. Requests for sewer connection/lateral maps and requests for Certified Payroll route to a designated staff member as determined by the Director of Engineering.
- E. Human Resources. Requests are sent to a designated staff member as determined by the Human Resources Manager.

5.0 NON-ROUTINE REQUESTS

- 5.1 Non-routine requests consist of a variety of things. Examples of these are: all email/correspondence for a certain staff member, which requires IT assistance for e-Discovery; requests from law offices; or any request that the Clerk of the Board and/or designee believes or determines is related to anticipated or current litigation.
- 5.2 Non-routine requests are sent to affected, appropriate staff and/or General Counsel before beginning the process. Each Department/Division will assist with the process for research and retrieval and approval of what is released to the public.

6.0 COMPLETION

- 6.1 Once a request has been completed by the affected Department/Division, the request routes back to the PRA Team for final review before release. The review consists of checks for accuracy, confidentiality, or personal information, and redaction prior to release.
- 6.2 The Clerk of the Board will provide a weekly summary containing the number of Requests received and processed with assigned Department detail to the Administration Manager and/or General Manager.

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SUBJECT:	ELECTRONIC COMMUNICATIONS POLICY	Approved by: OC San Board of Directors

1.0 INTRODUCTION

1.1 The Electronic Communications Policy of the Records Management Program (the Program) controls the maintenance and storage of Orange County Sanitation District (OC San) electronic mail records, text messages, instant messages, voicemail, and social media. Following the retention procedures ensures compliance with pertinent statutory, regulatory, operating, and administrative recordkeeping requirements. In addition, it ensures that records needed to conduct OC San business are protected and accessible. The Records Retention Schedule (RRS) is the foundation of the Program and defines the periods required to maintain OC San records, including all electronic communications.


2.0 PURPOSE

2.1 POLICY OBJECTIVES.

- 2.1.1 Provide clear and concise direction regarding use and retention of OC San's electronic communications systems, including electronic mail (email), text messaging, instant messages, and voicemail.
- 2.1.2 Comply with all applicable State and Federal laws and OC San Personnel Policy 5.10 related to the use of email and all other forms of electronic communication.
- 2.1.3 Address the California Supreme Court's 2017 decision in *City of San Jose v. Superior Court of Santa Clara County*, holding that a Public Agency employee's communications related to the conduct of public business are subject to the California Public Records Act, even if they were sent or received using a personal account or personal device.

3.0 SCOPE/BACKGROUND

3.1 This policy applies to all persons (including employees, appointed officials, interns, and contractors) who are permitted to use OC San's computing or network resources, particularly the email functions of the system

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("Authorized Users"). "Email" means any electronic communication to or from any Authorized Users using the Email System, including all information, data, and attachments to the electronic communication. **"Email System"** means the system of devices (including hardware, software, and other equipment) owned and controlled by OC San or the Authorized User for the purpose of facilitating the electronic transmission. **"Electronic Communications"** includes any and all electronic transmission, and every other means of recording upon any tangible thing in any form of communication or representation, including letters, words, pictures, sounds, symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. Without limiting the nature of the foregoing, electronic communications include email, texts, instant messages, voicemails, and include communications on or within applications (apps) such as Facebook Messenger, Twitter, Microsoft Teams, etc. **"Electronic Communications Systems"** means the system (including hardware, software, and other equipment) owned and controlled by OC San or the Authorized User for the purpose of transmitting Electronic Communications.

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4.0 POLICY

4.1 ROLES AND RESPONSIBILITIES.

- 4.1.1 The Board Services and Information Technology (IT) Divisions are responsible for administering this policy and procedure.
- 4.1.2 The OC San Clerk of the Board and/or designee, with the advice of General Counsel, will monitor compliance and make the final determination of official records of OC San.
- 4.1.3 All Authorized Users are responsible for compliance with this policy and procedure.

4.2 DEFINITION OF "OFFICIAL OC SAN RECORD".

Under this Policy, the definition of **"Official OC San Record"** is the same as the definition provided in the California Public Records Act (Cal. Gov.

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Code §7920.000 et seq.) (~~CPRAPublic Records Act~~) for "public records" and "writing":


"... 'Public records' include any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics..."

"... 'Writing' means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored."

4.3 ELECTRONIC COMMUNICATION RELATED TO OC SAN BUSINESS IS AN OFFICIAL OC SAN RECORD.

4.3.1 Email and other forms of ~~electronic~~ Electronic Communication, such as voicemail, texts, instant messaging, and social media posts, generate correspondence and other types of records that can be recognized as Official OC San Records and may be subject to disclosure under the ~~CPRAPublic Records Act~~. In addition, any Official OC San Record created through ~~email~~ Email and other forms of ~~electronic~~ Electronic Communication must be protected and retained in accordance with records retention laws.

4.3.2 Messages transmitted using OC San's Email System, Electronic Communications Systems, or OC San-owned equipment with capabilities for text messaging and/or voicemail, should be messages which involve OC San business activities and contain information essential to accomplishment of business-related tasks, or can otherwise be recognized as Official OC San Records. Any incidental (personal) email, text, instant message, or voice messages are not considered public records, but may still be discoverable. All ~~electronic~~ Electronic Communications are the property of OC San.

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4.4 OC SAN'S ~~ELECTRONIC COMMUNICATION-EMAIL~~ SYSTEMS ~~ARE~~ NOT FOR STORAGE.


OC San reserves the right to retrieve and make proper and lawful use of any and all ~~electronic-Electronic communications-Communications~~ transmitted through OC San's ~~Electronic Communications Email-Systems~~ and any OC San-owned and subsidized equipment. Although the use of ~~electronic-Electronic communications-Communications~~ is considered official OC San business, OC San's ~~Electronic communications Communications systemsSystems~~, including email, text messaging, instant messaging, and voicemail, are intended as a medium of communication only. Therefore, the Email System, ~~Electronic Communication Systems~~, and any OC San-owned or subsidized equipment such as ~~Microsoft Teams and~~ cell phones should not be used for the electronic storage or maintenance of documentation, including, but not limited to, Official OC San Records. Regarding ~~email>Email and Teams Chat~~, the system administrator performs regular electronic back-up of OC San's ~~Electronic CommicationsEmail~~ Systems; however, the back-up is not a copy of all OC San ~~email~~ activity that occurred during any given period.

5.0 GUIDELINES FOR PROPER EMAIL USAGE

5.1 Authorized Users are responsible for managing their ~~Email~~ mailboxes, including organizing and deleting any non-OC San related messages that do not constitute Official OC San Records. Authorized Users are responsible for determining if ~~emails-Emails~~ contain substantive information regarding OC San business or may later be important or useful for carrying out OC San business, and thus could be considered as Official OC San Records.

6.0 USE OF OC SAN ELECTRONIC COMMUNICATIONS VIA PERSONAL ACCOUNTS

6.1 OC San accounts shall be used to conduct OC San business. Authorized Users should not use personal accounts for the creation, transmission, or storage of ~~electronic-Electronic communications-Communications~~ regarding

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OC San business.

- 6.2 All Authorized Users shall, within 90 days following the adoption of this updated policy, search all private, non-governmental electronic messaging accounts to which they have user access and locate any ~~electronic Electronic communications-Communications~~ that might constitute an Official OC San Record. All such communications shall be forwarded to the Authorized User's OC San-provided account. To the extent the Authorized User believes that any part of such communications contains personal matter not related to the conduct of the public's business, the Authorized User shall provide a declaration, as set forth in Exhibit A.
- 6.3 If an Authorized User receives an electronic message regarding OC San business on his/her non-OC San electronic messaging account, or circumstances require such person to conduct OC San business on a non-OC San account, the Authorized User shall either: (a) copy ("cc") any communication from an Authorized User's personal electronic messaging account to his/her OC San electronic messaging account; or (b) forward the associated ~~electronic-Electronic communication-Communication~~ to his/her OC San account no later than 10 days after the original creation or transmission of the ~~electronic-Electronic communicationCommunication~~.
- 6.4 Authorized Users shall endeavor to ask persons sending ~~electronic Electronic communications-Communications~~ regarding OC San business to a personal account to instead utilize the Authorized User's business account and, likewise, shall endeavor to ask a person sending an ~~electronic Electronic communication-Communication~~ regarding non-OC San business to use the Authorized User's personal or non-OC San electronic messaging account.

7.0 ELECTRONIC COMMUNICATIONS AND PRIVACY

7.1 NO EXPECTATION OF PRIVACY.

- 7.1.1 OC San Personnel Policy 5.10 states that OC San Electronic Communication devices are the exclusive property of OC San. Authorized Users have no right or expectation of privacy or

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confidentiality in any message created, sent, received, deleted, or stored using the OC San Email System, ~~Electronic Communications Systems~~, or any OC San-owned or subsidized communication devices. All messages and any attachments on OC San’s computer network, Email System, ~~Electronic Communications System~~, OC San-owned system or device, or OC San subsidized communication device are subject to OC San review and disclosure of ~~electronic Electronic communications-Communications~~ regarding OC San business.

7.1.2 Electronic ~~communications-Communications~~ regarding OC San business that are created, sent, received, or stored on an electronic messaging account may be subject to the ~~CPRAPublic Records Act~~, even if created, sent, received, or stored on a personal account or personal device. Most communications that include Authorized Users are not confidential communications; however, certain communications such as investigations, personnel records, or attorney-client communications may be confidential or contain confidential information. Questions about whether communications are confidential, and how they are to be preserved, should be discussed with the Clerk of the Board and/or designee.

7.2 USE CAUTION WITH CONFIDENTIAL INFORMATION.

All Authorized Users must exercise a greater degree of caution in sending confidential information on OC San’s ~~electronic-Electronic communications Communications systems-Systems~~ than they take with other media because of the risk that such information may be copied and/or retransmitted. All ~~email-Email correspondence~~ containing confidential information should be tagged as such and stored in a clearly labeled confidential folder to protect and preserve the privacy and confidentiality of the record. When in doubt, do not use ~~email>Email~~, text messaging, instant messaging, or voicemail as a means of confidential communication.

8.0 PUBLIC RECORDS REQUESTS, RETENTION, AND DESTRUCTION

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Electronic ~~communications-Communications~~ are a business tool which shall be used in accordance with generally accepted business practices and all Federal and State laws, including the ~~CPRA California Public Records Act~~, to provide an efficient and effective means of intra-agency and interagency communication. Under most circumstances, communications sent electronically are public records, subject to disclosure under the ~~CPRA California Public Records Act~~ and subject to records retention laws applicable to a variety of government agencies.

8.1 PRESERVING ELECTRONIC MESSAGES ~~- CPRA PUBLIC RECORDS ACT~~ REQUESTS, SUBPOENAS, CLAIMS, AND POTENTIAL CLAIMS AGAINST OC SAN.

OC San receives requests for inspection or production of documents pursuant to the ~~CPRA Public Records Act~~, as well as subpoenas or court orders for documents. In the event such a request or demand includes electronic messages, Authorized Users who have control over or access to any such messages, once they become aware of the request or demand, shall use their best efforts, by reasonable means available, to temporarily preserve any such message until it is determined whether the message is subject to preservation, public inspection, or disclosure. Authorized Users shall contact the Clerk of the Board and/or designee regarding any such messages that are within their control.

8.2 CALIFORNIA PUBLIC RECORDS ACT ~~(CPRA)~~.

8.2.1 In the event a ~~CPRA Public Records Act~~ request is received by OC San seeking ~~electronic-Electronic communications-Communications~~ of Authorized Users, the Clerk of the Board, ~~and/or~~ designee, shall promptly transmit the request to the applicable Authorized User whose ~~electronic-Electronic communications-Communications~~ are sought. The Clerk of the Board, ~~and/or~~ designee, shall communicate the scope of the information requested to the applicable Authorized User, and an estimate of the time within which the Clerk of the Board, ~~and/or~~ designee, intends to provide any responsive electronic communications to the requesting party.

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8.2.2 It shall be the duty of each Authorized User receiving such a request from the Clerk of the Board, ~~and~~/or designee, to promptly conduct a good faith and diligent search of all Business and Personal electronic messaging accounts and devices for responsive ~~electronic Electronic communications~~ ~~Communications~~. The Authorized User shall then promptly transmit any responsive ~~electronic-Electronic communications-Communications~~ to the Clerk of the Board, ~~and~~/or designee. Such transmission shall be provided in sufficient time to enable the Clerk of the Board, ~~and~~/or designee, to adequately review and provide the disclosable ~~electronic-Electronic communications Communications~~ to the requesting party. If the Authorized User is unable to transmit the responsive communications, the IT Division has the ability to extract the pertinent communications and ensure the appropriate metadata is preserved.


8.2.3 Based on the nature of the ~~CPRAPublic Records Act~~ request, the Clerk of the Board, ~~and~~/or designee, may also request an eDiscovery of all ~~Email System and Electronic Communications Systems~~ ~~electronic email~~ records and instant messages through the IT Division.

8.2.4 In the event an Authorized User does not possess responsive ~~electronic-Electronic communications-Communications~~ from OC San's owned or subsidized ~~Electronic Communications Systems~~ ~~electronic messaging~~ account, the Authorized User shall so notify the Clerk of the Board, ~~and~~/or designee, by way of a written declaration (Exhibit A).

8.3 **AUTOMATIC DELETION OF EMAIL ~~AND TEAMS CHAT~~.**


OC San's ~~email-Email system-System~~ automatically deletes OC San ~~emailsEmails~~, including any text messages that become ~~emailsEmails~~, which are more than **24 months** old from "Inbox" and "Sent" email folders of each OC San email user. Email in "Deleted" folders will be automatically removed after **ninety (90)** days.

OC San's Teams Chat will be automatically removed after **ninety (90)** days.

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8.4 EMAIL FOLDER ~~AND TEAMS CHAT~~ MANAGEMENT.


- 8.4.1 Authorized Users are responsible for the daily management of their ~~email-Email~~ boxes and associated folders. To ensure maximum efficiency in the operation of the Email System, Authorized Users are directed to delete ~~email-Email messages~~ that ~~is are~~ NOT Official OC San Records from their inboxes on a weekly basis. These transitory email records, based on the content of the information which only have a retention value of a few days or weeks, can be deleted from the Email Inbox upon review and determination when the purpose of the information has been fulfilled - which can be any time up to 90 days. **All email records moved to Deleted will be automatically purged by IT after 90 days.** Examples of such messages are personal emails, solicitations, email advertisements/announcements, or newsletters.
- 8.4.2 If ~~email-Email and Teams Chat messages~~ that are not Official OC San Records are necessary for transitory work, preliminary drafts, or preparation of work product or personal notes, Authorized Users should either move the record to a dedicated ~~email~~ (working) folder, print the ~~communicationemail~~ and maintain the paper copy, take a snapshot of the communication and save in a format most appropriate, or create a PDF version of the ~~communicationemail~~ (save as PDF) and store the file in an electronic folder on OC San's network drive (OneDrive, SharePoint, or SharePoint Online) to be deleted when no longer needed.
- 8.4.3 Attachments to ~~email-Electronic Communications messages~~ should be retained or disposed of according to the content of the attachment itself, not according to the ~~email-Electronic Communication~~ transmitting the attachment. Many ~~email~~ attachments are duplicates of existing documents or are draft versions of documents that might not be retained by OC San after the final version of the document is complete. If you need help in determining whether an attachment to an ~~email-Electronic Communication message~~ must be retained, please contact the Clerk of the Board and/or designee.

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8.5 DETERMINATION OF RECORD.

In accordance with OC San’s RRS, it is the responsibility of Authorized Users to determine if an ~~electronic—Electronic communication~~ Communication is an Official OC San Record which must be retained in accordance with OC San’s RRS. Electronic ~~communication~~ Communications messages (including any attachments) that are deemed to be Official OC San Records shall be preserved. Authorized Users shall consider the content of an ~~electronic—Electronic communication~~ Communication when determining if it is an Official OC San Record. The Clerk of the Board and/or designee can assist in making such a determination. In addition, following is a general guideline for determining whether an ~~electronic—Electronic communication—Communication~~ is an Official OC San Record:

Electronic Communications that are generally considered as Public Records (Official OC San Record)	Electronic Communications that are generally NOT considered as Public Records / in general not an Official OC San Record
(Retention time is 2 years or more)	(Retention time is no more than 90 days)
Electronic Communication that is created or received in connection with official OC San business.	Personal messages and announcements not related to official OC San business.
Electronic Communication that shows how an OC San policy was created or how a decision was made by OC San staff and/or the OC San Board of Directors.	Duplicate documents (copies or excerpts) distributed for convenience or reference.
Electronic Communication that begins, authorizes, or completes an item or a transaction of official OC San business.	Transmittal messages that merely assist the flow of work.
Electronic Communication that documents significant official	Electronic Communications containing preliminary drafts, notes,

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decisions or commitments reached verbally (person-to-person, by phone, or in conference) and not otherwise documented in OC San files.	or interagency or intra-agency memos that are not retained in the ordinary course of business. Government Code §6254(a). Records that are normally retained do not qualify for this exemption.
--	--

8.6 ELECTRONIC COMMUNICATIONS UPON TERMINATION.

Upon an Authorized User's retirement or termination, IT will forward the user's ~~electronic—Electronic communications—Communications~~ to the immediate Supervisor for review. In accordance with the policy herein, it is the Supervisor's duty to review and determine which email/text messages, voicemails, etc. should be preserved, retained, or disposed of according to the content of the ~~communicationemail~~ and following OC San's approved RRS.

Once determined, the Supervisor should either transfer the records to a dedicated ~~email~~ (working) folder ~~in their email inbox~~, print the communication and maintain the paper copy, take a snapshot of the communication and save in a format most appropriate, or create a PDF version of the email (save as PDF) and store the file in an electronic folder on OC San's network drive (OneDrive, SharePoint, or SharePoint Online) to be retained or to be deleted when no longer needed. Once completed, IT will dispose of the ~~entire mailbox content of the Electronic Communications System~~ after 90 days unless otherwise requested by the Supervisor.

Procedure 11.0

Declaration Regarding Search of Personal Electronic ~~Messaging~~ Communications Accounts

Exhibit A

In the matter of:

California Public Records Act Request
Pursuant to Government Code
§7920.000~~6250~~ et seq.

Re:

Insert name of record request

Request #: _____

Declaration of:

Print or type name of user

**DECLARATION REGARDING SEARCH OF
PERSONAL ELECTRONIC ~~MESSAGING~~
COMMUNICATIONS ACCOUNTS**

STATE OF CALIFORNIA
COUNTY OF ORANGE
ORANGE COUNTY SANITATION DISTRICT

I, _____ declare:
Print name

1. I received notice of a California Public Records Act (“CPRA”) request regarding a search of my personal electronic ~~communications~~messaging account(s).
2. I understand that the CPRA request seeks:

Insert text of CPRA request.

3. I am the Owner or Authorized User of the following personal electronic ~~messaging~~communications account and have the authority to certify the records:

Insert description of personal electronic messaging account(s).

4. I have made a good faith, diligent, thorough, and complete search of the above mentioned personal electronic ~~communications~~messaging account(s) for all electronic communications potentially responsive to the above mentioned CPRA request.
5. Any responsive electronic communications discovered, and referenced below, were prepared or used by me in the ordinary course of business at or near the time of the act, condition, or event.
6. Any responsive electronic communications discovered, and referenced below, are true copies of all records described in the above mentioned CPRA request.

Check the applicable box:

- I certify that I do not possess responsive electronic communications.
- I certify that I cannot reasonably recover responsive electronic communications without technical assistance.

Explain efforts to retrieve responsive electronic communications and why you were unable to recover responsive electronic communications. Add technical assistance required.

- I certify that I discovered potentially responsive electronic communications from my personal electronic messaging-communications account, but I am withholding that information because the information is “personal” business. This is for the following reasons:

Describe with sufficient facts why the contested information is personal business and not subject to the CPRA. Attach additional pages, if necessary.

- I certify that I discovered potentially responsive electronic communications from my personal electronic messaging-communications account. I am providing all responsive information. However, some information is non-responsive, and I am withholding that information because the information is personal business. This is for the following reasons:


Describe with sufficient facts why the contested information is personal business and not subject to the CPRA. Attach additional pages, if necessary.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I have personal knowledge of the facts set forth above.

Executed this ___ day of _____ 20___, in _____, California.

By: _____

Print Name: _____

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SUBJECT: ESCROW OF BID DOCUMENTS	Approved by: OC San Board of Directors	

This Procedure applies only to Invitation for Bids (IFBs) with an award amount of \$10,000,000 or more, to the two (2) lowest responsive, responsible bidders.

1.0 PRE-BID

1.1 If Escrow of Bid Documents (Escrow) is required (per Bid Requirements Form), the Contracts Administrator (CA) will notify Records Management (Clerk of the Board and/or designee) of the need for Escrow and will establish a time and date for Bidder(s) to submit their Escrow Bid Documents ~~for escrow~~ Escrow as specified in the Special Provisions, "Escrow of Bid Documents."

- a. This date and time of submission will be within the date and time set forth in the Contract's Special Provisions.
- b. The date must also be coordinated with Records Management's schedule.

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1.2 CA submits a Meeting Planner to reserve a room in the Administration Building for receipt of the Escrow ~~of~~ Bid Documents Meeting (Meeting).


1.3 CA schedules the Meeting with Records Management, via Outlook Calendar, on the date and time scheduled for the Meeting.

~~1.4 Upon receipt of the Outlook meeting request,~~ Records Management schedules the date for Offsite Storage (GRM), as soon as practicable, to transfer the Escrow Bid Documents to offsite storage.


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~~1.4.1.5~~ Board Services is the office of record for all original documents prepared and/or received in the steps below. A digital copy of the documents will be maintained in Laserfiche and will be available for viewing by to the CA. If desired, a copy of any of the documents identified below may be provided to the Bidder and/or CA. All copies shall be marked "copy".

2.0 BID OPENING

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- 2.1 At Bid Opening, OC San announces the two (2) lowest Bidders who will be required to submit their Escrow Bid Documents ~~for Escrow~~ within the date and time set forth in the Special Provisions.
- 2.2 At the Bid Opening, Bidders shall be reminded that:
 - 2.2.1 Failure to timely submit the Escrow Bid Documents ~~for Escrow~~ may result in a Bidder being deemed non-responsive.
 - 2.2.2 Escrowed Bid Documents must be delivered in a sealed container, marked with the project name and the words "Escrowed Bid Documents". ~~If Bidders are not using a safe, When possible, Bidders should use a regular document storage size box (10"x12"x15"). Type of container should be communicated to CA, and via CA to Records Management, as required for scheduling GRM pick up.~~
- 2.3 The Escrowed Bid Documents shall be accompanied with a Bid Document Certification for Escrow document (sample image below), provided to ~~each~~ the two (2) lowest Bidders by the CA, signed by an individual authorized by the Bidder to execute the ~~Bidding proposal~~ Bid, stating that the material in the Escrowed Bid Documents container constitutes the complete, only, and all documentary information used in preparation of the Bid and that he/she has personally examined the contents of the Escrowed Bid Documents container and has found that the documents in the container are complete.

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BID DOCUMENT CERTIFICATION FOR ESCROW

(Project Number)
(Project Name and information)

The material in the Escrow Bid Documents constitutes the complete, only, and all documentary information used in preparation of the bid and by the authorized signature below. Bidder represents that he or she has personally examined the contents of the Escrow Bid Documents container and has found that the documents in the container are complete.

Signature of individual authorized by the Bidder to execute the Bidding Proposal

Printed Name Title


Company

Date

Revision 012716


3.0 POST BID OPENING

- 3.1 After Bid Opening, but no later than the date and time of the Meeting, Records Management will prepare an OC San Escrow Records Storage Facility Transfer Request & Tracking form (Form) (sample image below) for each Bidder's Escrowed Bid Documents.

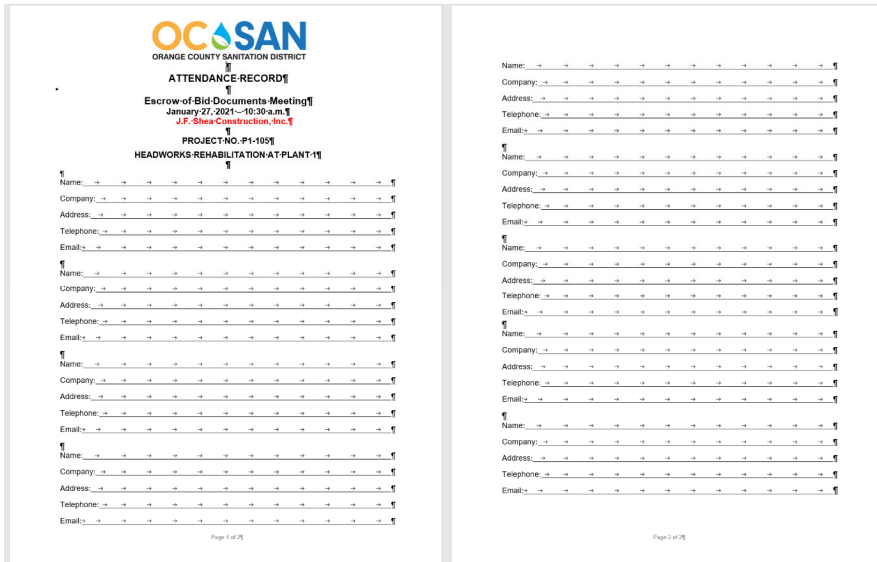
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OC-San Escrow Records Storage Transfer Request & Tracking		Date: <u>05/05/2021</u>	
Project Number and Name: <u>P1-128A, Headworks Complex at Plant No. 1</u> Contractor: <u>Swinerton Builders</u> Requestor: <u>Digna Olmos</u> Division Name and Number: <u>Contracts 230</u>		Offsite Storage Location & Tracking Barcode: AFFIX BAR CODE HERE	
Meeting/Transacting Date	Transaction/Activity	Authorization Signatures	Comments/Notes
Original Records Intake 05-05-2021 / 9:00 a.m.	Intake of Escrow Bid Documents Meeting	<u>Contractor Representative Print Name</u> <u>Contractor Representative Signature</u>	Information Recorded on Escrow Inventory
<u>05-05-2021</u>	Escrow Bid Documents Sent Offsite	<u>Records Management Print Name</u> <u>Records Management Signature</u>	Information Recorded on Escrow Inventory
Document Review Meeting (If Applicable) Date & Time:	Escrow Bid Documents Retrieval & Review <input type="checkbox"/> Check here if inventory of records (Contracts document) added to storage container	<u>Records Management Print Name</u> <u>Records Management Signature</u> <u>Contractor Representative Print Name</u> <u>Contractor Representative Signature</u>	If applicable, escrow records inspected by contractor(s) and OC San staff. Documents not officially released and will be resealed and sent back offsite. Date sent offsite:
Date Pending	Release of Escrow Bid Documents Meeting	<u>Contractor Representative Print Name</u> <u>Contractor Representative Signature</u>	
Storage Intake Approved By: → → → → → Date:			
OC San Records Management			
Storage Permout Approved By: → → → → → Permout Date:			
OC San Records Management			

A separate Form is required for each Bidder's Escrowed Bid Documents ~~box due to the fact since~~ each Bidder's escrow box is assigned a separate bar code to be affixed to the Form. Also, each Bidder must sign the Form applicable to their their-its documents. ~~After the meeting, Records Management scans and saves a copy of all documents.~~


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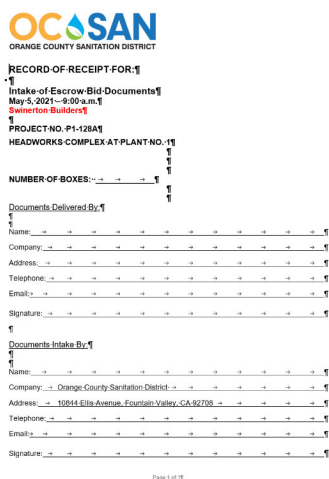
3.2 In preparation for the arrival of Bidders for the Meeting, ~~the CA Records Management~~ shall prepare an Escrow of Bid Documents Meeting Attendance Record for record of attendance which will be completed by the representative of each company and all the OC San staff in attendance at the Meeting. ~~A copy should be made and provided to each representative of the company delivering documents and the original kept on file by Records Management.~~



3.3 At the Meeting, the two lowest Bidders will hand deliver their Escrow Bid Documents to OC San Records Management and the CA. OC San Staff/Contractor will open and review the contents together at OC San.

3.4 Each Bidder will fill out and sign an Intake of Escrow Bid Documents Record of Receipt (sample image below) prepared prior to the Meeting by Records Management.

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OC SAN
ORANGE COUNTY SANITATION DISTRICT

RECORD OF RECEIPT FOR:
Intake of Escrow Bid Documents
May 5, 2021 - 9:00 a.m.
Swanton Builders

PROJECT NO. P15-128A
HEADWORKS COMPLEX AT PLANT NO. 1

NUMBER OF BOXES: -- -- -- -- --

Documents Delivered By:
Name: -- -- -- -- --
Company: -- -- -- -- --
Address: -- -- -- -- --
Telephone: -- -- -- -- --
Email: -- -- -- -- --
Signature: -- -- -- -- --

Documents Intake By:
Name: -- -- -- -- --
Company: -- Orange County Sanitation District -- -- -- -- --
Address: -- 10844 Ellis Avenue, Fountain Valley, CA 92708 -- -- -- -- --
Telephone: -- -- -- -- --
Email: -- -- -- -- --
Signature: -- -- -- -- --

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3.5 After OC San approves of the documentation in the Bidders' Escrow Bid Documents, OC San Records Management will affix GRM bar codes and ID numbers on the OC San Escrow Records Storage Transfer Request & Tracking form (Form) and to each Bidder's Escrowed Bid Documents box. The Bidders and Records Management shall all sign the completed Form.


~~3.6 Each Bidder, the CA, and Records Management will receive a copy of the completed Form for their records and future reference.~~

3.6 As arranged by Records Management, GRM will thereafter take possession of the apparent two low Bidder's' Escrowed Bid Documents, as soon as practicable, and transfer them to its document storage facility.


3.7 When practicable, the Document Review Meeting will be conducted at the same time as the Original Records Intake meeting. When this occurs, nothing additional is needed other than completion of the appropriate section of the Form.

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4.0 AFTER CONTRACT AWARD


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- 5.2 For Design-Build (DB) Projects, only the Proposal Documents of the successful proposer will be escrowed, after the award of [the](#) contract by the Board of Directors.

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SUBJECT:	DIGITIZATION OF RECORDS	Approved by: OC San Board of Directors

1.0 POLICY OBJECTIVES AND BACKGROUND

- 1.01 The Orange County Sanitation District (OC San) has identified the following objectives for digitizing records:
- 1.01.1 Provide online access to OC San records
 - 1.01.2 Make digitized material and metadata available
 - 1.01.3 Advance the preservation of records by reducing wear and tear on the originals
 - 1.01.4 Maintain a reduction in paper
- 1.02 To ensure that users have the ability to access digitized records, OC San has implemented an Electronic Content Management System (ECMS) (Laserfiche) which will be made available via SharePoint and on ocsan.gov, as well as a desktop application for designated staff members. Utilizing this management system ensures the authenticity, reliability, usability, and integrity of the digital copies.
- 1.03 The implementation of a paper reduced environment, including the incorporation of the ECMS and implementation of a fully digital process to reduce the use of paper is a continued goal in the General Manager’s Work Plan.
- 1.04 OC San is pursuing a reduction in paper in the office environment. Digitization provides a means for preserving at-risk physical materials (including paper documents, maps, photos, etc.) as well as providing greater accessibility and security for those documents. To the extent practicable, OC San promotes electronic systems, electronic records, and paperless transactions to support OC San’s transition to electronic government and enhanced transparency.
- 1.05 Digitization refers to the process that includes the following activities:
- 1.05.1 Identifying, selecting, and documenting physical materials for digitization;
 - 1.05.2 Preparing physical materials for scanning (including locating, preserving, gathering, reviewing, and organizing for access; and screening for suitability to be digitized);

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- 1.05.3 Collecting basic descriptive and technical metadata sufficient to allow retrieval and management of the digital copies and to provide basic contextual information for the user;
- 1.05.4 Scanning the physical materials (also referred to as digital conversion), re-filing, or disposing;
- 1.05.5 Quality control (validation) of digital copies and metadata;
- 1.05.6 Providing access to reliable and authentic copies for business purposes to internal users as well as the public; and
- 1.05.7 Maintaining digital copies and metadata.

2.0 POLICY RESPONSIBILITY

- 2.1 The Board Services and Information Technology (IT) Divisions have overall responsibility for this policy. The OC San Board of Directors adopts this policy, IT manages the Electronic Content Management System, and the Custodian of Records implements and oversees this policy on behalf of the Board of Directors.

3.0 APPLICABILITY

- 3.1 This policy provides guidance and requirements for digitizing physical media.
- 3.2 This policy applies to all records of physical materials being considered for digitization. These records fall into three categories:
 - 3.2.1 Vital or Historical Records with permanent or life of organization retention;
 - 3.2.2 Inactive records that have not met their retention schedule (especially records that are voluminous or have a long retention schedule) and are not regularly accessed. These may be considered for digitization due to constraints of physical storage space or costs of maintaining the physical

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record collection; and

3.2.3 Active records that are initially produced in paper or similar physical media as part of the business process, e.g., requiring a physical signature, and are regularly accessed for a continuing business purpose. Digitization may provide for access among multiple users across multiple locations.

4.0 TERMS AND DEFINITIONS

4.1 As used in this policy, the following terms and definitions apply:

4.1.1 Custodian of Records: The custodian of records for OC San is the Clerk of the Board.

4.1.2 Digitization: The act of scanning an analog document into digital form, as well as the series of activities that results in a digital copy being made available to end users via the intranet, internet, or other means for a sustained length of time.


4.1.3 Electronic Content Management System (ECMS): Computerized/digital means for collecting, organizing, and categorizing information to facilitate its preservation, retrieval, use, and disposition.

4.1.4 Electronic Signature: A method of signing an electronic document that identifies and authenticates a particular person as the source of the signature and indicates such person's intent to sign the document.

4.1.5 Office of Record: The Department/Division that, by definition of its mission or function, has primary responsibility for maintenance and retention of the record.

5.0 POLICY GOAL AND CONSIDERATIONS

5.01 The goal of this policy is to expand public and internal access to important vital, historical, and long-term documents through digitization. OC San does not require all records in physical media be digitized unless they are at risk

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of damage or destruction, which may result in the loss of the record. However, based upon business analysis by the Office of Record and Custodian of Records, digitization may be an effective way to maintain and manage a record collection that exists only in physical media form.

5.02 Before undertaking a digitization project, the Office of Record should consider the following:


- A. Volume of the record collection;
- B. Cost to digitize (budgeted in each Department/Division);
- C. Need/Demand for availability (sharing) of the documents;
- D. Quality of the originals (including handwritten notes, degradation of original medium, etc.); and
- E. Need to preserve the originals after digitization for historical or other purposes.

5.03 The legal validity of electronic signatures in the context of electronic transactions (i.e., actions between two or more persons relating to the conduct of business, consumer, commercial, or governmental affairs) must be well-recognized and approved by the Secretary of State of California.

6.0 POLICY EXCEPTIONS

6.01 Exceptions to this policy may be necessary based on legitimate business needs, legal, or compliance requirements. Any exceptions must be documented, reviewed, and approved by the Custodian of Records, Management, and General Counsel.

6.02 This policy guidance does not apply when the digitization is merely to provide a reference or convenience copy in limited circumstances, i.e., a single document rather than conversion of an entire collection for purposes of lifecycle management.


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7.0 RESPONSIBILITES

- 7.01 Board Services Division: Coordinates the overall pProgram. Provides guidance and assistance to all OC San Departments/Divisions with lifecycle management and coordinates required records reviews, evaluations, and reports.
- 7.02 Reprographic Center: Provides digitization/scanning services to the Office of Record for their paper document record collections. For larger projects the need for additional services may be required.
- 7.03 Managers/Supervisors: Effectively manage information assets within their area of responsibility in a consistent manner to ensure the integrity, security, and availability of information assets. Managers/Supervisors are also responsible, through their organization, for documenting a digitization plan that ensures their digitization projects meet the requirements of this policy.

8.0 STANDARDS AND PROCEDURES

- 8.01 The Office of Record, under the direction of the Custodian of Records, must develop a digitization plan to meet the following requirements:
 - 8.01.1 Authorization. Digital Records may be maintained as the only copy of a record if approved by General Counsel and the Board of Directors, as may be required, following the laws of California. They are viewed as being functionally equivalent to the original paper version if the intent to preserve the document only in digital form is documented and authorized by the Custodian of Records and General Counsel. Once approved this authorization and notation must be included in the Records Retention Schedule.
 - 8.01.2 Document Preparation. This includes a review of the documents to be digitized to ensure that digitization will not compromise the readability of the content. This is particularly important for documents that include “marginalia” (handwritten notes or additions to the content of the document). Moreover, an inventory of the records must be prepared, especially in instances where the actual digitization is performed by someone else. Finally, in some instances, a clean copy may be necessary if the original paper has been degraded to the point that, in its original form, a valid digital

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SUBJECT:	DIGITIZATION OF RECORDS	Approved by: OC San Board of Directors

copy would not be possible.


8.01.3 Digitization. As part of the actual digitization process, a single scanned image type (see list below) must be chosen for the records. Consideration must be given to the ability of a particular scanned image type to be searched. In addition, a consistent set of metadata should be incorporated into the scanned image to assist in organizing and managing the digital collection. “Scanned image” types include:

- a) gif – graphics interchange format;
- b) tiff – tagged image file format;
- c) biif – basic image interchange format;
- d) png – portable network graphics; or
- e) pdf – portable document format.

8.01.4 Validation. Throughout the digitization process, the scanned images must be validated to ensure that a clean, readable image has been produced, that the content of the document set is the same as the original (number of pages), and that the metadata attached is accurate. The Office of Record may choose to do an initial series of documents as a test case. If so, choose a sample that will cover the range of quality and other attributes of the originals, e.g., differing font sizes or layouts. It is recommended that every scanned image be validated; however, if the original documents are of highly consistent quality, format, and content, sampling validation may be appropriate.

8.01.5 Disposition of Originals. Once the records have been digitized and validated, the paper original may be destroyed as long as the destruction is documented as part of the digitization plan, in accordance with the Records Retention Schedule and has been authorized by the Office of Record, Supervisor, Manager, Executive Director, General Counsel, and the Custodian of Records. Special consideration must be given to physical records with historical value content. OC San’s Custodian of Records can provide assistance and guidance to divisions in determining the historical value of original physical media records.

8.01.6 Digital Storage. The ECMS (Laserfiche), designated for

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maintenance and management of OC San’s digital records, meets the integrity, security, and availability requirements. Using Laserfiche for digital records is preferred because this system prevents manipulation and unauthorized deletion of the scanned images and Laserfiche provides enhanced security and permission restrictions to aid management of the digital collection. In addition, OC San uses Restorvault which allows the Laserfiche application to meet the definition of a trusted system. The State of California defines a trusted system as, “a combination of techniques, policies, and procedures for which there is no plausible scenario in which a document retrieved from or reproduced by the system could differ substantially from the document that is originally stored”. (Source: California Government Code §12168.7(c))

9.0 PERFORMANCE & MONITORING

9.01 The Custodian of Records and IT Division are responsible for the performance standards and monitoring plans contained in this policy.

9.02 Performance Standards

9.02.1 Cost effectiveness of digitization projects:

9.02.1.1 Increased availability of OC San records to the public and appropriate personnel with a need for access.

9.02.1.2 Reduced risk of damage or inaccessibility to OC San records currently maintained in paper format.

9.03 Monitoring Plans

9.03.1 Sampling and validating digitized collections for integrity, security, and availability.

9.03.1.1 Scheduling (for retention) and reviewing ECMS used to maintain digitized collections.



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USC	United States Code	CD	CD
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		P	Paper
		TA	Tapes
Special Storage Consideration			
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Districtwide

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations & Comments
DW001	Published Articles Written/Contribution by OC San Staff	LO			SOS C-24, SOS C-40 <i>Incorporates 2018 ESD018</i>
DW002	Historical Records: Photos, Slides Used by O&M, Videos, Correspondence	LO	H		<i>Business value for LO retention. Historical/Non-Historical determination is made by the Department Director or Custodian of Records.</i>
DW003	Non-Historical Photos & Videos	NN			<i>Historical/Non-Historical determination is made by the Department Director or Custodian of Records Incorporates 2018 PAO003</i>
DW005	Reference Files (Not Incorporated in Any Other RRS Record Type): Equipment Manuals Not Included in DW010, Process Workflows, Budget Planning Documents, Training Material, Standby Assignments/Stormwatch, Department/Divison Policies & Procedures (If Not Specified Elsewhere in the RRS)	S+5		EL, P	GC §60201(d)(11); SOS C-23, SOS C-19 <i>Longer retention period required by SOS C-19 applied to all records in this Record Type Incorporates 2018 OMD012</i>
DW006	Speeches and Non-Marketing Related Presentations & Supporting Documents (Includes PowerPoints): Presentations Not Made at Board/Committee Meetings	CU+2	H		SOS C-24 <i>Some records may be kept for historical value Incorporates 2020 DW004, 2018 PAO005, 2018 OMD013 CU = date of presentation</i>
DW007	General Correspondence: Email in Outlook Inbox & Sent Folders, Returned Proposition 218 Notifications (Returned Mail)	CU+2		EL, P	<i>This pertains to all communication correspondence not specifically addressed or related to another Retention Number contained in the whole Records Retention Schedule CU = date of communication -correspondence</i>



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Districtwide

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DW008	Non-Records in Email Format in Outlook Deleted Folder or Microsoft Teams Chat	CU+90 Days		EL, P	<i>These records fail to meet the definition of a public record under Government Code §6252(e)</i> <i>CU = date of communication</i>
DW009	Various Internal Meeting Minutes: Includes Minutes Not Otherwise Indicated Herein, Including Executive Management Team (EMT) Meeting Minutes, Managers Meeting Minutes, Administrative Support Meeting Minutes	CU+2			SOS C-19 <i>EMT Meeting Minutes previously 2020 GMO017</i> <i>CU = calendar year</i>
DW010	Facility & Collection System Equipment Manuals and Related Reference Files	LO		EL, P	GC §60201(d)(11); SOS C-23, SOS C-19 <i>Separating these records from DW005 as business practice is that they are kept LO</i>
DW011	Purchaser/Card Holder Receipts for Purchases Made Using OC San Procurement Card (Credit Card)	CU + 3		EL, P	SOS C-29, SOS C-30 <i>CU = statement date</i>



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Board Services

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations & Comments
BSD001	Affidavits of Publications Notices	LO		EL, P	GC §54960.1(c)(1); SOS C-22, SOS C-23 Required retention is CU+2; business value for LO retention
BSD002	Board and Committee Meeting Agenda Packets and Meeting-Related Materials: Agenda, Agenda Reports & Attachments, Presentations, GM Monthly Report	LO		EL, P	SOS C-22
BSD003	Agreements & Contracts, Political & Outside Jurisdictions/Agencies: Cooperative Agreements, JPAs (Joint Powers Authorities), JFAs (Joint Finance Authorities), Interagency, Reimbursement Agreements	LO	V	EL, P	GC §60201(d)(1), GC §60201(d)(9)
BSD004	Annexation Files	LO	V	EL, P	GC §60201(d)(1); SOS C-28
BSD005	Bids - Awarded (Board Reviewed)	LO		EL, P	GC §60201(d)(6); SOS C-30
BSD006	Bids - Unaccepted (Board Approved)	CU+2		EL, P	GC §60201(d)(11); SOS C-30 Includes unsuccessful and rejected bids. For rejected bids, includes bid documentation (plans, specs, etc.). CU = calendar year
BSD007	Board Administration Files: Loyalty Oaths, Election Records, Directors Lists, Contact Information	T+10		EL, P	PC §801.5 22; SOS C-18; 29 USC §1113



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Board Services

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BSD008	Conflict of Interest (FPPC Filings)	T+7		EL, P	GC §81009(e); SOS C-18
BSD009	Purchasing, Contracts & Agreement Files - Capital Improvement Projects (CIP) & Non-CIP - Committee or Board Approved: Includes Authorization Documents; Change Orders; Amendments; Notices; Published Invitation for Bid (IFB) Documents, including Specifications & Drawings, Solicitation Addenda and Bulletins Issued; Notices of Intent to Award; Notices of Award; Notices to Proceed; Notices of Completion; Property & Other Lease Agreements; Purchase Order and Requisition Files	LO	V	EL, P	CCP §337; H&S §19850; SOS C-22, SOS C-27, SOS C-30
BSD011	Ethics Training: Sexual Harassment Board Only, Ethics Training Board & Employee	EX+5		EL, P	GC §53235.2(b)
BSD012	Formation Files	LO	V	EL, P	GC §60201(d)(1)
BSD013	Land Records: Easements, Grant Deeds, Quit Claim Deeds, Abandonments, Condemnations, Real Estate Purchase & Sale, Property Agreements, Encroachment Permits	LO	V	EL, P	GC §60201(d)(8) <i>Incorporates 2015 ENG010, 2015 ENG013, 2018 ENG026</i>
BSD014	Legal Opinions	LO		EL, P	SOS C-23; GC §6254
BSD015	Litigation Files	CL+2		EL, P	40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-45 <i>CU = date of record</i>



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Board Services

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BSD016	Meeting Minutes: Board & Board Committees	LO	V	EL, P	GC §60201(d)(3)
BSD017	Ordinances	LO	V	EL, P	GC §60201(d)(2)
BSD018	Recorded Project Documents: Notices of Completion, Easements, Deeds, etc.	LO		EL, P	GC §60201(d)(8); SOS C-26
BSD019	Resolutions	LO	V	EL, P	GC §60201(d)(2)
BSD020	Tapes & Digital Recordings (Audio & Video): Board or Committee Meetings	LO		EL	GC §54953.5(b) <i>Minimum retention 30 days or until adoption of the minutes per Brown Act.</i>
BSD021	Director Communications: General Board Correspondence	CU+3		EL, P	PC 801.5 22; 29 USC §1113 <i>Incorporates 2015 BSD010 CU = calendar year</i>
BSD023	Public Records Act Requests	CL+2		EL, P	GC §60201(d)(5); SOS C-23



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Board Services

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BSD024	Grand Jury Reports/Responses	LO		EL, P	
BSD025	Records Retention Schedules	LO		EL, P	CCP §343; SOS C-23 <i>Schedules are superseded when updated Incorporates 2018 ITD022</i>
BSD026	Records Destruction Records: Approvals, Certificates, Requests	LO		EL, P	SOS C-23 <i>Incorporates 2018 ITD019</i>
BSD027	Records Management Annual Audits: Inventory, Storage, Destruction	S+3		EL, P	SOS C-23 <i>Incorporates 2018 ITD020</i>
BSD028	Public Records Act Requests Log	LO	H	EL, P	<i>Required retention is the same as BSD023 (CL+2); business value in LO retention; no additional, specific citations</i>
BSD029	OC San Declarations of Emergency Log & Related Back Up Documentation	LO	H	EL	



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Board Services

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GPM003 BSD030	Escrow Bid Documents	LF	C, V		CCP §337.15 <i>Unsuccessful Escrow Bid Documents are returned to Contractor after Contract is awarded. The Escrow Bid Documents for the Awarded Contractor are returned at the end of the life of the facility (business preference to retain these documents longer than required by §CCP 337.15, which indicates CL+10). OC San acts as a temporary custodian of the documents, which remain the property of the bidders.</i>



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C	Confidential	FD	Floppy Disk
H	Historical	P	Paper
V	Vital	TA	Tapes

Contracts, Purchasing, and Materials Management

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations & Comments
CPM001	Purchasing, Contracts & Agreement Files - Capital Improvement Projects (CIP) - Not Committee or Board Approved: Includes Insurance Certificates; Authorization Documents; Change Orders; Amendments; Notices; Pre-Award Bid/Proposal Package; Bid/Proposal Evaluation Materials; Protest Documents; Project Documents; Published Invitation for Bid (IFB) Documents, including Specifications & Drawings, Addenda and Bulletins Issued, Bid Requirements Form, Question & Answer Logs, Outreach Materials, Evaluator Certifications, Responsiveness & Responsibility Review Documents (Safety, Finance, Experience Requirements), Clarification Requests & Responses, and Bid/Proposal Evaluation Memorandum; Notice of Award Recommendations; Protest and Associated Documents; Determination on Protests; Appeals; Determination of Appeals; Preliminary Notices; Stop Notices; Notices of Completion; Property & Other Lease Agreements; Purchase Order and Requisition Files For Purchasing, Contracts & Agreement Files that are Committee or Board approved, please see BSD009	LO		CD, EL, P	CCP §335; GC §4000; H&S §19850; SOS C-22, SOS C-27, SOS C-30 <i>Incorporates 2018 CPM004, 2018 CPM011, 2018 CPM012, 2018 CPM013, 2018 CPM014, 2018 CPM015, 2018 CPM017, 2018 CPM018</i>
CPM002	Purchasing, Contracts & Agreement Files - Non-CIP Projects - Not Committee or Board Approved: Includes Insurance Certificates; Authorization Documents; Change Orders; Amendments; Notices; Pre-Award Bid/Proposal Packages; Bid/Proposal Evaluation Materials; Protest Documents; Project Documents; Published Invitation for Bid (IFB) Documents, including Specifications & Drawings, Addenda and Bulletins Issued, Bid Requirements Form, Question & Answer Logs, Outreach Materials, Evaluator Certifications, Responsiveness & Responsibility Review Documents (Safety, Finance, Experience Requirements), Clarification Requests & Responses, and Bid/Proposal Evaluation Memorandum; Notice of Award Recommendations; Protest and Associated Documents; Determination on Protests; Appeals; Determination of Appeals; Preliminary Notices; Stop Notices; Notices of Completion; Property & Other Lease Agreements; Purchase Order and Requisition Files For Purchasing, Contracts & Agreement Files that are Committee or Board approved, please see BSD009	CL+7		CD, EL, P	CCP §337; SOS C-22, SOS C-30 <i>Incorporates 2018 CPM004, 2018 CPM011, 2018 CPM012, 2018 CPM013, 2018 CPM014, 2018 CPM016, 2018 CPM017, 2018 CPM018</i>



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Citation Codes		Retention Codes	
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OMB	Office of Management & Budget		
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Contracts, Purchasing, and Materials Management

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CPM003	Escrow Bid Documents	LF	C, V		<p>CCP §337.15 <i>Unsuccessful Escrow Bid Documents are returned to Contractor after Contract is awarded. The Escrow Bid Documents for the Awarded Contractor are returned at the end of the life of the facility (business preference to retain these documents longer than required by §CCP 337.15, which indicates CL+10). OC San acts as a temporary custodian of the documents, which remain the property of the bidders.</i></p>
CPM005	Purchase Order & Requisition Files (Not included in BSD009, CPM001 & CPM002): Open Annual (OA), Open Blanket (OB), Open Purchase (OP), Open Service (OS), Requisitions in JDE, Procurement Card Purchases	CL+5		EL, P	CCP §337; GC §60201(d)(9) & (10); SOS C-30 <i>Incorporates 2018 CPM006</i>
CPM008	Warehouse and Materials Management Records: Discrepancies, Add To Stores, Receivers, Return To Vendors (RTV), Shipping Records, Inventories, Disposal of Surplus Assets	CL+4		EL	CCP §337; SOS C-29, SOS C-30 <i>Incorporates 2018 CPM007</i>
CPM009	Procurement Card Documentation: Reconciliation (Receipts/Activity in Chase Portal), Reports, Agreements, Correspondence	CU+3		EL, P	SOS C-29, SOS C-30 <i>CU = statement date</i>
CPM019	Certificates of Insurance	LO	H, V	EL, P	SOS C-24 <i>Incorporates 2018 CPM014</i>



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Contracts, Purchasing, and Materials Management

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations & Comments
CPM020	Purchasing & Contracts Support Documents - CIP & Non-CIP - Committee or Board Approved: Includes Pre-Award Bid/Proposal Packages; Bid/Proposal Evaluation Materials; Project Documents; Bid Requirements Forms; Question & Answer Logs; Outreach Materials; Evaluator Certifications; Responsiveness & Responsibility Review Documents (Safety, Finance, Experience Requirements), Clarification Requests and Responses; Bid/Proposal Evaluation Memorandum; Notice of Award Recommendations; Protest and Associated Documents, Determination of Protests; Appeals; Determination of Appeals; Preliminary Notices; Stop Notices	LO	H	EL, P	CCP §337, CCP §337.15; SOS C-22, SOS C-30 <i>Incorporates 2018 CPM004, 2018 CPM010, 2018 CPM011, 2018 CPM012, 2018 CPM013, 2018 CPM014, 2018 CPM015, 2018 CPM016, 2018 CPM017, 2018 CPM018</i>
CPM021	Bids - Unaccepted (NOT Committee or Board Approved)	CU+2		EL, P	GC §60201(d)(11); SOS C-30 <i>Includes unsuccessful and rejected bids CU = calendar year</i>



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SOS	Secretary of State	Media Types	
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Engineering

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
ENG005	CEQA Documents Prepared for District Purposes: Includes Environmental Impact Report Documents (Draft & Final), Negative Declarations, Notices of Completion and Determination, Comments on Environmental Documents, Statements of Overriding Considerations, Technical Studies, Initial Studies, Mitigation and Monitoring Reports, Environmental Assessments, Notices of Preparation, Mitigated Negative Declarations, Notices of Exemption	LO			14 CCR §15062, 14 CCR §15075, 14 CCR §15094, 14 CCR §15095(c), 14 CCR §15112, 14 CCR §15208; GC §60201(d)(10); SOS C-27 <i>Incorporates 2018 ENG022</i>
ENG007	Engineering Drawing: Conformed Set Drawings	S	V		SOS C-26, SOS C-44 <i>Conformed Set Drawings are superseded by Record Drawings & retained pursuant to ENG008; if no drawings are issued, the Conformed Set is kept for Life of Organization</i> <i>Incorporates 2018 ENG021</i>
ENG008	Engineering Drawing: Record Drawings	LO	V		SOS C-26, SOS C-44 <i>Incorporates 2018 ENG021, 2020 ENG031</i>
ENG009	Drawings - Shop & Construction Contract Submittals (Permanent Assets)	LO	V		<i>Incorporates 2020 ENG032, 2015 ENG011</i>



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Engineering

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
ENG012	<p>ENGINEERING PROJECT FILE (TO INCLUDE ALL CAPITAL PROJECT MANAGEMENT LIFE CYCLE PHASES):</p> <p>Project Development: Correspondence, Gate Review, Meeting Agendas & Minutes, Pre-Construction Project Photos, Handoff Documents, Consultant Monthly Report</p> <p>Preliminary Design: Correspondence, Design Submittal, Gate Review, Meeting Agendas & Minutes, Preliminary Design Report Documentation, Public Outreach, Consultant Monthly Report</p> <p>Design: Consultant Monthly Report, Correspondence, Design Submittal, Final Design Submittal, Gate Review, Meeting Agendas & Minutes, Public Outreach, Handoff Documents, ETAP Documents</p> <p>Construction and Installation: Consultant Monthly Report, Construction Contract Submittals (Not Permanent Assets), Correspondence, Gate Review, Construction Inspection Daily Reports & Documentation, Meeting Agendas & Minutes, Public Outreach, Requests & Changes (Bulletin, Contractor Cost Proposal, Delay & Schedule Analysis, Field Change Order, Request for Change, Request for Information, Request for Proposal, Time & Materials Report), Safety Documentation, ETAP Documents, Project Schedule</p> <p>Commissioning: Correspondence, Gate Review, Meeting Agendas & Minutes, Substantial Completion-Beneficial Use, Use Prior to Completion, Substantial Completion, Final Completion</p> <p>Closeout: Correspondence, Gate Review, Meeting Agendas & Minutes, Final Acceptance & Release of Retention, Warranty Documentation, As-Builts & Field Markups</p>	CL+10			<p>CCP §337.15. <i>Incorporates 2018 ENG007, 2018 ENG008, 2018 ENG009, 2018 ENG010, 2018 ENG011, 2018 ENG012</i> <i>CL = budget closure date in budget documentation or the date of the Director of Engineer's signature on the Close-Out Form</i></p>
ENG014	<p>City or County Planning Documents Unrelated to a Specific, Current OC San Project or Business Need As Otherwise Defined in Another Retention Number:</p> <p>Specific Plan, Master Plan, CEQA Documents Including Environmental Impact Reports and Addenda, Negative Declarations, Notices of Completion and Determination, Comments on Environmental Documents, Statement of Overriding Considerations, Exemptions, Technical Studies, Mitigation and Monitoring Reports</p>	CU+20			<p>GC §60201(d)(10); SOS C-26, SOS C-27, SOS C-28 <i>OC San is not the custodian of these records; however there is a business value to the retention of these records.</i> <i>Incorporates 2015 ENG004, 2018 ENG001</i> <i>CU = document date</i></p>



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Engineering

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ENG015	Connection Permit: Trunk Sewer Connection Permit	LO	V		GC §60201(d)(10); SOS C-43, SOS C-44 <i>Incorporates 2018 ENG029</i>
ENG017	Collection System Condition Assessment Records: CCTV, Reports	LO	V		
ENG019	Specification Conformed	LO	V		<i>Incorporates 2018 ENG028</i>
ENG020	Requests for Underground Utility Information (From City, Utility, Public Agency or Contractor Working On Behalf of Same): Original Inquiry/Plans Received, OC San Response	CL+2			<i>Incorporates 2018 ENG004</i>
ENG023	Code and Standards: ACI 318 - Building Code Requirements for Structural Concrete; ACI 350 - Code Requirements for Environmental Engineering Concrete Structures; ASCE 7-16 - Minimum Design Loads & Associated Criteria for Buildings & Other Structures; ASCE 41-13 - Seismic Evaluation & Retrofit of Existing Buildings; Greenbook - Standard Specifications for Public Works Construction; NFPA 13 - Standard for Installation of Sprinkler Systems; NFPA 30 - Flammable & Combustible Liquids Code; NFPA 37 - Standard for the Installation & Use of Stationary Combustion Engines & Gas Turbines; NFPA 70 - National Electrical Code; NFPA 72 - National Fire Alarm & Signaling Code; NFPA 101 - Life Safety Code; NFPA 820 - Standard for Fire Protection in Wastewater Treatment & Collection Facilities; NFPA 2001 - Standard on Clean Agent Fire Extinguishing Systems; California Building Codes	S+10			<i>OC San is not the custodian of these records; however there is a business value to the retention of these records.</i>



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Engineering

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ENG024	Final Design Documentation: Engineering Study and Analysis, Feasibility Study, Final Planning Study Report, Preliminary Design Report/Technical Memoranda, Engineering Calculations, Geotechnical and Geophysical Reports, Hazardous Materials Report, Hydrogeologic Report, Project Specific Seismic Report	LF			SOS C-19, SOS C-25, SOS C-26, SOS C-27 <i>Incorporates 2015 ENG016 Engineering Study & Analysis - May Include Reports Such as Soil Hauling Study, CCTV Report, Trunk Sewer Analysis, Structural Analysis, Electrical Report, Manufacturer Report, Design Report, Technical Reports, Flow Report (Gallage Flow), Odor Control, Air Quality Reports, Title Report, Traffic Study, Dust & Dirt Analysis, Noise Study, Project Report, May Also Include Annual Reports Not Otherwise Addressed in the RRS</i>
ENG025	Construction Specialty: Electrical Test Report, Instrumentation Testing, Materials Testing Report, Mechanical Testing, Other Test Report, Soil Testing, Structural Testing, Survey Report, Commissioning Procedure, Construction Photos and Videos	LF			SOS C-19, SOS C-25, SOS C-26, SOS C-27
ENG027	Facility Reports: OC San Master Plan (Generated by Eng. Dept.), Strategic or Facility-Wide Planning Study Report (Seismic, Climate, Capacity, etc.), Asset Management Program Plan/Report	LO			40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-45 <i>CU = date of record</i>
ENG030	Facility Permits: Air Quality Management District (AQMD), Permit to Operate, California Coastal Commission/Coastal Development, Building Permit, Fire Department Permit, Army Corps of Engineers, CEQA Permits, Encroachment/Right of Way, Permit for Construction, Regional Water Quality Control Board (RWQCB), City/County Permits, CalTrans Permits, EPA, California Dept. of Fish & Game, Orange County Flood Control District (OCFCD) Permit for Construction, Railway for Construction	LO			SOS C-45



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Engineering

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ENG033	CEQA Related Documentation Pertaining to Meeting Agendas and Meeting Minutes	LO			GC §60201(d)(3)
ENG035	ENGINEERING CONTRACT SUPPORT DOCUMENTATION: Professional Service Agreement: Solicitation (Scope of Work, Sole Source) & Contract Administration (Amendment and Reallocation, Consultant Invoice) Professional Design Service Agreement: Solicitation (Scope of Work, Sole Source) & Contract Administration (Amendment and Reallocation, Consultant Invoice) Professional Construction Service Agreement: Solicitation (Scope of Work, Sole Source) & Contract Administration (Amendment and Reallocation, Conformed Agreement Package) Construction Agreement: Solicitation (Sole Source) & Contract Administration (Certified Payroll, Change Order, Claims Documentation, Contractor Progress Payment) Task Order: Solicitation (Scope of Work, Sole Source) & Contract Administration (Amendment and Reallocation, Consultant Invoice) Bid Package: Published Packet - Specifications, Drawings, Bid Set Drawings	CL+10			CCP §337.15; GC §60201(d)(12) <i>Incorporates 2015 ENG002, 2015 ENG003, 2015 ENG006, 2015 ENG018</i> <i>CL = budget closure date in budget documentation or the date of the Director of Engineer's signature on the Close-Out Form</i>
ENG036	Cost & Schedule Documentation: Budget Documentation, Budget Table and Schedule Documentation, Construction Schedule Documentation	CL+10			CCP §337.15 <i>CL = budget closure date in budget documentation or the date of the Director of Engineer's signature on the Close-Out Form</i>
ENG037	CEQA Correspondence, Including Correspondence with Outside Cities/Agencies: Includes Written and Electronic Correspondence	CL+10			14 CCR §15062, 14 CCR §15075, 14 CCR §15094, 14 CCR §15095(c), 14 CCR §15112, 14 CCR §15208; GC §60201(d)(10); PRC §21167.6; SOS C-27 <i>Incorporates 2018 ENG002</i> <i>CL = date of correspondence</i>



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Engineering

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
ENG038	Project-Related Permit-Related Back Up Documentation: Certification of Environmental Compliance, Contaminated Soil Manifest, Dewatering Data, Mitigation Measure Monitoring Reporting, Storm Water Compliance Reporting, OSHA Excavation Permits	CL+10			<i>CL = budget closure date in budget documentation or the date of the Director of Engineer's signature on the Close-Out Form</i>
ENG040	Project Close-Out Documentation	LO	V	EL	<i>These records are retained in the Primavera Database and/or SharePoint</i>



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Environmental Services

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
ESD001	Air Emissions Permitting Files (AQMD, CARB, Other): Final Permit, Testing Reports, Permit Applications, Correspondence	LO			CCP §338(k); SOS C-27
ESD002	Asset Specific Emission Records: Various Equipment and Operational Information, Including Logs <i>Please see OMD014 & OMD016 for retention of some records within ESD002</i>	OB+7			SOS C-27
ESD003	Biosolids Management Records: Biosolids Hauling, Use, EMS Activities	LO			40 CFR §122.21, 40 CFR §122.41(j)(2), 40 CFR §503.17; SOS C-47
ESD004	Environmental Audit Records: Conducted By OC San	LO			
ESD005	Environmental Audit Records: Conducted By Outside Parties	LO			SOS C-27
ESD008	Cleanup, Abatement, and Remediation of Underground Storage Tanks	LO			23 CCR 2772; SOS C-33
ESD009	Non-Hazardous Waste Waste Hauler Manifests	CU+3			SOS C-42 <i>CU = calendar year</i>



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Environmental Services

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ESD011	Interagency (Outside) Agreements and Documentation MOU	LO			GC §60201(d)(9)
ESD012	Laboratory Standard Operating Procedures	LO			SOS C-19
ESD013	Laboratory Records: Sample Preparation Records, Raw Data, Data Logs, Data Packets, QA/QC Reports, Final Processed Data, LIMS Reports, Lab Equipment Maintenance and Sterilization	CU+7			SOS C-46 <i>CU = calendar year</i>
ESD014	Non Permittee Files: Inspection Reports Data, Correspondence	CU+6			SOS C-19, SOS C-42 <i>CU = calendar year</i>
ESD015	OMP Field Datasheets: Field Data and Collection Documentation, Animal Counts, Fish Collection Observations	LO			40 CFR §141.33; SOS C-46
ESD016	NPDES Permitting Files: Final Permit, Permit Applications, Special Studies & Reports, Correspondence See Special Note in ESD020	LO		EL	40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-46
ESD017	Permittee Files: Discharge Permits and Urban Runoff	CU+6			40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-45 <i>CU = document date</i>



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Environmental Services

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ESD020	Compliance and Annual Reports: Discharge Monitoring Reports (DMR), Marine Monitoring Annual Report (MMAR), Biosolids Annual Report Special Note: The MMAR contains information from NPDES permits so should be used as a resource to ESD016	LO		P	40 CFR §122.41(j)
ESD022	Unprocessed Instrumentation Files & Lab Reports	LO	H, V		40 CFR §122.41(j)
ESD023	Chain of Custody - Laboratory	CU+7			40 CFR §122.21(j)(4)-(6), 40 CFR §122.41(j)(2), 40 CFR §403.12(o), 40 CFR §503.17(a)(3)(i), (a)(4); SOS C-22 <i>CU = calendar year</i>
ESD024	Compliance Program Documentation: Storm Water, SSO, Post Construction Mitigation, SSMP (WDR)	LO			40 CFR §122.41, 40 CFR Part 141, 40 CFR §141.33; SOS C-25, SOS C-27, SOS C-45



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Financial Management and Administrative Services

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FAD001	Accounting Reports: Quarterly and Monthly Reports	CU+4			SOS A-1, SOS C-30 <i>CU = fiscal year</i>
FAD002	Accounts Payable Files: Vendor and Contractor Invoices, Bills, Statements, Any Non-Discharged Debt	CL+7			GC §60201(d)(7), GC §60201(d)(12); SOS C-29 <i>Freeze on all FAD002 records for the timeframe of 1/1/2010 through 12/31/2013. Freeze until 1/1/2048 for the purposes of fulfilling Build America Bonds IRS requirements. OC San issued Build America Bonds in 2010 (outstanding through 2044) for which we are receiving a federal subsidy to offset our interest costs. The IRS guidance found states that all issuers should have records retention policies that maintain bond documents & related records (including documents supporting the disposition of funds) for at least the life of the bonds plus three years (through 2047). CL refers to final payment</i>
FAD003	Accounts Receivable Files	CL+7	V		CCP §337 et seq.; GC §60201(d)(7), GC §60201(d)(12); SOS C-29 <i>CL refers to final payment</i>
FAD005	Audit Records: Financial Statements, Audit Management Letters, Comprehensive Annual Financial Report (CAFR)	LO	H		SOS C-30
FAD006	Bank Signature Cards	S+7			GC §60201(d)(12)



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Financial Management and Administrative Services

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
FAD007	Banking Records: Deposit Receipts, Bank Statements, Checking Account Reconciliation, Cash Transfer Report (LAIF, Wire Transfers, and IntraBank Transfers), Adjustments - Returned Checks (NSF), ACH Returns, Positive Pay Exceptions	CU+6	V		SOS C-29, SOS C-30 <i>CU = calendar year</i>
FAD008	Bonds: Certificates of Participation, Transcripts, Disclosure Reports, Registers, Issue Records, Determination of Allocation	LO	V		CCP §336(a), CCP §337.5; GC §43900, GC §53921
FAD009	Budgets (Adopted)	LO	H, V during current FY		SOS -29
FAD010	Budgets vs. Actual: Supporting Documentation Summaries, Worksheets, Goals and Objectives, Milestones	CU+5			SOS C-29 <i>CU = fiscal year</i>
FAD011	Check Records: Cancelled Payroll Checks, Voided Copies For Automatic Deposits, Registers, Requests for Hand Checks & Interim Payroll Checks	CU+7			CCP §337; GC §60201(d)(12); SOS C-29 <i>CU = calendar year</i>
FAD012	Capital Facility Capacity Charges (CFCC)	LO	H	EL, P	CCP §337; SOS C-29 <i>Changed to LO as it is beneficial for OC San to maintain copies of permits for fee calculations in the future and historical reference for fees paid for parcels</i>
FAD013	Expense Reports	CU+7			CCP §337; GC §60201(d)(12); SOS A-1 <i>CU = fiscal year</i>



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Financial Management and Administrative Services

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FAD014	Financial Statements	CU+10			40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-45 <i>CU = date of record</i>
FAD015	Financial System: ERP Database (JDE), Access Database, Utility Billing Data is interrelated across platforms <i>The Access Database & Utility Billing is iPACS and all of the information used for billing industrial dischargers. JDE also interfaces with Maximo for warehouse and maintenance.</i>	LO			SOS C-45
FAD016	Fixed Asset Records	LF	V		SOS C-29
FAD017	General Ledger	LO	V		SOS C-29
FAD018	Investment Records: Investment Policy, Custodian Bank Transaction Records, Asset Detail, Asset Summary, Yield, Statements, LAIF Withdrawals/Deposits, Portfolio Withdrawals/Deposits, Stock Certificates, Treasurer's Report, GASB 40 Report, GASB 72 Report	LO	V		CCP §337; GC §53607; SOS C-30
FAD019	Journal Entries	LO			CCP §337; SOS C-29
FAD021	OCERS Files: Copies of OCERS Payments, Statements	CL+7			29 CFR §516.6(a)(1); GC §60201(d)(12) <i>CL refers to final payment</i>



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FAD022	OCERS Retirement Report	LO			29 CFR §516.6(a)(1); GC §60201(d)(12) <i>Business value for LO retention</i>
FAD023	Payroll Records (Generated from Payroll Taxes); Timesheets; Payroll Registers and Reports; Unemployment Claims; Garnishments; Payment of Labor Costs Including Salaries, Wages, Compensation, and Deductions For Employees, Board Members, and Contractors (DE-6 & 941 Forms - Quarterly and Annual Payroll Tax Returns)	7	V		CCP §337; 26 CFR §1.6001-1, 29 CFR §516.5, 29 CFR §516.5(a)-(b), 29 CFR §516.6(a)(1); GC §60201(d)(12); SOS C-30; IRS Reg. §31.6001-1(e)(2); R&TC §19530 <i>7 years is triggered from date of payment</i>
FAD024	Petty Cash Records	CU+7			26 CFR §1.6001-1; CCP §337; GC §60201(d)(12); SOS A-1 <i>CU = fiscal year</i>
FAD025	Rate Studies	CU+10			SOS C-42 <i>Business value for longer retention</i> <i>CU = fiscal year</i>
FAD026	Rebates and Refunds: Sewer Service Fees	CU+7			26 CFR §1.6001-1 <i>CU = calendar year</i>
FAD027	State Controller's Reports	LO			SOS C-30



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Financial Management and Administrative Services

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FAD028	Tax Records - Employees & Retirees: 1099-R, Annual Information Returns for Employees and Retirees	CU+7			26 CFR §31.600-1(d), 26 CFR §31.605-1, 29 CFR §516.5 - 516.6; GC §60201(d)(12); SOS C-30, SOS C-29; USC §436; IRS Reg. §31.6001-1(e)(2); R&TC §19530 <i>CU = calendar year</i>
FAD029	Tax Records (Generated From Accounts Payable & Vendor Files): Vendor	CU+7			SOS C-29 <i>CU = calendar year</i>
FAD030	Trial Balance Records	CU+7			SOS C-29 <i>CU = fiscal year</i>
FAD032	Redevelopment Agency (RDA) Records: Records Regarding Member Agency RDA Required Payment to OC San	LO			SOS C-29
FAD033	Claims (Excluding Workers Comp Claims): Claims Against OC San/OC San Employees (Wrongdoing by OC San/OC San Employees, Project Related Injury), Employment Claims (Wrongful Termination, Harassment, Discrimination), Loss Run Reports	CL+2			GC §60201(d)(4) <i>Incorporates 2018 BSD022 & 2018 RMS031</i>
FAD034	OC San Insurance Policies: Records Related to Owner Controlled Insurance Programs and Insurance Policies Purchased by OC San, Including Policies and Amendments	LO			SOS C-24



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PRC	Public Resources Code	T	Terminated
OMB	Office of Management & Budget		
R&TC	Revenue & Taxation Code		
SOS	Secretary of State	Media Types	
USC	United States Code	CD	CD
		EL	Electronic
Special Storage Consideration		FD	Floppy Disk
C	Confidential	P	Paper
H	Historical	TA	Tapes
V	Vital		

Financial Management and Administrative Services

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
FAD035	W-2's - Employees & Retirees	LO			26 CFR 31.6001.1-1; 29 CFR 516.5-6; SOS C-30; 29 USC 436



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General Manager's Office

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
GMO001	Annual OC San Reports: OC San Strategic Plan	LO	H		SOS C-26 <i>Business value in longer retention</i>
GMO007	GM Monthly Reports LO in BSD002 as part of Board agenda packet distribution/retention	CU+2			SOS C-19 <i>CU = calendar year</i>
GMO009	Executive Management Team (EMT) Meeting Files: Agenda, Agenda Report, Handouts	CU+2			SOS A-2 <i>CU = calendar year</i>
GMO016	Travel Records	CU+7			SOS C-19 <i>CU = calendar year</i>



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Human Resources

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HRD001	Classification & Compensation: Class & Comp Studies, Class Specifications, Salary Surveys, Salary Schedules, Pay Types, Reclass Requests, Desk Audits	LO			29 CFR §1627.3; GC §60201(d)(12), GC §12946; SOS C-21
HRD002	Temporary Employees: Hiring Documents, Tracking Spreadsheet, Request Forms	CL+7			CCP §336(a); 29 CFR §1627.3; SOS C-21
HRD003	Deferred Compensation Records: Participation Agreements	LO			26 CFR §16001-1, 29 CFR §1627.3; SOS C-30
HRD004	District Benefit Contracts: Health, Dental, Vision, Other Benefit Contracts	LO	V		28 CCR §1300.85.1; 29 CFR §1627.3(b)(2); 29 USC §1027
HRD005	General EEO-4 Reports and Files: Documents Required to Generate EEO-4 Report	CL+3			29 CFR §1602.30, 29 CFR §1602.31, 29 CFR §1602.32
HRD006	Employee & Labor Relations Files: Memorandums of Understanding (MOU), Arbitration, Grievances, Union Requests, Employee Rights, Appeals, Investigations, Performance Improvement Plans (PIP), Disciplinary Actions and Complaints, Sexual Harassment, Civil Rights	LO			29 CFR §516.5, 29 CFR §1602.31, 29 CFR §1627.3(b)(1)(ii); GC §12946



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Human Resources

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
HRD007	Employee Benefit Plans and Programs: Health Insurance, Supplemental Life Insurance, Beneficiary Designations, Records, Repayment Agreements, Eligibility Changes, Development Pay, Rideshare	T+7 Retirees:- Death+7	V		29 CFR §1602.30, 29 CFR §1602.32, 29 CFR §1627.3(b)(2); GC §12946, GC §60201(d)(12); LC §1197.5 <i>HRD007 applies to all employees/former employees</i>
HRD009	Human Resources/ERP Database: Electronic Records Management - JDE, Cornerstone, Workterra (Data Shared Across These Systems/Feed Into Each Other)	LO			
HRD010	Employee I-9 Forms & EEOC Data Collection Forms	T+3			8 USC §1324a(b)(3)(B); SOS C-20
HRD011	Medical Files: Fitness for Duty, Leaves of Absence, Interactive Process, Workers Comp Medical Files are excluded from Personnel Files which are retained in HRD013 <i>Workers Comp records are retained in HRD024</i>	T+30 Retirees:- Death+30			8 CCR §3204(d)(1); 29 CFR 1910.1020; GC-§12946 <i>HRD011 applies to all employees/former employees</i>
HRD012	Organization Charts	S+2			SOS C-19
HRD013	Personnel Files: Includes Application, Awards, Disciplinary Actions, Certifications, Commendations, Employment Verifications, (pre-2011) Evaluations, Licenses, Status Change Forms, Policy Acknowledgements, Waiver of Responsibility for Voluntary Activities, Training Records, Pay Docs, Emergency Contacts, Change of Address, Outside Employment, Development Pay Forms, Computer Loan Forms, Tuition Reimbursement Info, Specific Rideshare Info, Loyalty Oath, Resignation Excludes Medical Records which are retained in HRD011	T+7	V until separation		8 CCR §3204(d)(1); 29 CFR §1602.31, 29 CFR §1627.3; GC §§12946



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Human Resources

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HRD014	Recruitment Records: Includes Applications, Resumes, Certifications, and Other Recruitment Related Documents; Advertisements; Job Brochures; Test Data; Rating Sheets; Questions; Eligibility Lists; Electronic/NEOGOV Records	CL+4			29 CFR §1602 et seq., 29 CFR §1607.29, 29 CFR §1627.3; GC §6250 et seq., GC §12946 <i>CL = job advertisement close date date-of-hire-for-selected-candidate, or date-of-first-hired-candidate-if there is more than one hire from a single-recruitment, or, for unfilled positions, end-of-current-fiscal-year</i>
HRD015	Training Program Records: Class Attendance Sheets, Schedules, Classes Offered, Curriculum or Syllabus, Training Materials Development (Data Shared Across These Systems/Feed Into Each Other)	T+7			40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-45 <i>CU = date of record</i>
HRD016	Background Checks: Candidate Background Checks	T+7			SOS C-21
HRD017	Human Resources Programs: Rideshare, Tuition Reimbursement, Computer Loan, Development Pay Program Details, E-forms, Payment Schedules/Tracking Spreadsheets General Program Information Only; Employee Specific Information is Retained in Personnel Files (HRD013)	CL+3		EL	SOS C-20
HRD018	District Benefit Plans: Benefits Summary Plan Descriptions (Health, Dental, Vision, Other)	EX+5			SOS C-21
HRD019	OC San U (Formerly Known as BLAST & OCSD U) Development Records: Research Material, Timeline	LO	H	EL	SOS C-28



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Human Resources

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HRD020	OC San U (Formerly Known as BLAST & OCSD U) Procedures	S+2		EL	SOS C-23
HRD021	OC San U (Formerly Known as BLAST & OCSD U) Professional Development Articles From External Sources	NN		EL	
HRD022	OC San U (Formerly Known as BLAST & OCSD U) Program Files: Minutes, Marketing Material, Program/Training Evaluations, Quarterly Reports	S+2		EL	SOS C-19
HRD023	OC San U (Formerly Known as BLAST & OCSD U) Working Documents: Member Rosters - Active & Inactive	S		EL	
HRD024	Workers Compensation Files, Including Claims & Loss Run Reports	LO -CL+5		EL	8-CCR §14300.4 ; 8 CCR §15400.2; 29 CFR 1910.20 ; LC §140-139.6 ; SOS C-24 <i>Incorporates 2018 BSD022 & 2018 RMS011</i>



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Information Technology

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ITD001	Access Authorization Forms: Email Access Requests, Internet Access Requests, Mobile Devices Access	T+3			
ITD003	System and Software Documentation: Network Design, Instruction, Licenses, License Codes, Agreements, Systems List, Permission to Directories, SharePoint Lists, Hardware and Software Documentation, Source Code, IT Manuals	S+2	V		SOS C-22 <i>Incorporates 2015 ITD009, 2015 ITD010, 2015 ITD011, 2015 ITD012</i>
ITD004	GIS (Geographic Information System) Database: Layers Data is interrelated across platforms	S			SOS C-22
ITD005	Information/Activity Logs: Internet, Phone, Badge, Visitors	CU+2			SOS C-22 <i>CU = current date</i>
ITD006	IT Help Desk System: Service Tickets, Change Requests and Releases	CL+3			SOS C-22
ITD007	Network Diagrams/System Configurations/Maps/Plans	S			SOS C-22
ITD008	IT Asset Inventory Database: IT Assets, Printers, Hardware, SCCM, Server Lists, Asset Explorer	S+2			SOS C-22



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Information Technology

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ITD013	System Log (Database): Transaction Logs, Error Logs	S+2			SOS C-22
ITD015	Video Surveillance Files and System Security Database	CU+1			GC §53160, GC §53161 <i>Recordings of routine video surveillance must be retained for at least one (1) year. Recordings of telephone and radio communications must be retained for at least 100 days. In the event that the recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved. Notwithstanding the foregoing, if written minutes or an audio recording of the video surveillance is taken, the video surveillance can be destroyed after 90 days. The written minutes and audio recording can be destroyed after two (2) years.</i> Incorporates 2015 ITD014, 2015 ITD017 CU = one year from current date
ITD016	Two-Way Radio Licensing and Information: Walkie Talkies (Industry Term is HT or Handy Talkies), Vehicle Mounted Two-Way Radios, Base Station Radios in Plant No. 1 Control Center & Plant No. 2 Operations Center, and Radio Repeaters Records of Services (Kept in Request to Purchase IT List), FCC License	EX+2			47 CFR §951701 et seq.
ITD018	Virtual Computer Files: Replication for Disaster Recovery Purposes	NN			SOS C-22



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Information Technology

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
ITD023	DigSmart/DigAlert Database/Tickets (Formerly Known as USA Tickets)	CU+3			GC §4216.2(f) <i>Business value in retention</i> Was 2015 ENG021 CU = current date
ITD024	Tunnel Cross-Section, Vault Detail, Piping & Instrumentation Diagrams (P&IDs), Single Line Diagrams (SLDs), Instrument Loop Diagrams (ILDs)	S	V	EL, P	SOS C-26, SOS C-44 <i>Tunnel Cross-Section & Vault Detail records are stored in Facility Records (Engineering) and managed by IT</i> Incorporates 2018 ENG021, 2015 ENG008
ITD025	Routine Recordings of Telephone Communications, Including Voicemail Recordings	CU+100 Days			40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-45 CU = date of record



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OMB	Office of Management & Budget		
R&TC	Revenue & Taxation Code		
SOS	Secretary of State	Media Types	
USC	United States Code	CD	CD
Special Storage Consideration		EL	Electronic
C	Confidential	FD	Floppy Disk
H	Historical	P	Paper
V	Vital	TA	Tapes

Operations & Maintenance

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
OMD001	Chemical Inventory Records (OPERATIONS): Delivery, Transfer, Usage, Manifest Worksheet, Inventory Logs	CU+3			49 CFR §172.201; SOS C-33 <i>CU = calendar year</i>
OMD002	Complaint Files and Problem Reports (OPERATIONS): Related to Organization's Operations - Odor, Noise, Call Center Complaints	CU+2		EL	SOS C-42 <i>Incorporates 2018 ESD005</i> <i>CU = calendar year</i>
OMD004	Flow Records (OPERATIONS)	LO			40 CFR §122.41(j)(2)
OMD005	Logs (OPERATIONS): Control Center Plant Operations	CU+30			40 CFR §122.41(j)(2) <i>CU = calendar year</i>
OMD006	Logs (OPERATIONS): Operations Monthly Logs, Inspector Diaries, Control Center Visitor Logs	CU+3			40 CFR §122.41(j)(2) <i>CU = calendar year</i>
OMD007	Monthly Reports: Operating and Status Reports, Key Performance Indicator Reports (Generated by 810)	CU+2		EL	SOS C-19 <i>CU = calendar year</i>
OMD008	O&M Policies & Procedures: Guidelines, Checklists, Standard Operating Procedures	S+5		EL	SOS C-19



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Operations & Maintenance

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
OMD009	Operating Journals (OPERATIONS): Alarm Summary (EL), Operations Round Sheets (EL, P), Midnight Readings (EL)	CU+2		EL, P	40 CFR §122.41(j)(2) <i>CU = calendar year</i>
OMD010	Operating Records (OPERATIONS): Activated Sludge (AS) Plant Reports (EL, P), Operator Schedules (P), Biosolids Hauling Tickets (P), Grit & Screening Tickets (P)	CU+5		EL, P	40 CFR §122.41(j)(2) <i>CU = calendar year</i>
OMD011	Process Data (OPERATIONS): Monthly Summary of Operations (MSOs) [EL], Treatment Plant Operational Data (TPODs) [EL]	LO		EL	40 CFR §122.41(j)(2)
OMD014	AQMD: 1-Cengen Emissions Reports, 2-AQMD Round Sheets, 3-Flare Reports Some of these records are key records to be retained for ESD002, please forward to ES if storage becomes burdensome	OB+7		P	CCP §338(k); SOS C-27 <i>Cengen Emissions Reports are used as part of Title V permitting, which is addressed in ESD002. OMD014 needs to match ESD002 for retention as these provide adherence to existing AQMD permit conditions.</i>
OMD015	Facility Maintenance & Repair (MAINTENANCE): LOTO Audits, Underground Storage Tank Permits, Assessment & Testing Results - Data, Corrective & Preventative Maintenance Records (Job Plans, Work Orders)	LF+2		EL, P	SOS C-42
OMD016	Generator Operation Logs (OPERATIONS): Fixed or Stationary Some of these records are key records to be retained for ESD002, please forward to ES if storage becomes burdensome	OB+7		P	GC §34090 <i>Logs are used as part of AQMD Title V permitting, which is addressed in ESD002. OMD016 needs to match ESD002 for retention.</i>
OMD017	Pressure Vehicle CNG Tank Inspection Certification (FLEET)	LF+2		EL, P	40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-45 <i>CU = date of record</i>



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Operations & Maintenance

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OMD018	Vehicle Smog Check Inspection Report (FLEET)	LF+2		EL, P	SOS A-1 <i>DMV & State requirement</i>
OMD019	CHP Commercial Inspection: Bit Inspection (CHP Commercial Vehicle Inspection), CHP Safety Maintenance Inspection	LF+2		P	49 CFR §396.11(c)(2) <i>CHP, DMV & State requirement</i>
OMD020	Certifications: Mobile Crane, Vehicles, Equipment Calibration Certification	LF+2		EL, P	SOS C-47 <i>DMV & State requirement</i>
OMD022	Collection System Process Data (COLLECTIONS): Pump Station, Control System Historical Data	LO			SOS C-45
OMD023	Inspection Reports & Photos (COLLECTIONS): Manhole	CU+10			SOS C-45 <i>CU = calendar year</i>
OMD024	Sewer Line Maintenance Files (COLLECTIONS)	CU+10			40 CFR Sec. 122.41(j)(2); 40 CFR Sec. 403.12(o); SOS C-45 <i>CU = calendar year</i>
OMD026	Vehicle Records (FLEET): Equipment Files, Maintenance, Registrations, Vehicle Titles ("Pink Slips"), Vehicle Citations Vehicle Titles/Pink Slips are transferred to new owner upon sale of vehicle; all other records are retained until Disposal of Vehicle or Equipment + 2 years	LF+2	V		CCP §337; 8 CCR § 3203(b)(1); 49 CFR §396.21(b)(1), 49 CFR §396.3©



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Public Affairs

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
PAO001	Education Curriculum: Sewer Science, Water Festival, Other	S+2			SOS C-24
PAO002	Outreach/Event File: Tour Documentation, RSVP's, Sign-in Sheets, Other Related Information	S+5			SOS C-24
PAO003	Marketing Material: Flyers, General Brochure, Marketing Brochures, Newsletters, Email Blasts, Marketing Related Presentations/PowerPoints	S+7			SOS C-19
PAO006	Press/Media Releases	LO	H		SOS C-40 <i>SOS allows S+2; however, based on business needs, preferred retention is LO</i>
PAO007	Publication Proofs (Ad in Adjudicated/Circulated Newspaper) (Non-Board and/or CPM Related): General Marketing	S+2			SOS C-24
PAO008	Website Content Archiving PageFreezer provides services; Board Services manages	S+2			SOS C-22
PAO009	Employee Events: Agency Awards, Recognitions, Announcements	LO	H		<i>Legal advice is S+2; however, based on business needs, preferred retention is LO</i>



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PAO010	Legislative Files: Letters of Support, Opposition	LO			SOS C-28 <i>Legal advice is S+2; however, based on business needs, preferred retention is LO</i>
PAO011	Social Media Archiving: Facebook, Twitter, YouTube, Instagram PageFreezer provides services; Board Services manages	S+2			SOS C-22
PAO012	Annual Reports: OC San Annual Report, Public Affairs Strategic Plan, Legislative Plan All items taken to the Board for approval (annually, every two years)	LO	H		SOS C-19



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Risk Management and Safety

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RMS002	DOT Random Drug & Alcohol Test Records	CU+5	C		49 CFR §199.117; GC §12946 <i>CU = calendar year</i>
RMS003	Emergency Exercises: Planning Documents, Meeting Minutes, After Action Reports	CU+2			29 CFR §1910.119(g), 29 CFR §1910.120(q); SOS C-41 <i>CU = calendar year</i>
RMS004	Emergency Response: Response & Disaster Recovery Files, Emergency Operations Center Activation Notifications & Records	LO			29 CFR §1910.119(g), 29 CFR §1910.120(q) <i>Incorporates 2015 RMS005</i>
RMS006	Industrial Hygiene & Safety: Hazard Assessments, Inspections, Site Characterization Reports, Exposure Monitoring Reports, Noise Assessments, Surveys, Audits, Indoor Air Quality, Mold, Asbestos/Lead Surveys, Abatement Reports	LO			CCR §1529(n)6, 8 CCR §3204(d)(1)(B); 29 CFR §1910.1020 <i>Incorporating 2018 RMS030 into RMS006 as Retention Length requested to change from T+30 to LO based on business needs. Incorporating 2015 RMS015 & 2018 RMS030.</i>
RMS007	Occupational Medical Files: Medical Evaluations, Audiometric Test Reports, Pulmonary Function Tests, Respiratory Medical Clearance	T+30	C		8 CCR §3204; 29 CFR §1910
RMS008	OSHA Compliance Records: Citations, Appeals Related, Correspondence <i>OSHA 300 & 301 Logs retained in RMS012</i>	LO			29 CFR §1904.4; OMB 1220-0029; SOS A-2



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Risk Management and Safety

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RMS010	Safety Committee: Action Items, Agendas, Meeting Minutes, Annual Reports, Presentations	CU+4			8 CCR §3203 Retention aligns with Voluntary Protection Program (VPP) CU = document date
RMS012	OSHA Logs: 300 & 301 Logs	CU+7			8 CCR §14300.33(a); 29 CFR §1904.33, 29 CFR §1904.44; LC §6429c CU = calendar year
RMS014	Accident & Incident Records	CL+7			CCP §338; CFR §1904.6; SOS C-24
RMS016	Hazardous Materials Records: Business Plans, Hazardous Materials Inventory, Disclosures	CU+5			40 CFR §122.21(p), 40 CFR §122.41 CU = document date
RMS017	Calibration Gas Detectors Annual Recertification	CU+5		P	8 CCR §14300.33(a); 29 CFR §1904.33, 29 CFR §1904.44; LC §6429c CU = calendar year
RMS018	Confined Space Records & Entries	CU+4			8 CCR §5157(e)(6); 29 CFR 1910.146(e)(6), 40 CFR §122.41(j)(2); GC §53161; SOS C-42 Retention aligns with VPP Incorporates 2018 OMD003 CU = document date
RMS019	Hazardous Waste Records: Manifests, Disposals, Recyclable Non Hazardous Waste Material, Batteries, etc.	LO			22 CCR §66262.40(a), 22 CCR §66264.71(b)(6), 8 CCR §3204(d)(1), 26 CCR §22-64470(a); 40 CFR §122.41(j)(2), 40 CFR §141.33(b); GC §12946; SOS C-33, SOS C-47



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Risk Management and Safety

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RMS020	HazMat Permits, Environmental Health Permits: Bulk Chemicals, Fire, Battery Storage	LO			40 CFR §122.41(j)(2), 40 CFR §403.12(o); SOS C-45 <i>CU = date of record</i>
RMS021	Safety Data Sheets (SDS)	LO			8 CCR §5194; 29 CFR §1910
RMS022	Respiratory Protection: Fit Test Records, Written Program	S			8 CCR §5144(m) <i>Medical Evaluations retained in RMS007</i>
RMS024	Training Records - Safety: Rosters, Syllabus, Schedule, Curriculum Material Only	CU+7			SOS C-21 <i>CU = document date</i>
RMS025	Training Database	LO			
RMS026	Radiation License & Disposal Records	LO			17 CCR §30293
RMS027	Contractor Safety Orientation, Job Site Safety Analysis (JSSA), Job Hazard Analysis (JHA), Hot Work Permits	CU+4			29 CFR §1904.6, 29 CFR §1910.132, 29 CFR §1910.252; OMB 1218-0176 Retention aligns with VPP <i>CU = document date</i> <i>JSSA renamed Contractor Safety Orientation in 2020</i>



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General Retention Schedule Information

- This Records Retention Schedule (RRS) pertains to any and all Official Records of OC San regardless of Media Type and is adopted in compliance with GC §60201 and additional specific citations as noted.
- Public Records Act requests, litigation, audits, claims, and investigations may suspend the stated retention periods and notification of such will be made. As stated in OC San's Records Retention Policy, authorization and proper destruction methods are required prior to destroying all Official Records, regardless of Media Type. When original records have reached their retention length, all copies and duplicates must be destroyed, along with the original, regardless of Media Type.
- Copies/duplicate records shall be determined as "duplicate" or "copy" in conjunction with Records Management. Upon determination by Record Management that a record is a duplicate or copy, OC San may destroy the duplicate record if the original or a permanent photographic record exists in OC San's files (GC §60200).
- Notes, preliminary drafts, and transitory records are not considered Official Records and may be destroyed without complying with OC San's RRS (SOS 2-1030). Such records may be destroyed when no longer needed for OC San business and do not require authorization for destruction.
- Official Records cannot be discarded in trash bins. They must be submitted to Records Management for secure destruction.

Citation Codes		Retention Codes	
CCP	Code of Civil Procedure (CA)	CL	Closed or Completed
CCR	California Code of Regulations	CU	Current Year (Defined Where Used)
CFR	Code of Federal Regulations	EX	Expired or Expiration
GC	Government Code (California)	LF	Life of Facility, Equip. or Software
H&S	Health & Safety Code	LO	Life of Organization or Permanent
IRS	Internal Revenue Service	NN	When No Longer Needed
LC	Labor Code (CA)	OB	Obsolete
PC	Penal Code (CA)	S	Superseded
PRC	Public Resources Code	T	Terminated
OMB	Office of Management & Budget		
R&TC	Revenue & Taxation Code		
SOS	Secretary of State	Media Types	
USC	United States Code	CD	CD
		EL	Electronic
Special Storage Consideration		FD	Floppy Disk
C	Confidential	P	Paper
H	Historical	TA	Tapes
V	Vital		

Risk Management and Safety

Retention Number	Record Series / Record Type	Retention Length (Years Unless Specified)	Special Storage Consideration	Media Type	Retention Citations / Comments
RMS028	PPE Assessments	S			29 CFR §1910.132
RMS029	Lock Out Tag Out Audits (LOTO)	4			29 CFR §1910.147(c)(6), 29 CFR §1910.147(c)(7), 29 CFR §1910.147(f)(2) Retention aligns with VPP
RMS032	Vehicle Inspection & Equipment Checks Files: Daily Safety Checks, Pre-Starts, Commercial Vehicle Pre-Starts and Forklift Inspections, Pre-Trip Inspections, CHP Inspections, Daily Vehicle Inspections, Daily Equipment Checks	CU+4			49 CFR §396.11(c)(2), 49 CFR §396.21(b)(1) <i>CU = document date</i>
RMS033	Continuity of Operations Plan (COOP)	S	V	EL, P	GC §60102(d)(10)
RMS034	Vehicle Entry Logs (Security)	CU+2			SOS C-22 <i>CU = current date</i> <i>Excludes entry for Board/Committee meetings and issued parking passes. Information entered in logs includes date, host name, purpose of visit, and vehicle information. Referred to if there is a security related incident.</i>



ADMINISTRATION COMMITTEE

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

Agenda Report

File #: 2024-3537

Agenda Date: 4/10/2024

Agenda Item No: 4.

FROM: Robert Thompson, General Manager
Originator: Laura Maravilla, Director of Human Resources

SUBJECT:

SERVICE CONTRACT FOR SECURITY SERVICES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Approve a General Services Contract for Universal Protection Service LP DBA Allied Universal Security Services (Allied Universal) to provide Security Services, Specification No. S-2023-1429BD, for a total annual amount not to exceed \$2,246,973 for the period beginning June 1, 2024, through May 31, 2025, with four one-year renewal options; and
- B. Approve an annual contingency of \$224,697 (10%) for the contract period and all remaining renewal periods.

BACKGROUND

The Orange County Sanitation District (OC San) utilizes a third-party firm to provide Security Services at both treatment plants, the Headquarters Building, the Mount Langley property, and the outlying pump stations. These services are intended to minimize risk and to protect people, critical infrastructure, and operations against threats of injury and loss or damage by criminal, hostile, or malicious acts.

In October 2019, the Board of Directors approved a one-year contract with Allied Universal for Security Services, with four one-year renewal options. The contract was renewed four times, with the final renewal period set to expire on November 30, 2024. In October 2023, staff initiated the RFP process seeking qualified security firms in anticipation of the expiration of the current contract and expansion of Security Services required for the Headquarters Building.

RELEVANT STANDARDS

- Protect OC San assets
- Commitment to safety & reducing risk in all operations
- Provide a safe and collegial workplace

PROBLEM

OC San requires comprehensive physical Security Services to protect its critical infrastructure to ensure the continuous operation and delivery of services to protect public health and the environment. The current contract with Allied Universal expires on November 30, 2024, and there are no additional renewal options.

PROPOSED SOLUTION

Approve a service contract with Allied Universal.

TIMING CONCERNS

The RFP process was initiated in October 2023 and completed in February 2024, resulting in Allied Universal being identified for consideration by the Board of Directors. Proposals are valid for 180 calendar days from the proposal due date of November 28, 2023.

RAMIFICATIONS OF NOT TAKING ACTION

Without approval of the service contract, Security Services will no longer be available after November 30, 2024, thereby posing a security risk to OC San's critical infrastructure.

PRIOR COMMITTEE/BOARD ACTIONS

October 2019 - Board approved a Service Contract for Allied Universal to provide security services, Specification No. S-2019-1079BD, for a total annual amount not to exceed \$1,588,195 for a one-year period beginning December 1, 2019 through November 30, 2020, with up to four (4) one-year renewals, and approved an annual contingency of \$158,819 (10%).

ADDITIONAL INFORMATION

A RFP was issued on October 26, 2023 via PlanetBids. Proposals were due on November 28, 2023. OC San received 13 proposals valid for 180 calendar days from the bid opening date. Two proposals were deemed non-responsive due to high accident frequency rates.

Prior to receipt of proposals, an Evaluation Team was formed consisting of the Safety and Health Manager, Director of Human Resources, and Security and Emergency Planning Specialist. The Team was chaired by a Purchasing representative as a non-voting member. On December 11, 2023, the Team met to discuss the policies and procedures for the evaluation process.

Individual scoring was the chosen method of evaluation for this procurement. Members of the Team performed an independent review of the proposals and later met as a group with the assigned Purchasing representative to discuss their preliminary scores and discuss any questions/concerns they had. Proposals were evaluated based on the following criteria:

CRITERION	WEIGHT
1. Staffing & Project Organization	20%
2. Qualifications of Firm	20%
3. Work Plan	40%
4. Cost	20%

The Team first reviewed and scored the proposals based upon the criteria listed above, other than cost.

Rank	Proposer	Criterion 1 (Max 20%)	Criterion 2 (Max 20%)	Criterion 3 (Max 40%)	Subtotal Score (Max 80%)
1	Inter-Con Security	19%	19%	36%	74%
2	Allied Universal	17%	18%	36%	71%
3	Securitas Security Services	18%	18%	32%	68%
4	American Global Security	17%	17%	34%	68%
5	Safe Rock	8%	7%	26%	41%
6	Citiguard	9%	11%	19%	39%
7	Lyons Security	11%	11%	17%	39%
8	Alltech	11%	12%	15%	38%
9	Trugard	8%	6%	12%	26%
10	Power Security	8%	8%	9%	25%
11	AEGS Eagle Guard	5%	5%	12%	22%

The four highest ranking firms, Inter-Con Security, Allied Universal, Securitas Security Services, and American Global Security were selected for interviews. The interviews were conducted on January 9 and January 10, 2024. Following the interviews, the Team adjusted their scores based on the clarification received during the interview process.

Rank	Proposer	Criterion 1 (Max 20%)	Criterion 2 (Max 20%)	Criterion 3 (Max 40%)	Subtotal Score (Max 80%)
1	Allied Universal	18%	19%	36%	73%
2	Inter-Con Security	17%	18%	36%	71%
3	Securitas Security Services	18%	19%	34%	71%
4	American Global Security	12%	12%	33%	57%

All proposals were accompanied by a sealed cost proposal. Only the cost proposals for the three highest ranked firm were opened.

Rank	Proposer	Subtotal Score without cost (Max 80%)	Cost (Max 20%)	Total Weighted Score (Max 100%)
1	Allied Universal	73%	20%	93%
2	Inter-Con Security	71%	19%	90%
3	Securitas Security Services	71%	17%	88%

Allied Universal and Inter-Con Security were selected to submit a Best and Final Offer (BAFO). Securitas Security Services was not invited because their original cost proposal was too high.

Rank	Proposer	ORIGINAL COST	BAFO
1	Allied Universal	\$2,261,666.90	\$2,246,972.50
2	Inter-Con Security	\$2,397,028.94	\$2,397,028.94
3	Securitas Security Services	\$2,651,292.00	N/A

Based on these results, staff recommends approving the General Services Contract to Allied Universal. The term of this contract will begin June 1, 2024, through May 31, 2025, with four optional one-year renewals.

CEQA

N/A

FINANCIAL CONSIDERATIONS

This request complies with the authority levels of OC San’s Purchasing Ordinance. This item has been budgeted (Fiscal Year 2023-2024, Section 6, Page 20, Professional & Contractual Services) and the budget is sufficient for the recommended action.

<u>Date of Approval</u>	<u>Contract Amount</u>	<u>Contingency</u>
04/24/2024	\$2,246,973	\$224,697 (10%)

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- General Services Contract

GENERAL SERVICES CONTRACT
Security Services
Specification No. S-2023-1429BD

This GENERAL SERVICES CONTRACT (hereinafter referred to as "Contract"), is made and entered into as of the date fully executed below, by and between Orange County Sanitation District (hereinafter referred to as "OC San") and Universal Protection Service LP DBA Allied Universal Security Services (hereinafter referred to as "Contractor"), and collectively referred to herein as the "Parties."

RECITALS

WHEREAS, OC San desires to retain the services of Contractor for security services ("Services") as described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Contractor is qualified to perform the Services by virtue of experience, training, education, and expertise; and

WHEREAS, OC San desires to engage Contractor to provide the Services; and

WHEREAS, OC San selected Contractor to provide the Services in accordance with OC San's current Purchasing Ordinance; and

WHEREAS, on April 24, 2024, OC San's Board of Directors, by minute order, authorized execution of this Contract.

NOW, THEREFORE, in consideration of the above recitals and the mutual promises and benefits specified below, the Parties agree as follows:

1. General.

1.1 This Contract and all exhibits hereto are made by OC San and the Contractor.

1.2 The following exhibits, in order of precedence, are incorporated by reference and made part of this Contract.

Exhibit "A" – Scope of Work

Exhibit "B" – Proposal and BAFO

Exhibit "C" – Determined Insurance Requirement Form

Exhibit "D" – Contractor Safety Standards

Exhibit "E" – Human Resources Policies

Exhibit "F" – Not Used

Exhibit "G" – Not Used

1.3 In the event of any conflict or inconsistency between the provisions of this Contract and any of the provisions of the exhibits hereto, the provisions in the Contract shall control and thereafter the provisions in the document highest in precedence shall be controlling.

1.4 Except as expressly provided otherwise, OC San accepts no liability for any expenses, losses, or actions incurred or undertaken by Contractor as a result of work performed in anticipation of acquisition of the Services by OC San.

- 1.5 Work Hours: Shall be as specified in Exhibit "A."
- 1.6 Days: Shall mean calendar days, unless otherwise noted.
- 1.7 OC San holidays (non-working days) are as follows: New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, and Christmas Day.
- 1.8 Work: Shall mean all work, labor, and materials necessary to provide the Services.
- 1.9 The provisions of this Contract may be amended or waived only by an amendment executed by authorized representatives of both Parties.
- 1.10 The various headings in this Contract are inserted for convenience only and shall not affect the meaning or interpretation of this Contract or any paragraph or provision hereof.

2. Scope of Work.

- 2.1 Contractor shall perform the Services identified in Exhibit "A" in accordance with generally accepted industry and professional standards.
- 2.2 Modifications to Scope of Work. OC San shall have the right to modify the Scope of Work at any time. All modifications must be made by an amendment signed by both Parties.
- 2.3 Familiarity with Work. By executing this Contract, Contractor warrants that: (a) it has investigated the work to be performed; and (b) it understands the facilities, difficulties, and restrictions of the work under this Contract. Should Contractor discover any latent or unknown condition materially differing from those inherent in the work or as represented by OC San, it shall immediately inform OC San of this and shall not proceed, except at Contractor's risk, until written instructions are received from OC San.
- 2.4 Performance. Time is of the essence in the performance of the provisions hereof.

3. Contract Term.

- 3.1 The term of this Contract shall be for three hundred sixty-five (365) calendar days from the effective date of the Notice to Proceed.
- 3.2 Renewals. At its sole discretion, OC San may exercise the option to renew this Contract for up to four (4) one-year periods. This Contract may be renewed by an OC San Purchase Order. OC San shall have no obligation to renew the Contract nor to give a reason if it elects not to renew it.
- 3.3 Extensions. The term of this Contract may be extended only by an amendment signed by both Parties.

4. Compensation.

- 4.1 As compensation for the Services provided under this Contract, OC San shall pay Contractor a total amount not to exceed Two Million Two Hundred Forty-Six Thousand Nine Hundred Seventy-Two Dollars and Fifty Cents (\$2,246,972.50).
- 4.2 Contractor shall provide OC San with all required premiums and/or overtime work at no charge beyond the amount specified above.

4.3 For purposes of adjusting the maximum hourly rates agreed to by the Parties in Exhibit “B” for Contractor employees and any of its subcontractor employees performing services under this Contract, rates shall be adjusted annually based on the Consumer Price Index (CPI) of Los Angeles-Long Beach-Anaheim, California as of September of each year. This rate is from the United States Department of Labor Bureau of Labor Statistics. The annual salary figures used in calculating hourly rates shall not otherwise be adjusted, regardless of whether any Contractor employees may have received a salary increase from Contractor that exceeds that increase in CPI. The annual adjustments shall not exceed three percent (3%).

5. Payments and Invoicing.

5.1 OC San shall pay itemized invoices for work completed in accordance with Exhibit “A” thirty (30) days from receipt of the invoice and after approval by OC San’s Project Manager or designee. OC San shall be the determining party, in its sole discretion, as to whether the Services have been satisfactorily completed.

5.2 Contractor shall submit its invoices to OC San Accounts Payable by electronic mail to APStaff@OCSan.gov. In the subject line include “INVOICE” and the Purchase Order Number.

6. California Department of Industrial Relations Registration and Record of Wages.

6.1 To the extent Contractor’s employees and/or its subcontractors perform work related to this Contract for which Prevailing Wage Determinations have been issued by the California Department of Industrial Relations (DIR) as more specifically defined under Labor Code section 1720 et seq., prevailing wages are required to be paid for applicable work under this Contract. It is Contractor’s responsibility to interpret and implement any prevailing wage requirements and Contractor agrees to pay any penalty or civil damages resulting from a violation of the prevailing wage laws.

6.2 Contractor and its subcontractors shall comply with the registration requirements of Labor Code section 1725.5. Pursuant to Labor Code section 1771.4(a)(1), the work is subject to compliance monitoring and enforcement by the California Department of Industrial Relations (DIR).

6.3 Pursuant to Labor Code section 1773.2, a copy of the prevailing rate of per diem wages is available upon request at OC San’s principal office. The prevailing rate of per diem wages may also be found at the DIR website for prevailing wage determinations at <http://www.dir.ca.gov/DLSR/PWD>.

6.4 Contractor and its subcontractors shall comply with the job site notices posting requirements established by the Labor Commissioner per Title 8, California Code of Regulations section 16461(e). Pursuant to Labor Code sections 1773.2 and 1771.4(a)(2), Contractor shall post a copy of the prevailing rate of per diem wages at the job site.

6.5 Contractor and its subcontractors shall maintain accurate payroll records and shall comply with all the provisions of Labor Code section 1776. Contractor and its subcontractors shall submit payroll records to the Labor Commissioner pursuant to Labor Code section 1771.4(a)(3). Pursuant to Labor Code section 1776, the Contractor and its subcontractors shall furnish a copy of all certified payroll records to OC San and/or the general public upon request, provided the public request is made through OC San, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement of

the Department of Industrial Relations. Pursuant to Labor Code section 1776(h), penalties for non-compliance with a request for payroll records may be deducted from progress payments.

- 6.5.1 As a condition to receiving payments, Contractor agrees to present to OC San, along with any request for payment, all applicable and necessary certified payrolls and other required documents for the period covering such payment request. Pursuant to Title 8, California Code of Regulations section 16463, OC San shall withhold any portion of a payment, up to and including the entire payment amount, until certified payroll forms and any other required documents are properly submitted. In the event certified payroll forms do not comply with the requirements of Labor Code section 1776, OC San may continue to withhold sufficient funds to cover estimated wages and penalties under the Contract.
- 6.6 The Contractor and its subcontractors shall comply with Labor Code section 1774 and section 1775. Pursuant to Labor Code section 1775, the Contractor and any of its subcontractors shall forfeit to OC San a penalty of not more than two hundred dollars (\$200) for each calendar day, or portion thereof, for each worker paid less than the prevailing rates as determined by the DIR for the work or craft in which the worker is employed for any work.
 - 6.6.1 In addition to the penalty and pursuant to Labor Code section 1775, the difference between the prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate shall be paid to each worker by the Contractor or its subcontractor.
- 6.7 Contractor and its subcontractors shall comply with Labor Code sections 1810 through 1815. Contractor and its subcontractors shall restrict working hours to eight (8) hours per day and forty (40) hours per week, except that work performed in excess of those limits shall be permitted upon compensation for all excess hours worked at not less than one and one-half (1.5) times the basic rate of pay, as provided in Labor Code section 1815. The Contractor shall forfeit, as a penalty to OC San, twenty-five dollars (\$25) per worker per calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week in violation of Labor Code sections 1810 through 1815.
- 6.8 Contractor and its subcontractors shall comply with Labor Code sections 1777.5, 1777.6, and 1777.7 concerning the employment of apprentices by Contractor or any subcontractor.
- 6.9 Contractor shall include, at a minimum, a copy of the following provisions in any contract it enters into with any subcontractor: Labor Code sections 1771, 1771.1, 1775, 1776, 1777.5, 1810, 1813, 1815, 1860, and 1861.
- 6.10 Pursuant to Labor Code sections 1860 and 3700, the Contractor and its subcontractors will be required to secure the payment of compensation to employees. Pursuant to Labor Code section 1861, Contractor, by accepting this contract, certifies that:

“I am aware of the provisions of section 3700 of the Labor Code which require every employer to be insured against liability for workers’ compensation or to undertake self-insurance in accordance with the provisions of that code, and

I will comply with such provisions before commencing the performance of the work of this contract.”

Contractor shall ensure that all its contracts with its subcontractors provide the provision above.

7. **Davis-Bacon Act.** Not Used.
8. **Damage to OC San’s Property.** Any of OC San’s property damaged by Contractor, any subcontractor, or by the personnel of either will be subject to repair or replacement by Contractor at no cost to OC San.
9. **Freight (F.O.B. Destination).** Contractor assumes full responsibility for all transportation, transportation scheduling, packing, handling, insurance, and other services associated with delivery of all products deemed necessary under this Contract.
10. **Audit Rights.** Contractor agrees that, during the term of this Contract and for a period of three (3) years after its expiration or termination, OC San shall have access to and the right to examine any directly pertinent books, documents, and records of Contractor relating to the invoices submitted by Contractor pursuant to this Contract.
11. **Contractor Safety Standards and Human Resources Policies.** OC San requires Contractor and its subcontractor(s) to follow and ensure their employees follow all Federal, State, and local regulations as well as the Contractor Safety Standards while working at OC San locations. If, during the course of the Contract, it is discovered that the Contractor Safety Standards do not comply with Federal, State, or local regulations, the Contractor is required to follow the most stringent regulatory requirement at no additional cost to OC San. Contractor, its subcontractors, and all of their employees shall adhere to the safety requirements in Exhibit “A,” all applicable Contractor Safety Standards in Exhibit “D,” and the Human Resources Policies in Exhibit “E.”
12. **Insurance.** Contractor and all its subcontractors shall purchase and maintain, throughout the term of this Contract and any periods of warranty or extensions, insurance in amounts equal to the requirements set forth in the signed Exhibit “C” – Determined Insurance Requirement Form. Contractor shall not commence work under this Contract until all required insurance is obtained in a form acceptable to OC San, nor shall Contractor allow any subcontractor to commence service pursuant to a subcontract until all insurance required of the subcontractor has been obtained. Failure to obtain and maintain the required insurance coverage shall result in termination of this Contract.
13. **Bonds.** Not Used.
14. **Indemnification and Hold Harmless Provision.** Contractor shall assume all responsibility for damages to property and/or injuries to persons, including accidental death, which may arise out of or may be caused by Contractor’s Services under this Contract, or by its subcontractor(s), or by anyone directly or indirectly employed by Contractor, and whether such damage or injury shall accrue or be discovered before or after the termination of the Contract. Except as to the active negligence of or willful misconduct of OC San, Contractor shall indemnify, protect, defend, and hold harmless OC San, its elected and appointed officials, officers, agents, and employees from and against any and all claims, liabilities, damages, or expenses of any nature, including attorneys’ fees: (a) for injury to or death of any person, or damage to property, or interference with the use of property arising out of or in connection with

Contractor's performance under the Contract, and/or (b) on account of use of any copyrighted or uncopyrighted material, composition, or process; or any patented or unpatented invention, article, or appliance furnished or used under the Contract, and/or (c) on account of any goods and services provided under this Contract. This indemnification provision shall apply to any acts or omissions, willful misconduct, or negligent misconduct, whether active or passive, on the part of Contractor or anyone employed by or working under Contractor. To the maximum extent permitted by law, Contractor's duty to defend shall apply whether or not such claims, allegations, lawsuits, or proceedings have merit or are meritless; or which involve claims or allegations that any of the parties to be defended were actively, passively, or concurrently negligent; or which otherwise assert that the parties to be defended are responsible, in whole or in part, for any loss, damage, or injury. Contractor agrees to provide this defense immediately upon written notice from OC San, and with well qualified, adequately insured, and experienced legal counsel acceptable to OC San. This section shall survive the expiration or early termination of the Contract.

15. **Independent Contractor.** The relationship between the Parties hereto is that of an independent contractor and nothing herein shall be deemed to make Contractor an OC San employee. During the performance of this Contract, Contractor and its officers, employees, and agents shall act in an independent capacity and shall not act as OC San's officers, employees, or agents. Contractor and its officers, employees, and agents shall obtain no rights to any benefits which accrue to OC San's employees.
16. **Subcontracting and Assignment.** Contractor shall not delegate any duties nor assign any rights under this Contract without the prior written consent of OC San. Any such attempted delegation or assignment shall be void.
17. **Disclosure.** Contractor agrees not to disclose, to any third party, data or information generated from this Contract without the prior written consent from OC San.
18. **Non-Liability of OC San Officers and Employees.** No officer or employee of OC San shall be personally liable to Contractor, or any successor-in-interest, in the event of any default or breach by OC San, or for any amount which may become due to Contractor or to its successor, or for breach of any obligation under the terms of this Contract.
19. **Third-Party Rights.** Nothing in this Contract shall be construed to give any rights or benefits to anyone other than OC San and Contractor.
20. **Applicable Laws and Regulations.** Contractor shall comply with all applicable Federal, State, and local laws, rules, and regulations. Contractor also agrees to indemnify and hold OC San harmless from any and all damages and liabilities assessed against OC San as a result of Contractor's noncompliance therewith. Any provision required by law to be included herein shall be deemed included as a part of this Contract whether or not specifically included or referenced.
21. **Licenses, Permits, Ordinances, and Regulations.** Contractor represents and warrants to OC San that it has obtained all licenses, permits, qualifications, and approvals of whatever nature that are legally required to provide the Services. Any and all fees required by Federal, State, County, City, and/or municipal laws, codes, and/or tariffs that pertain to the work performed under this Contract will be paid by Contractor.
22. **Regulatory Requirements.** Contractor shall perform all work under this Contract in strict conformance with applicable Federal, State, and local regulatory requirements including, but

not limited to, 40 CFR 122, 123, 124, 257, 258, 260, 261, and 503, Title 22, 23, and Water Codes Division 2.

- 23. Environmental Compliance.** Contractor shall, at its own cost and expense, comply with all Federal, State, and local environmental laws, regulations, and policies which apply to the Contractor, its subcontractors, and the Services, including, but not limited to, all applicable Federal, State, and local air pollution control laws and regulations.
- 24. South Coast Air Quality Management District's Requirements.** It is Contractor's responsibility to ensure that all equipment furnished and installed be in accordance with the latest rules and regulations of the South Coast Air Quality Management District (SCAQMD). All Contract work practices, which may have associated emissions such as sandblasting, open field spray painting, or demolition of asbestos containing components or structures shall comply with the appropriate rules and regulations of SCAQMD.
- 25. Warranties.** In addition to the warranties stated in Exhibit "A," the following shall apply:
- 25.1 Manufacturer's standard warranty shall apply. All manufacturer warranties shall commence on the date of acceptance of the work as complete by the OC San Project Manager or designee.
- 25.2 Contractor's Warranty (Guarantee): If within a one (1) year period of completion of all work specified in Exhibit "A," OC San informs Contractor that any portion of the Services provided fails to meet the standards required under this Contract, Contractor shall, within the time agreed to by OC San and Contractor, take all such actions as are necessary to correct or complete the noted deficiency(ies) at Contractor's sole expense.
- 26. Dispute Resolution.**
- 26.1 In the event of a dispute as to the construction or interpretation of this Contract, or any rights or obligations hereunder, the Parties shall first attempt, in good faith, to resolve the dispute by mediation. The Parties shall mutually select a mediator to facilitate the resolution of the dispute. If the Parties are unable to agree on a mediator, the mediation shall be conducted in accordance with the Commercial Mediation Rules of the American Arbitration Agreement, through the alternate dispute resolution procedures of Judicial Arbitration through Mediation Services of Orange County ("JAMS"), or any similar organization or entity conducting an alternate dispute resolution process.
- 26.2 In the event the Parties are unable to timely resolve the dispute through mediation, the issues in dispute shall be submitted to arbitration pursuant to Code of Civil Procedure, Part 3, Title 9, sections 1280 et seq. For such purpose, an agreed arbitrator shall be selected, or in the absence of agreement, each party shall select an arbitrator, and those two (2) arbitrators shall select a third. Discovery may be conducted in connection with the arbitration proceeding pursuant to Code of Civil Procedure section 1283.05. The arbitrator, or three (3) arbitrators acting as a board, shall take such evidence and make such investigation as deemed appropriate and shall render a written decision on the matter in question. The arbitrator shall decide each and every dispute in accordance with the laws of the State of California. The arbitrator's decision and award shall be subject to review for errors of fact or law in the Superior Court for the County of Orange, with a right of appeal from any judgment issued therein.
- 27. Liquidated Damages.** Not Used.

28. **Remedies.** In addition to other remedies available in law or equity, if the Contractor fails to make delivery of the goods and Services or repudiates its obligations under this Contract, or if OC San rejects the goods or Services or revokes acceptance of the goods and Services, OC San may (a) cancel the Contract; (b) recover whatever amount of the purchase price OC San has paid, and/or (c) “cover” by purchasing, or contracting to purchase, substitute goods and Services for those due from Contractor. In the event OC San elects to “cover” as described in (c), OC San shall be entitled to recover from Contractor as damages the difference between the cost of the substitute goods and Services and the Contract price, together with any incidental or consequential damages.
29. **Force Majeure.** Neither party shall be liable for delays caused by accident, flood, acts of God, fire, labor trouble, war, acts of government, or any other cause beyond its control, but the affected party shall use reasonable efforts to minimize the extent of the delay. Work affected by a force majeure condition may be rescheduled by mutual consent of the Parties.
30. **Termination.**
- 30.1 OC San reserves the right to terminate this Contract for its convenience, with or without cause, in whole or in part, at any time, by written notice from OC San. Upon receipt of a termination notice, Contractor shall immediately discontinue all work under this Contract (unless the notice directs otherwise). OC San shall thereafter, within thirty (30) days, pay Contractor for work performed (cost and fee) through the date of termination. Contractor expressly waives any claim to receive anticipated profits to be earned during the uncompleted portion of this Contract. Such notice of termination shall terminate this Contract and release OC San from any further fee, cost, or claim hereunder by Contractor other than for work performed through the date of termination. Contractor may terminate this Contract for its convenience upon 120 days’ notice to OC San.
- 30.2 OC San reserves the right to terminate this Contract immediately upon OC San’s determination that Contractor is not complying with the Scope of Work requirements, if the level of service is inadequate, or for any other default of this Contract.
- 30.3 OC San may also immediately terminate this Contract for default, in whole or in part, by written notice to Contractor:
- if Contractor becomes insolvent or files a petition under the Bankruptcy Act; or
 - if Contractor sells its business; or
 - if Contractor breaches any of the terms of this Contract; or
 - if the total amount of compensation exceeds the amount authorized under this Contract.
- 30.4 All OC San’s property in the possession or control of Contractor shall be returned by Contractor to OC San on demand or at the expiration or early termination of this Contract, whichever occurs first.
31. **Attorney’s Fees.** If any action at law or in equity or if any proceeding in the form of an Alternative Dispute Resolution (ADR) is necessary to enforce or interpret the terms of this Contract, the prevailing party shall be entitled to reasonable attorney’s fees, costs, and necessary disbursements in addition to any other relief to which the prevailing party may be entitled.
32. **Waiver.** The waiver by either party of any breach or violation of, or default under, any provision of this Contract shall not be deemed a continuing waiver by such party of any other provision

38. **Authority to Execute.** The persons executing this Contract on behalf of the Parties warrant that they are duly authorized to execute this Contract and that by executing this Contract, the Parties are formally bound.
39. **Entire Agreement.** This Contract constitutes the entire agreement of the Parties and supersedes all prior written or oral communications and all contemporaneous oral agreements, understandings, and negotiations between the Parties with respect to the subject matter hereof.

Intentionally left blank. Signatures follow on the next page.

IN WITNESS WHEREOF, intending to be legally bound, the Parties hereto have caused this Contract to be signed by their duly authorized representatives.

ORANGE COUNTY SANITATION DISTRICT

Dated: _____

By: _____
Chad P. Wanke
Chair, Board of Directors

Dated: _____

By: _____
Kelly A. Lore
Clerk of the Board

Dated: _____

By: _____
Ruth Zintzun
Finance & Procurement Manager

**UNIVERSAL PROTECTION SERVICE LP DBA ALLIED
UNIVERSAL SECURITY SERVICES**

Dated: _____

By: _____

Print Name and Title of Officer

IG

EXHIBIT A
SCOPE OF WORK
For
Security Services

**EXHIBIT A
SCOPE OF WORK
SECURITY SERVICES
SPECIFICATION NO. S-2023-1429BD**

EXECUTIVE SUMMARY/OVERVIEW

The Orange County Sanitation District (OC San) operates the third largest wastewater agency west of the Mississippi River. Since 1954, we have safely collected, treated, and disposed of and/or reclaimed the wastewater generated by 2.6 million people living and working in central and northwestern Orange County, California.

Each day we treat approximately 210 million gallons of wastewater, enough water to fill Anaheim stadium over two and a quarter times. About 80 percent of the wastewater comes from homes – sinks, toilets, showers, laundry, and dishwashers. The remaining come from businesses – retail stores, restaurants, manufacturers, hotels, offices, and other industries. OC San is a special district, governed by a 25-member Board of Directors. We employ a staff of approximately 650 employees in professional, administrative, technical, and trade occupations, managing the day-to-day activities of OC San. Our facilities include 396 miles of sewer pipes, located throughout the county, and two treatment plants – one in Fountain Valley, CA and the other in Huntington Beach, CA – where wastewater is treated in accordance with strict state and federal standards. A future Headquarters Complex building to house OC San’s administrative support departments is slated for completion in early 2024.

Our employees are on duty protecting health and the environment by ensuring the sewer system efficiently operates 24 hours a day, 7 days a week and 365 days a year. We take pride in providing quality service to our ratepayers.

1.0 Purpose

- 1.1 The Orange County Sanitation District (OC San) provides for employees, visitors, and contractors a safe and secure working environment and for protection of the public’s significant investment in facilities.
- 1.2 OC San seeks to enter into a professional services Contract with a Contractor for general security guard services by armed and unarmed security officer(s).
- 1.3 OC San expects the Contractor to be solutions-oriented and proactive in assisting OC San mitigate risk and protect people, capital assets, and operations against the threats of injury and loss or damage by criminal, hostile, or malicious acts.

2.0 Description

- 2.1 Contractor will provide armed and unarmed Security Officers who will be responsible for overseeing and conducting plant and building access control, security patrol, CCTV monitoring, conducting daily checks of critical buildings and facilities, and other security related activities as directed by OC San.

3.0 Work Elements

- 3.1 Contractor agrees to furnish security guard services for the protection of all real property now or hereafter, owned, leased, or operated by OC San and requires uniformed armed and unarmed Security Officers as follows:
 - 3.1.1 Reclamation Plant 1 (Plant 1) located at 10844 Ellis Avenue, Fountain Valley, CA 92708

- 3.1.2** Headquarters Building located at 18480 Bandilier Circle, Fountain Valley, CA 92708
 - 3.1.3** Wastewater Treatment Plant 2 (Plant 2) located at 22212 Brookhurst Street, Huntington Beach, CA 92646
 - 3.1.4** Other critical sites located within our service area that require general security services by armed and unarmed security officer(s). (see attached Appendix A-1)
- 3.2** Contractor agrees to furnish Security Officers to protect against vandalism, theft, trespass, and fire; maintain order during demonstrations or assemblies; and attend any other events, as requested by OC San, to ensure the security of OC San operations and property.
- 3.3** Contractor will provide Security Officers at the locations, days of the week and times noted below:
 - 3.3.1** Post Commander/ Account Manager (**1 Post**)
 - 3.3.2** Armed Security Officer(s) at Plant 1 and Plant 2 main entrance gates, 24-hours per day and seven (7) days per week (**2 Posts**).
 - 3.3.3** Armed Security Officers at Plant 1 and Plant 2 contractor gates, and Headquarters Building, ten (10) hours per day and five (5) days per week (M-F), and as needed after hours which may include evenings and weekends, at the request of OC San (**4 Posts**).
 - 3.3.4** Armed Security Patrol Officer(s) at Plant 1, Plant 2, 24-hours per day and seven (7) days per week. Additionally, Patrol Officers for Plant 1 and Plant 2 will be responsible for rendering security services to all offsite facilities to include, but not limited to, pump stations and other properties owned by OC San (**2 Posts**).
 - 3.3.5** Unarmed Security Officer(s) located at Plant 1 Security Monitoring Station, 24-hours per day and seven (7) days per week (**1 Post**).
 - 3.3.6** Armed Security Monitoring Station/ Patrol(s) located at Headquarters Security Monitoring Station, 24-hours per day and seven (7) days per week (**1 Post**).
- 3.4** Contractor will have the capacity to provide Personnel Protective service at the request of OC San. Person(s) assigned to individual protection must have experience in law enforcement or another applicable security service. Personnel Protective service is required to utilize an unmarked vehicle when providing individual protective services for OC San employees who require elevated levels of security.
- 3.5** Security Officers will actively monitor their assigned area for unusual or suspicious activity, record visitors' names and implement visitor access and control policy, issue visitor badges, record license plate numbers, give directions, respond quickly to security and/or emergency related incidents, secure and regularly patrol plant facilities, Headquarter Building and other OC San Buildings/ Pump Stations, perimeter barriers, monitor security footage, work with law enforcement to prevent and deter crime, and conduct other security related operations as directed by OC San.
- 3.6** Contractor will have the capacity to provide additional Security Officers as requested by OC San for special events, during emergencies, or aid in the removal of homeless encampment, or for other related services.

- 3.7** Management or supervisory personnel of the Contractor must be readily available to respond to all security related issues at the request of OC San. Management and supervisory services, including but not limited to, contract administration, supervision, training, and scheduling of personnel shall be the responsibility of the Contractor.
- 3.8** Security Officers must meet all requirements for licensure as identified under the California Bureau of Security and Investigative Service (BSIS) requirement for licensure and must undergo a criminal history background check through the California Department of Justice (DOJ) and Federal Bureau of Investigation (FBI). Armed Security Officers (Exposed Firearms Permitted Officers) must meet the requirements established under Article 4 (commencing with Section 7540) of Chapter 11.3, Article 4 (commencing with Section 7583) or Chapter 11.5 and Article 6 (commencing with Section 7596) or Chapter 11.6 of Division 3 of the Business and Professions Code (BPC). Additionally, Armed Security Officers must maintain firearms proficiency and meet standards established by the Contractor.
- 3.8.1** Firearms caliber and model shall be based on industry standards and anticipated operational needs.
 - 3.8.2** Firearms shall not be stored onsite.
 - 3.8.3** Weapons clearing, unloading and loading areas are not provided by OC San.
- 3.9** Security Officers are required to adhere to all safety guidelines established by OC San and will be trained in safe work practices and procedures. Contractor will provide all American National Standards Institute (ANSI) approved personnel protective equipment (PPE) necessary for Security Officers to operate within the plant and all designated areas. Personnel working in mandatory designated process areas must wear the following approved PPE:
- 3.9.1** Hard Hat
 - 3.9.2** Steel toe boots or shoes
 - 3.9.3** Eye protection
 - 3.9.4** Ear protection (in designated areas)
 - 3.9.5** High-visibility safety vest
 - 3.9.6** Personal 4-gas meter capable of monitoring hydrogen sulfide, carbon monoxide, LEL, and percent oxygen. Meter shall be BW Gas Alert MicroClip XL or equivalent.
- 3.10** Security Officers will be employees of the Contractor, and the Contractor will pay all salaries, benefits, and expenses of, and all federal Social Security taxes, federal and state unemployment taxes, and any similar taxes relating to such employees. Contractor shall not sub-contract security personnel for assignment at OC San.
- 3.11** Security Officers must maintain Cardiopulmonary Resuscitation (CPR) certification from the American Red Cross or American Heart Association (AHA).
- 3.12** Security Officers will be required to utilize visitor management software to record visitors' names and implement visitor access and control policy, issue visitor badges, record license plate numbers, and restrict visitor access using integrated mechanisms that flag restricted persons from accessing OC San properties. Additionally, Officers will be responsible for giving directions to visitors, responding to security or emergency related incidents, and communicate visitor and contractor access with Plant Operations and/or Risk Management.

4.0 Uniforms and Equipment

- 4.1** Contractor shall supply all uniforms as specified by OC San and assure they are cleaned and maintained at Contractors expense. All Contractor personnel shall wear complete uniforms (with PPE when appropriate), badges, and company designation patch as issued by the Contractor. Safety hard hats and reflective safety vests will be issued at Contractors expense. See Section 3.9 for additional safety and PPE requirements. Prior to use, uniforms must be approved by OC San. Each security officer shall also have nametags. Nametag and personal photographic identification card shall be worn on the outside of the uniform, in clear view while on duty. OC San will be responsible for issuing an access control card with the Officer's name and picture identification. Uniforms shall meet the following requirements:
- 4.1.1** Trouser – Gray or Black color and may be flat or cargo type pant
 - 4.1.2** Shirt – White, blue, or grey shirt with short and / or long sleeves
 - 4.1.3** Belt – Black tactical law enforcement type
 - 4.1.4** Socks - White or black mid-calf sock
 - 4.1.5** Jacket – Rain and/or windbreaker jacket or authorized poncho during inclement weather
 - 4.1.6** Holster – Hip holster and up to two (2) magazine cases
 - 4.1.7** Optional radio pouch or holder
 - 4.1.8** Footwear – Solid black steel toed shoes or boots
 - 4.1.9** Glasses – Prescription or black protective sunglasses
 - 4.1.10** Security badge (pinned or sown)
- 4.2** Contractor shall provide all weather gear, flashlights, cellular telephones, patrol vehicle(s), safety equipment, and other equipment required to perform the services required or as specified by OC San. Contractor shall immediately replace or repair any Contractor supplied equipment damaged or lost through neglect by Contractor personnel or normal wear and tear associated with ordinary use and exposure over time.
- 4.3** Officers are not authorized to wear handcuffs, batons, or tactical type plate carriers. Pepper spray may be carried if Officer is trained and certified in its use.
- 4.4** OC San will be responsible for issuing two-way radio units with the capacity to communicate with OC San personnel and monitor all radio traffic. Should radio equipment be lost or damaged, the Contractor shall reimburse OC San for the full replacement cost of the new unit.
- 4.5** Contractor will provide at their expense cellular phones for applicable security personnel for use during daily operations.
- 4.6** Security booths located at Plant entry gates will be provided for Security Officers use. The Contractor shall not make any modifications or alterations to this buildings or structures without the permission of the designated OC San Security Representative. OC San will provide normal maintenance and repair of the facilities. Cleanliness in the Security Booths

and areas used by Contractors employees shall be the responsibility of the Contractor. OC San will provide janitorial service for all booths. Additionally, OC San will provide the necessary items to support day-to-day security operations to security booths that will support their use. Items will include:

4.6.1 Desktop or laptop computer

4.6.1.1 Personal use of desktop or laptop computer is prohibited.

4.6.2 Phone system

4.6.2.1 Personal use of phone system is prohibited.

4.6.3 Microwave

4.6.4 Refrigerator

4.6.5 Air conditioning / heating unit

4.6.6 Restroom

4.7 Contractor will provide three (3) security vehicles which will support patrol of OC San properties within the service area and other administrative functions as necessary to perform security related activities. Contractor will be responsible for cost of fuel, maintenance, and all other miscellaneous costs. Vehicles shall meet the following requirements:

4.7.1 Each vehicle shall not have mileage more than 100,000 miles, nor shall the vehicle(s) be more than five years old. If the Contractors vehicle(s) exceed the specified mileage or age, the Contractor shall replace said vehicle(s).

4.7.2 Vehicles shall not have damaged or dented bodies, damaged paint finishes, damaged windows, or missing parts.

4.7.3 Each vehicle shall be clearly marked as a security vehicle and will have overhead amber colored light bar for visibility.

4.7.4 Can traverse rough terrain such as dirt or muddy roads.

5.0 Duty Assignments & Provider Service Contract

5.1 Security Officers will be assigned to the following duty assignments:

HEADQUARTERS BUILDING	DAY OF THE WEEK	LOCATION
Armed Security Officer Lobby Desk	M-F, 0700-1700	18480 Bandilier Circle, Fountain Valley
Armed Security Officer Security Monitoring Station & Patrol	24 hours / 7 days	
RECLAMATION PLANT 1	DAYS OF THE WEEK	LOCATION
Armed Post Commander & Vehicle	M-F, 0700-1530; available upon request	10844 Ellis Avenue, Fountain Valley
Armed Security Officer Ellis Main Gate	24 hours / 7days	

Armed Security Officer Garfield Construction Gate	M-F, 0530-1530; and on evenings and weekends upon request	
Armed Security Officer Patrol & Patrol Vehicle	24 hours / 7 days	
Unarmed Security Officer Security Monitoring Station	24 hours / 7 days	
WASTEWATER TREATMENT PLANT 2	DAYS OF THE WEEK	LOCATION
Armed Security Officer Brookhurst Main Gate	24 hours / 7 days	22212 Brookhurst Street, Huntington Beach
Armed Security Officer Banning Construction Gate	M-F, 0530-1530; and on evenings and weekends upon request	
Armed Security Officer Bushard Construction Gate	M-F, 0530-1530; and on evenings and weekends upon request	
Armed Security Officer Patrol & Patrol Vehicle	24 hours / 7 days	
OFFSITE FACILITIES/ PUMPING STATIONS	DAYS OF THE WEEK	
Armed or Unarmed Security Officer	Upon Request	All
PERSONNEL PROTECTIVE SERVICES	WEEKDAYS	LOCATION
Armed Security Officer	Upon Request	All

- 5.2** This is not an exclusive contract and if the Contractor fails to provide continuity of service, then OC San reserves the right to hire security staff from another Contractor to augment security staff and or meet OC San's business needs. Any additional costs incurred by OC San because of such action will be billed to the Contractor.
- 5.3** OC San will not pay any overtime for personnel because the Contractor failed to provide the number of security officers required for each assignment and each shift as specified in this Scope of Work. Overtime bill rates may apply if requested and approved by OC San for guard services outside of the core hours for non-standard scheduling and events.
- 5.4** OC San reserves the right to reduce security staffing or move posts.
- 5.5** No services shall be subcontracted to a third-party security agency.
- 5.6** OC San does not specify or monitor health and other benefits for Contractors employees. All costs relating to health and benefits shall be borne by the Contractor at no additional cost to OC San. OC San shall only be billed based on a flat hourly bill rate for actual hours worked on-site. The hourly bill rate for each position shall include all Contractors salaries, over-time pay, benefits, overhead, etc. With exception to the Plant 1 and Plant 2 Patrol Officers and Main Gate Officers, Security Services staffing will observe OC San holiday schedule.
- 5.7** One (1) Post Commander is required to oversee security operations at OC San, even when the assigned Post Commander is on vacation, leave, and during off-site non-OC San requested meetings or trainings. An Armed Security Officer or Patrol Officer may serve as the Acting Post Commander during the assigned Post Commander's absence. OC San will reimburse for the Post Commander's hourly bill rate and not one at a higher rate. The Acting Post Commander shall not have a dual role.

6.0 Responsibilities

- 6.1** Security Officers assigned to OC San locations will execute his/her responsibilities in a positive and professional manner. The Contractor shall clearly demonstrate its commitment to providing personnel who project this positive image to employees, customers, suppliers and to the public.
- 6.2** Contractor will deliver the requested services, including but not limited to the following:
 - 6.2.1** Protecting the safety of persons, their property, and OC San critical infrastructure.
 - 6.2.2** Implement and enforce OC San visitor control and access policies.
 - 6.2.3** Prevent and minimize fire, theft, damage, and trespass on OC San properties.
 - 6.2.4** Report any unusual incidents or hazardous conditions.
 - 6.2.5** Be familiar with fire and evacuation procedures for all sites. Additionally, Security Officers shall assist OC San staff as needed, to include assist in evacuating OC San employees, contractors, and visitors during emergencies and directing evacuees to safety assembly areas. OC San is vulnerable to the following natural and manmade hazards:
 - 6.2.5.1** Tsunami warnings
 - 6.2.5.2** Suspicious packages
 - 6.2.5.3** Medical emergencies
 - 6.2.5.4** Terrorism or other acts of violence such as an active shooter
 - 6.2.5.5** Building evacuations or shelter-in-place
 - 6.2.5.6** Elevator entrapments
 - 6.2.5.7** Criminal incidents
 - 6.2.5.8** Hazardous materials release or biosolid spill within the plant
 - 6.2.5.9** Fire alarm activation, both legitimate and false
 - 6.2.6** Be familiar with intrusion alarms or panic alarms in buildings.
 - 6.2.7** Security officers shall use cell phones as required to perform duties and shall not be in possession of personal electronic devices or reading materials not related to security officer's duties while on duty.
 - 6.2.8** Monitor Closed Circuit Television (CCTV) for suspicious, illegal, or irregular activities and reports such activities, as required.
 - 6.2.9** Operate radios, computers, and telephones, provided by both the Contractor and OC San, to facilitate communications with OC San management, plant operations and Risk Management Division staff as required.

- 6.2.10** Monitor all traffic (vehicle and pedestrian), screen and assist visitors as appropriate, and ensure that persons without legitimate business are asked to leave or are escorted from OC San Properties.
- 6.2.11** Notifying Plant Operations, OC San Risk Management, Fountain Valley Police Department (FVPD), Huntington Beach Police Department (HBPD), and/ or other applicable persons/ agency as necessary in the event of an emergency.
- 6.2.12** Issuing temporary parking passes and visitor identification cards / badges according to OC San Workplace Security Policy.
- 6.2.13** Directing visitors to-lobby or other common areas.
- 6.2.14** Maintain accurate key control of all issued keys and access cards.
- 6.2.15** Assist in emergency evacuation of OC San facilities and aid the Building Evacuation Coordinators or designee, as directed.
- 6.2.16** Protect and safeguard employees and/or visitors and notify the Plant Operations or Control Center, OC San Security Representative, FVPD, HBPD, and other law enforcement agencies as necessary.
- 6.2.17** Wear issued uniform for field and office environment. The Contractor must provide all uniforms, at the Contractors expense, tailored to the employee, and be the same for all assigned Security Officers and Post Commander / Account Manager. Contractor shall obtain approval for all security uniforms that are worn on OC San property. Contractor may make uniform recommendations that may be implemented upon the approval of OC San.

6.3 Conducting Administrative and Supervisory Duties

- 6.3.1** Maintain legible digital records of security officer force activities and provide daily written reports which pertain to occurrences relating to the security of OC San facilities, employees, contractors, and visitors. Upon request by OC San Risk Management, Contractor Account Manager/Management shall meet with Risk Management to discuss issues or concerns. Maintain and provide daily shift overview reports which include but are not limited to shift notes or the daily report, security checkpoints, security observations, and times of security related activities.
- 6.3.2** Contractor shall have the ability to implement automated daily activity reporting and incident reporting software management system, with the capability to send emails of reports to applicable OC San officials. Contractor shall have the responsibility to send daily reports to OC San Risk Management and other officials as needed. OC San does not specify the type of automated daily activity reporting and incident reporting software management system.
- 6.3.3** Recommend solutions to OC San for recurring security problems. Contractor must have the ability to work with OC San management to solve security related issues throughout all OC San facilities. Contractor is expected to be proactive in ensuring a safe and secure environment is established and maintained.

- 6.3.4** Operate OC San-supplied radio units for internal security communication related operations.
 - 6.3.5** Duties at OC San facilities involve protecting OC San property and personnel, traffic control and reporting violations of OC San rules or safety policies.
 - 6.3.6** Control the entrance and movement of pedestrian and vehicular traffic at all gates.
 - 6.3.7** OC San Risk Management shall schedule and meet with the Post Commander/ Account Manager on a regular basis to discuss issues which involve OC San security matters and personnel. The frequency of the meeting shall be mutually acceptable to both parties.
 - 6.3.8** Contractor is responsible to ensure that Security Officers receive meal and periodic breaks as required by law. Meal and rest periods for all gate officers and security monitoring station shall be covered by patrol officer and/or post commander.
 - 6.3.9** Contractor personnel may be required to operate / maintain access control program software, and other technologies such as motorized or non-motorized gates or gate arms at the plant entrance, security post, or centralized security monitoring station which is provided and maintained by OC San. The cost of repair for any damage to such equipment beyond the scope of normal wear and usage will be the responsibility of the Contractor, and the next following invoice submitted will reflect a credit of such amount.
 - 6.3.10** Security personnel will be required to operate the electronic visitor management system and adhere to OC San Visitor Identification and Control Policy.
- 6.4** Contractor shall document incidents and provide oral reports of any incident that occurs on any shift by the close of that shift period. This report shall be provided to the shift supervisor and to Risk Management. An incident is defined as, but not limited to the following:
- 6.4.1** Any apparent or suspected criminal attack exercised against OC San, its assets, or personnel, including employees of the Contractor assigned to the site or any authorized visitors thereon.
 - 6.4.2** Any criminal or civil charges brought against the Contractor or its personnel as it may relate to the contracted services.
 - 6.4.3** Any apparent trespass of OC San's property.
 - 6.4.4** Any verbal or physical confrontation resulting between a Security Officer and an OC San employee or guest or visitor of OC San.
 - 6.4.5** Any performance failure of the Contractor.
 - 6.4.6** Any federal, state, or county regulatory requirement in which the Contractor is in noncompliance.
 - 6.4.7** Any equipment or system failure associated with the performance of the contracted services by the Contractor.

- 6.4.8** Any fire or unsafe condition existing within the OC San environment and observed by or reported to a Security Officer, and the emergency actions taken by the Security Officer to eliminate or ameliorate such conditions.
- 6.4.9** Any incidents in which procedures governing the safe and orderly operations of the site are violated.

7.0 General Guidelines

- 7.1** OC San expects the Contractors staff to be highly competent and professional. Security Officer duties are generally routine; however, inherent to security personnel is a special trust. Security Officers must adhere to a strict code of ethics and project a favorable image. An ongoing effort by the Contractor and Contractor staff is necessary to ensure that Security Officers are highly qualified and accepted as an asset to the OC San. OC San shall review the Contractor's job descriptions and qualification for their security officers. OC San shall have the ability to make changes to the job description and specifications if they do not match our requirements.
- 7.2** OC San will not accept any Contractors employees who have been involved in or display the following:
 - 7.2.1** A felony conviction.
 - 7.2.2** Conviction for a sex crime offense.
 - 7.2.3** Conviction of drunk or reckless driving within the last three (3) years; or a pattern of irresponsible behavior including, but not limited to, unsatisfactory driving or employment records.
 - 7.2.4** History of dishonest behavior in the work environment and/or poor or negative work history with OC San.
 - 7.2.5** Neck or facial tattoos.
- 7.3** The expected levels of conduct and proficiency are listed below. It is not intended to be an inclusive list and is subject to modification. OC San shall maintain the right to adjust performance standards if they are found to be lacking and give a poor reflection upon OC San.
 - 7.3.1** A professional attitude and demeanor that is cooperative, tactful, and conveys a sense of confidence to employees.
 - 7.3.2** Exhibit trustworthiness and honesty with OC San officials, contractors, and visitors. Dishonest and inappropriate behavior may result in removal from assignment.
 - 7.3.3** Project a favorable image with appearance, attitude, courtesy, and job knowledge.
 - 7.3.4** Exhibit good judgment and presence of mind in making decisions.
 - 7.3.5** A consistent clean, neat uniform appearance. No unauthorized articles of clothing. All shirts correctly buttoned.
 - 7.3.6** Prompt and regular attendance to maintain effective and efficient operations.

Officers are expected to report to work as scheduled, unless proper arrangements have been made.

- 7.3.7** The roving security patrol officer will leave the plant only when driving between all OC San facilities or properties. If the security patrol officer must drive to another location, the security patrol officer shall obtain prior approval from the authorized designated Post Commander / Manager or Risk Management representative.
- 7.3.8** Roving security patrol officer shall patrol areas to include Plant No. 1 & 2 and all OC San buildings and other facilities as required. The Patrol Officer will be responsible for securing and observing check points per the Post Order, assisting main gate during high traffic flow.
- 7.3.9** Submission of Security Officer reports that are accurate, complete, legible, and timely. No abbreviations, no police radio codes, any personal opinions, editorial comments, or graphics. Sketches or pictures of the incident shall be included if available.
- 7.3.10** Proper English grammar shall be used to prepare official security incident reports.
- 7.3.11** Accurate and timely submission of incident reports when applicable.
- 7.3.12** Accurate and timely submission of injury reports and vehicle accident reports as required.
- 7.3.13** In the event, a Security Officer is involved in a vehicle collision on OC San property; the Security Officer shall undergo alcohol and drug testing that day. The Security Officer involved in the vehicle accident cannot be assigned to OC San facilities pending the results of the alcohol and drug test.
- 7.3.14** Prompt reporting of security discrepancies.
- 7.3.15** Basic computer skills which will include Microsoft Office, Outlook, and other security related software applications acquired and utilized by OC San.
- 7.3.16** Proper care and accountability of OC San property.
- 7.3.17** Demonstrated competence in using security related equipment, such as radios, CCTV monitors, cellular telephones, alarm monitors, electronic visitor management system, and keypads.
- 7.3.18** Maintain assigned post in a clear and organized appearance.
- 7.3.19** Proper radio communication procedure and courtesy. (No profanity or foul language.)
- 7.3.20** Make all communications check-in calls on time or account for absence prior to the check-in time.
- 7.3.21** Timely renewal of security officer registration and open carry permits (90 days prior to expiration).
- 7.3.22** Maintain valid California driver's license. Driving license record must be

provided upon OC San request.

- 7.3.23** Excellent attendance record with no abuse of sick leave.
- 7.3.24** Knowledge and compliance with appropriate department directives. (Manual, post orders, department memorandums, security bulletin.)
- 7.3.25** Adherence to OC San regulations and policies.
- 7.3.26** Being knowledgeable of emergency plans for assigned facility.
- 7.3.27** Being knowledgeable of key management personnel at assigned facility.
- 7.3.28** Make constructive suggestions for improvements within the security operating procedures as appropriate.
- 7.3.29** Investigate the background and references of each security officer assigned to OC San.
- 7.3.30** Complete a criminal history check for all security officers that will work at OC San.
- 7.3.31** Provide copy of Individual State Officer License or "Guard Card" and open Carry Permit (if applicable) of each Security Officer assigned to OC San.
- 7.3.32** Ensure that each security officer assigned to OC San is fluent in English. He or she must have the ability to read, write and speak the English language. The ability to speak and understand Spanish is desirable.
- 7.3.33** Ensure that each security officer is free from narcotics, marijuana, and dangerous drugs by conducting medical examination/drug screenings in compliance with applicable law. Contractor must submit all new hires to drug screening. Whenever there is reasonable suspicion that a security officer is under the influence of alcohol or an illegal substance while on duty, that employee shall be subject to further drug screening. Annual and/or random drug screening may also be performed to the extent permitted by applicable law.
- 7.3.34** OC San may request the Contractor to remove any security officer from performing services under the Contract Document at any time and for any reason. The Contractor shall remove and replace personnel within 24- hours when requested by OC San.
- 7.3.35** The Contractor shall remove and replace, if necessary, security officer within 60 minutes of OC San request for any cause or condition that renders the security officer incapable of performing his or her duties. Violations include but are not limited to sleeping on duty, theft, and on-duty use of alcoholic beverages or illegal drugs.
- 7.3.36** Engagement in any activity that may detract from the security officer's alertness and undivided attention to their duties shall not be permitted. This includes sleeping while on duty, unreasonable delays, or failures to carry out assigned tasks, and conducting personal affairs.

7.4 OC San representative will meet with all newly hired Security Officers prior to their

assignment.

8.0 Qualifications and Training

8.1 Contractor understands that security officer personnel proposed to be assigned to OC San shall, as a minimum, possess the following:

- 8.1.1** Proof of having passed all state requirements for armed or unarmed security officers. Officers must possess an identification card issued by the Bureau of Security and Investigative Services, State of California Consumer Affairs Dept., which allows them to be employed by a licensed security agency. A copy of this security officer card or "guard card" shall be sent to OC San prior to the security officer reporting for duty. No Contractor employee is exempt from this requirement.
- 8.1.2** A high school diploma or GED.
- 8.1.3** Individuals proposed for assignment, as Security Officers will have at least one year of prior satisfactory employment in a similar capacity.
- 8.1.4** OC San reserves the right to review and interview all prospective security officers and to qualify and disqualify the security officers based on the needs and requirements of OC San.
- 8.1.5** Demonstrated ability to read, write, and speak English.
- 8.1.6** Have the demonstrated psychological ability to deal with issues confronted by security officers in the performance of their duties.
- 8.1.7** Random drug test may be required by the Contractor if there is reasonable suspicion that a security officer is under the influence of alcohol or an illegal substance while on duty.
- 8.1.8** Personnel shall not work at any other Contractor serviced location, while permanently assigned to OC San.
- 8.1.9** Personnel shall not be required to work more than sixteen (16) continuous hours in one (1) shift or 24-hour day.
- 8.1.10** Personnel shall not be required to work more than two (2) different shifts within a normal work week unless the necessity for such assignment can be justified to the satisfaction of OC San.
- 8.1.11** Possess valid First Aid and CPR certification from the American Heart Association or American Red Cross.
- 8.1.12** Security officers must be fully capable of performing duties requiring moderate to arduous physical exertion under either normal or emergency conditions. They must possess good distance vision in each eye (corrected to at least 20/30 on the Sneller Chart), normal fields of vision, good depth perception, close vision correctable to Jaeger #4 type test of both eyes, and ability to distinguish basic colors. Hearing loss not to exceed 30 decibels in both ears, and 35 decibels in the poorer ear with or without hearing aids. Contractor shall submit proof of medical examination prior to assignment to OC San. Anything to the contrary notwithstanding, the fitness standards set forth herein shall

apply only to the extent those are job-related and consistent with business necessity, in accordance with applicable law.

- 8.1.13** Medical examination of security officers to assure their physical fitness shall be conducted prior to initial request for OC San assignment at Contractors expense. Additional medical examinations shall also be performed at Contractors expense whenever the Contractor or OC San has reason to believe based on objective evidence that the officer's ability to perform essential job functions may be impaired due to a medical condition and/or the officer may pose a direct threat due to a medical condition, in accordance with applicable law.
- 8.1.14** Security officers must be mentally alert and capable of exercising mature judgment, implementing instructions, and assimilating necessary specialized training. Emotional and mental stability is essential since duties normally require contact with the public and, under emergency situations, may involve long periods of duty without relief.
- 8.1.15** Contractor will have clearly shown OC San it has implemented a comprehensive training program for personnel to be assigned to OC San. The training shall include coverage of OC San policies and procedures and the corporate culture.
- 8.1.16** Contractor will submit a detailed description of the Contractors security officer training program including content, instructor backgrounds, hours of classroom instruction and written, audio/visual training material and how it relates to OC San's Substance Abuse and Workplace Violence and Weapons Policies. Emphasis in training in the areas of sexual harassment and recognition of potential workplace violence must be emphasized in the training of all security officer personnel assigned to OC San facilities. In addition, at Contractors expense, each security officer shall successfully complete a course in basic Security Officer training prior to assignment and shall complete an annual refresher course. The security officer training program shall include:
 - 8.1.16.1** General orientation
 - 8.1.16.2** Purposes and principles of the system of security
 - 8.1.16.3** Security as applied to OC San facilities
 - 8.1.16.4** Organization of the security officer force
 - 8.1.16.5** Functions of the security officer force
 - 8.1.16.6** Authority of the individual security officer
 - 8.1.16.7** Discipline - obedience to orders
 - 8.1.16.8** Hazardous materials and safety course (provided by OC San)
 - 8.1.16.9** Employee and public relations
 - 8.1.16.10** Self-defense

- 8.1.16.11** Communications facilities and procedures
- 8.1.16.12** Elementary first aid and fire protection
- 8.1.16.13** Report writing
- 8.1.16.14** Riot control
- 8.1.16.15** Traffic control
- 8.1.16.16** Use of two-way radios and FCC regulations
- 8.1.16.17** Operation and use of special equipment used by OC San such as electrically operated gates, closed circuit TV, etc.

9.0 Project Management

- 9.1** OC San will designate one (1) or more individuals to work with Contractors assigned Project Manager (Post Commander or Off-site Account Manager) to ensure that implementation and transition of security services are met along with delivery of all deliverables outlined in this SOW.

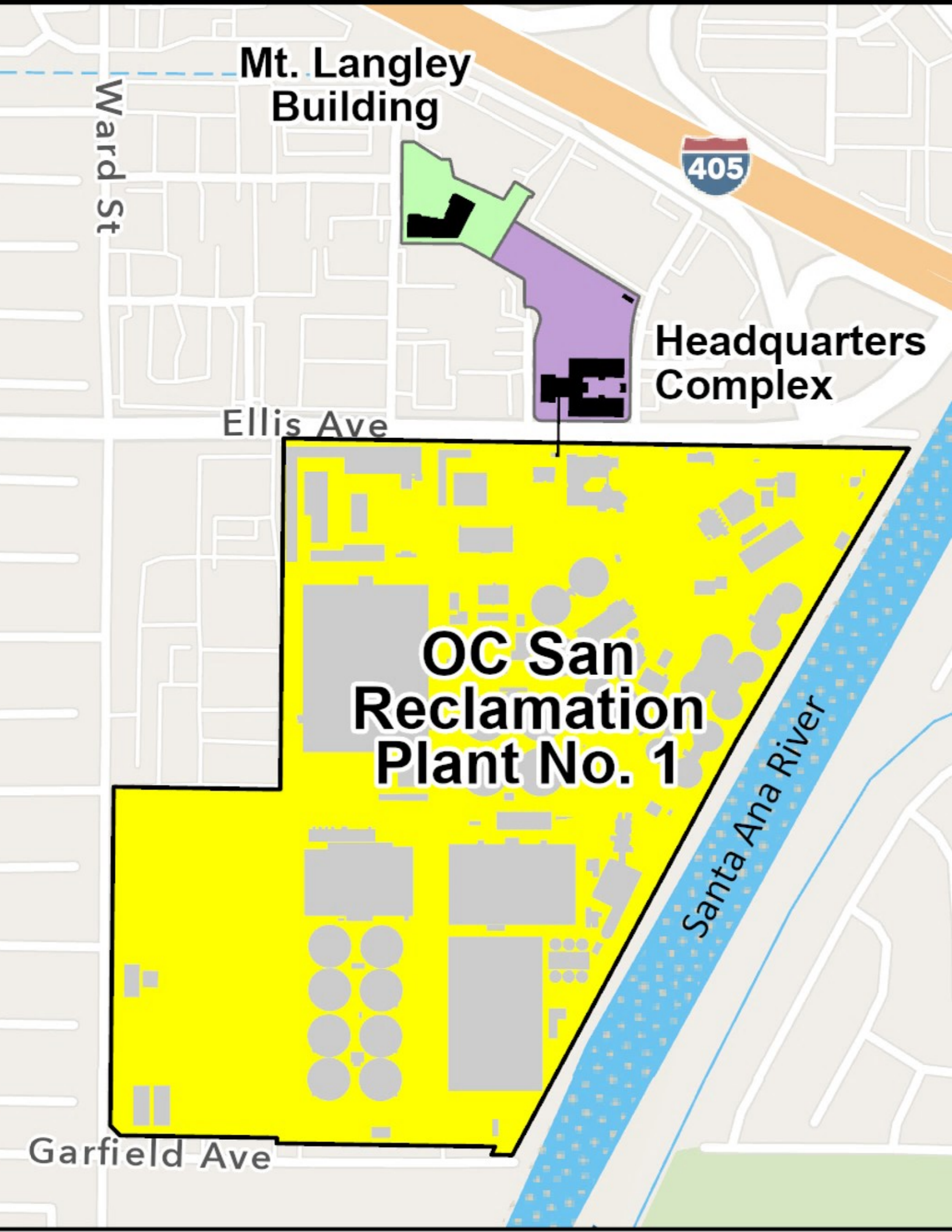
10.0 Deliverables

- 10.1** Within 30 days of the effective start date, the selected Contractor shall work with OC San's Security Representative to deliver OC San plants for:
 - 10.1.1** Contractor shall review current OC San Post Orders and provide suggestions on how to improve the visitor management and access control procedures along with all other relevant security procedures.
 - 10.1.2** Contractor shall also review appropriate Emergency Operational Plans (EOPs) and procedures.
 - 10.1.3** Reporting requirements for Security Officers.
- 10.2** Proposed Uniform Design to be worn in both field and office operating environments.
- 10.3** Security Officer and Supervisor Contact List
- 10.4** Reporting Templates:
 - 10.4.1** Daily Duty and operational reports.
 - 10.4.2** Security incident reports.
- 10.5** Proposed Security Schedule
- 10.6** Contractor shall integrate all established scan points and relevant information into their tour software and be able to provide training on use to all Security Officers and relevant OC San personnel.
- 10.7** Contractor shall conduct tour of all relevant facilities.

11.0 Safety and Health Requirements

- 11.1** The Contractor shall comply with all applicable provisions of the OC San Contractor Safety Standards, Federal OSHA, California OSHA, and Local regulations, whichever is most stringent.
- 11.2** Contractor shall wear hard hats, high-visibility safety vests, safety footwear, four-gas monitor, and safety glasses while in the plant industrial areas.
- 11.3** Contractor shall provide Security Officers who are entering the Plant process areas with a four-gas meter, capable of measuring the Lower Explosive Limit (%LEL), hydrogen sulfide (H₂S), carbon monoxide (CO), and percent oxygen (O₂). The four-gas monitor must be readily available for security personnel. OC San will assist with the training in the use of the four-gas monitor.
 - 11.3.1** Contractor will provide a calibration station at each plant for the guard(s) to calibrate their four-gas monitors.
 - 11.3.2** The monitors will be calibrated per the manufacturer required calibration schedule.
 - 11.3.3** The Contractor will be responsible for maintaining and replacing all monitors and calibration stations for their equipment.
 - 11.3.4** The monitors shall be worn by all officers entering the Plant process areas.
- 11.4** Contractor shall attend a contractor safety orientation (CSO) meeting prior to the start of work. The CSO is an OC San safety orientation conducted between Risk Management staff and the Contractor. The CSO is conducted once per year or as job conditions or scope of work changes. The Contractor shall sign the CSO documentation.
- 11.5** Confined spaces and potentially hazardous atmosphere may exist in OC San facilities. OC San will provide hazard awareness training to all security officers.
- 11.6** Security Officers will be working around hazardous materials and chemicals. Personnel assigned to OC San will be provided locations of all chemicals on site and will report any immediate release or spill or perceived hazard once it is recognized.
- 11.7** The Contractor shall submit a copy of their written, Injury and Illness Prevention Program (IIPP). The IIPP must address responsibility, compliance, communication, hazard assessment, incident investigation, hazard correction, and training as required by Title 8, California Code of Regulations, Section 3203.
- 11.8** The Contractor shall prepare and submit a written, job specific safety plan (SSSP) in accordance with OC San's Contractor Safety Standards. The SSSP must address the specific hazards and controls based on the scope of work. The SSSP must include specific controls that will be implemented to keep workers safe.
- 11.9** All chemicals brought onsite shall be accompanied with a safety data sheet (SDS). The Contractor must store and use those chemicals in accordance with the SDS and manufacturer instructions.
- 11.10** The Contractor shall submit copies of its employee trainings records to Risk Management for retention.

APPENDIX A-1
SITE MAPS
For
Security Services



Mt. Langley Building

Ward St

405

Headquarters Complex

Ellis Ave

OC San Reclamation Plant No. 1

Santa Ana River

Garfield Ave

Reclamation Plant No. 1

Revised: 4/18/22



- Abbreviations:**
- CNG = compressed natural gas
 - DAFT = dissolved air flotation tank
 - DB = distribution box
 - HW = headworks
 - GAP = Green Acres Project
 - GWRS = Groundwater Replenishment System
 - JB = junction box
 - JS = junction structure
 - MF = microfiltration
 - MWDOC = Metropolitan Water District of Orange County
 - OCWD = Orange County Water District
 - PB = power building
 - PEDB = primary effluent distribution box
 - PEJB = plant effluent junction box
 - PEPS = primary effluent pump station
 - PISB = primary influent splitter box
 - PS = pump station
 - RAS = return activated sludge
 - RO = reverse osmosis
 - SAR = Santa Ana River
 - SEJB = secondary effluent junction box
 - TFEB = trickling filter effluent box
 - TFSE = trickling filter secondary effluent
 - UST = underground storage tank
 - UV = ultraviolet light
 - WSSPS = waste sidestream pump station

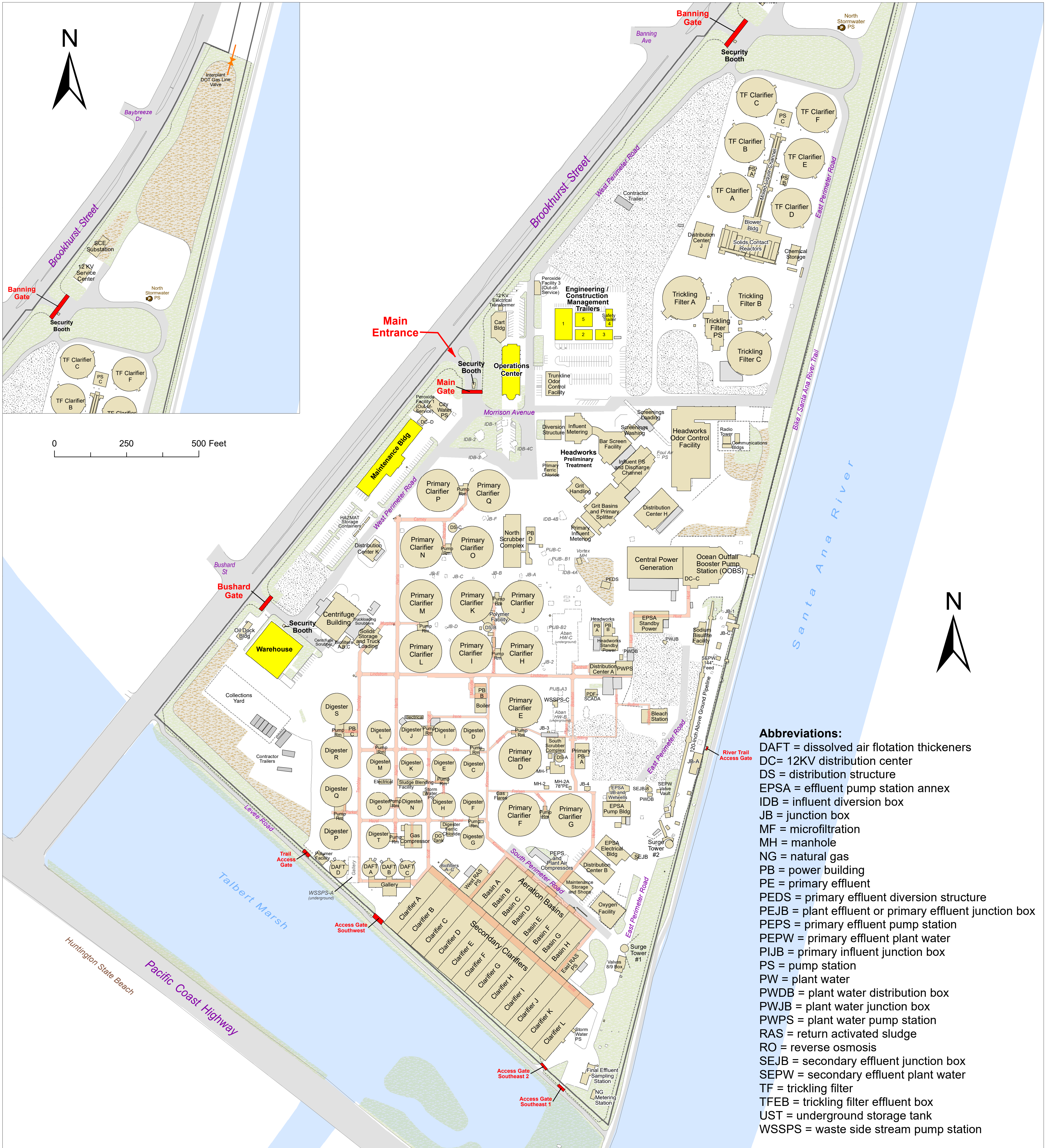
- Gate
- Support buildings
- Process structures
- Tunnels
- Underground utility structures
- Plant No. 1 perimeter
- Orange County Water District structures
- OCWD campus
- Other structures not owned by OC San

0 250 500 Feet

10844 Ellis Avenue
 Fountain Valley, CA 92708
 (714) 962-2411
 www.ocsan.gov

Treatment Plant No. 2

Revised: 6/29/21



- Abbreviations:**
- DAFT = dissolved air flotation thickeners
 - DC= 12KV distribution center
 - DS = distribution structure
 - EPSA = effluent pump station annex
 - IDB = influent diversion box
 - JB = junction box
 - MF = microfiltration
 - MH = manhole
 - NG = natural gas
 - PB = power building
 - PE = primary effluent
 - PEDS = primary effluent diversion structure
 - PEJB = plant effluent or primary effluent junction box
 - PEPS = primary effluent pump station
 - PEPW = primary effluent plant water
 - PIJB = primary influent junction box
 - PS = pump station
 - PW = plant water
 - PWDB = plant water distribution box
 - PWJB = plant water junction box
 - PWPS = plant water pump station
 - RAS = return activated sludge
 - RO = reverse osmosis
 - SEJB = secondary effluent junction box
 - SEPW = secondary effluent plant water
 - TF = trickling filter
 - TFEB = trickling filter effluent box
 - UST = underground storage tank
 - WSSPS = waste side stream pump station

- Gate
- Support buildings
- Process structures
- Concrete pad
- Tunnel
- Underground utility structures
- Plant No. 2 perimeter

22212 Brookhurst Street
 Huntington Beach, CA 92646
 (714) 962-2411
www.ocsan.gov



ADMINISTRATION COMMITTEE

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

Agenda Report

File #: 2024-3547

Agenda Date: 4/10/2024

Agenda Item No: 5.

FROM: Robert Thompson, General Manager
Originator: Wally Ritchie, Director of Finance

SUBJECT:

PROPOSED ORDINANCE NO. OC SAN-59A AMENDING ORDINANCE NO. OC SAN- 59 TO CORRECT AN ERROR IN THE TABLE OF SECTION 2.10(B)

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Motion to read Ordinance No. OC SAN-59A by title only and waive reading of said entire Ordinance;
- B. Introduce Ordinance No. OC SAN-59A entitled, "An Ordinance of the Board of Directors of the Orange County Sanitation District, Amending Ordinance No. OC SAN-59 to correct an error in the table of Section 2.10(B)";
- C. Set May 22, 2024 as the date of the Public Hearing to hear protests and for the second reading of Ordinance No. OC SAN-59A; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

BACKGROUND

In March 2023, the Orange County Sanitation District (OC San) adopted Ordinance No. OC SAN-59. The Capital Facilities Capacity Charge is a one-time, non-discriminatory charge imposed at the time a building or structure is newly connected to OC San’s system, or an existing structure is expanded or increased. This charge is to pay a portion of the capacity costs and for access to capacity in the system. During staff preparation for future rate implementation, clerical errors were discovered in the report table which reduced some charges. This table was included in the adopted Ordinance No. OC SAN-59 and requires correction.

RELEVANT STANDARDS

- Stable rates, no large unforeseen rate increases

PROBLEM

OC San’s Board of Directors approved a five-year rate schedule for Capital Facilities Capacity Charges (“Capacity Charges”) to fund new capital projects or improve existing capital projects. After the adoption of Ordinance No. OC SAN-59, minor errors were found in the table of Section 2.10(B), related to supplemental Capacity Charges.

PROPOSED SOLUTION

Adopt Ordinance No. OC SAN-59A to amend and correct the errors in Ordinance No. OC SAN-59.

TIMING CONCERNS

The current Ordinance is in effect. The amendments are required for the corrected rates to take effect.

RAMIFICATIONS OF NOT TAKING ACTION

Revenues will be insufficient to support the Facilities Master Plan adopted in December 2017.

PRIOR COMMITTEE/BOARD ACTIONS

March 2023 - Adopted Ordinance No. OC SAN-59, entitled: “An Ordinance of the Board of Directors of the Orange County Sanitation District Adopting Capital Facilities Capacity Charges, and Repealing Ordinance No. OC SAN-57”.

February 2023 - Introduced Ordinance No. OC SAN-59 entitled, “An Ordinance of the Board of Directors of the Orange County Sanitation District Adopting Capital Facilities Capacity Charges, and Repealing Ordinance No. OC SAN-57”; and set March 22, 2023, as the date of the Public Hearing to hear protests and for the second reading of Ordinance No. OC SAN-59.

December 2022 - Received and filed the Orange County Sanitation District’s 2022 Wastewater Rates, Fees, and Charges Study completed by HDR Engineering, Inc.

ADDITIONAL INFORMATION

N/A

CEQA

N/A

FINANCIAL CONSIDERATIONS

This request complies with authority levels of OC San’s Purchasing Ordinance. This item has been budgeted.

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Proposed Ordinance No. OC SAN-59A
- Ordinance No. OC SAN-59

ORDINANCE NO. OC SAN-59A

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
ORANGE COUNTY SANITATION DISTRICT, AMENDING
ORDINANCE NO. OC SAN-59 TO CORRECT AN ERROR IN
THE TABLE OF SECTION 2.10(B)

WHEREAS, Ordinance No. OC SAN-59, adopted charges and fees for Capital Facilities Capacity Charges (“Capacity Charges”) to fund new capital projects or improve existing capital projects; and

WHEREAS, the Board of Directors wishes to amend Ordinance No. OC SAN-59 to correct a clerical error in Section 2.10(B) shown in Exhibit “A”, which was discovered after the adoption of said Ordinance.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District does hereby ORDAIN:

Section 1: Section 2.10(B) of Ordinance No. OC SAN-59 is hereby amended to with the corrected table in Exhibit “A”.

Section 2: If any provision of this Ordinance is adjudged by a Court of proper jurisdiction to be invalid, or unenforceable, it is the intention of the governing body adopting this Ordinance, that all other provisions shall be valid and enforceable.

Section 3: This Ordinance shall be effective thirty (30) days after adoption.

Section 4: The Clerk of the Board shall Certify to the adoption of this Ordinance and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by a vote of not less than two-thirds of the Board of Directors of the Orange County Sanitation District at a Regular Meeting held on May 22, 2024.

Chad P. Wanke
Chairman, Board of Directors
Orange County Sanitation District

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District

APPROVED AS TO FORM:

Bradley R. Hogin
General Counsel
Orange County Sanitation District

STATE OF CALIFORNIA)
)SS.
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of Orange County Sanitation District, do hereby certify that the above and foregoing Ordinance No. OCSD-59A was introduced for first reading at a regular meeting of said Board on the 24th day of April, 2024, and second reading at a regular meeting of said Board on the 22nd day of May, 2024, by the following vote, to wit:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of May, 2024.

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District

Exhibit "A"

Section 2.10. Supplemental Capital Facilities Capacity Charge: Existing Significant Commercial – Industrial Users and Special Purpose Dischargers.

A. All Existing Significant Commercial – Industrial Users connected to and discharging to OC San’s System shall be required to pay a Supplemental Capital Facilities Capacity Charge upon the occurrence of either (i) an increase of discharge flow of 25,000 gallons per day (“gpd”), or 25% per day over its established baseline authorization, whichever is lesser; or (ii) an increase of either BOD or SS discharge of 150 pounds each per day, or 25% each per day, whichever is lesser, over its established baseline authorization. The daily averages will be based on the daily discharges for a year, utilizing discharge records and reports of the discharger or OC San.

B. The Supplemental Capital Facilities Capacity Charge shall be in the following amounts for each component that is increased as provided in Section 2.10A above.

TABLE D

SUPPLEMENTAL CAPITAL FACILITIES CAPACITY CHARGES
Daily Charge

	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
FLOW	\$0.002140	*TBD	*TBD	*TBD	*TBD
BOD	\$0.500630	*TBD	*TBD	*TBD	*TBD
SS	\$0.303640	\$0.336440	\$0.369240	\$0.402040	\$0.434830

*Adjusted Annually by the Engineering News Record Construction Cost Index

FLOW – Gallons Per Day
BOD – Pounds Per Day
SS – Pounds Per Day

ORDINANCE NO. OC SAN-59

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT ADOPTING CAPITAL FACILITIES CAPACITY CHARGES, AND REPEALING ORDINANCE NO. OC SAN-57

WHEREAS, Health & Safety Code Section 5471 authorizes the Board of Directors of the Orange County Sanitation District (“District”) to impose fees and other charges for services and facilities furnished by OC San in connection with OC San’s wastewater collection, treatment, disposal, and reuse system.

WHEREAS, the Board of Directors of the Orange County Sanitation District (the “District”) levies Capital Facilities Capacity Charges (“Capacity Charges”) to fund new capital projects or improve existing capital projects.

WHEREAS, OC San will use revenues collected from Capacity Charges to pay for capital projects identified in OC San’s 2017 Facilities Master Plan (“Master Plan”).

WHEREAS, OC San previously retained HDR Engineering, Inc. to evaluate OC San’s projected revenue needs and recommend service fees and Capacity Charges for the period July 1, 2023 to June 30, 2028. In December of 2022, HDR Engineering, Inc. issued its “Final Wastewater Rates, Fees, and Charges Study” (“HDR Report”). OC San’s Board of Directors received the HDR Report on December 15, 2022, and the HDR Report is on file with OC San; and

WHEREAS, the recommendations set forth in the HDR Report are based on various studies and plans including, among others, financial forecasts, and OC San’s 2017 Facilities Master Plan (“Master Plan”). The Master Plan identified the capital improvement projects that will be needed over the next 20 years and estimated the cost of each project. OC San’s Board of Directors adopted the Master Plan on December 20, 2017; and

WHEREAS, OC San recently retained Carollo Engineers to recommend a formula for levying Capacity Charges against non-exempt accessory dwelling units that complies with newly enacted legislative mandates codified in Government Code Section 65852.2. On June 2, 2021, Carollo Engineers provided its accessory dwelling unit capacity charge recommendation to OC San (the “Carollo Letter”), which OC San hereby adopts. The Carollo Letter is on file with OC San.

WHEREAS, OC San finds there is a reasonable relationship between the Capacity Charge’s use and the type of development project on which the capacity charge is imposed. OC San’s determination is based on recommendations provided by HDR Engineering, Inc. in the HDR Report and the Carollo Letter.

WHEREAS, OC San finds there is a reasonable relationship between the need for the capital facility and the type of development project on which the Capacity Charges is imposed. OC San’s determination is based on recommendations provided by HDR Engineering, Inc. in the HDR Report and the Carollo Letter.

- Charge: New Special Purpose Dischargers
- Section 2.10. Supplemental Capital Facilities Capacity Charge: Existing Significant Commercial – Industrial Users – Special Purpose Dischargers
- Table D Supplemental Capital Facilities Capacity Charges
- Section 2.11. Capital Facilities Capacity Charge: Replacement
- Section 2.12. Capital Facilities Capacity Charge: Remodeled
- Section 2.13. Capital Facilities Capacity Charge Exemption: Accessory Dwelling Units
- Section 2.14 Junior Accessory Dwelling Units
- Section 2.15. Payment of Capital Facilities Capacity Charge: Off-Site Sewers Not Part of Master Plan Relative to Reimbursement Agreements
- Section 2.16. No Refund or Transfer
- Section 2.17. Baseline Transferability
- Section 2.18. Capital Facilities Capacity Charge: Annual Updates
- Section 2.19. Affordable Housing Projects

ARTICLE III:

MISCELLANEOUS

- Section 3.01. Application of Ordinance
- Section 3.02. Exceptions
- Section 3.03. Out of Area Sewer Service Agreements

ARTICLE I

RECITAL OF FINDINGS

Section 1.01. Findings. Based on substantial evidence in the record, the Board of Directors hereby finds as follows:

A. OC San operates a system for the collection, treatment, disposal, and reuse of wastewater (“System”). The System protects human health and the environment from the potentially harmful effects of wastewater.

B. OC San regularly constructs, reconstructs, repairs, and/or rehabilitates System facilities through capital improvement projects (“Capital Projects”). OC San recovers the cost of Capital Projects through Capital Facilities Capacity Charges imposed on new users and Supplemental Capital Facilities Capacity Charges imposed on specified existing users. This Ordinance imposes Capital Facilities Capacity Charges and Supplemental Capital Facilities Capacity Charges as recommended in the HDR Report.

C. OC San will use the revenues from Capital Facilities Capacity Charges and the Supplemental Capital Facilities Capacity Charges to fund future Capital Projects and/or repay principal and interest on debt incurred in connection with past Capital Projects. The revenues shall not be used for the acquisition or construction of new local street sewers or laterals as distinguished from main trunk, interceptor, and outfall sewers.

D. The Capital Facilities Capacity Charges and Supplemental Capital Facilities Capacity Charges established by this ordinance are based on the information and analysis set forth in the HDR Report and the Master Plan, both of which were made available to the public in accordance with Government Code Section 66016 and other provisions of law.

E. The Capital Facilities Capacity Charges and Supplemental Capital Facilities Capacity Charges established by this ordinance do not exceed the estimated reasonable cost of providing the wastewater collection, treatment, disposal, and reuse services for which the fees are charged. The manner in which the costs are allocated to each payor bears a fair or reasonable relationship to the payor's burdens on, and benefits received from, OC San's System.

F. The Capital Facilities Capacity Charges and Supplemental Capital Facilities Capacity Charges established by this ordinance will retire debt and fund capital projects necessary to maintain service within OC San's existing service area. Therefore, adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations Section 15273(a).

G. The Capital Facilities Capacity Charges and Supplemental Capital Facilities Capacity Charges established by this ordinance are not imposed as an “incident of property ownership” within the meaning of Article XIID of the California Constitution. Thus, the substantive and procedural requirements of Article XIID do not apply.

H. The Capital Facilities Capacity Charges and Supplemental Capital Facilities Capacity Charges established by this ordinance have been approved by OC San's Board of Directors at a noticed public meeting, all in accordance with applicable provisions of law.

ARTICLE II

CAPITAL FACILITIES CAPACITY CHARGES

Section 2.01. Purpose and Scope. This Ordinance is designed to ensure that each user pays his or her fair share of the costs of Capital Projects, based on the burden that each user places on the System. OC San will use revenues generated by this Ordinance to (i) fund future Capital Projects, and (ii) repay principal and interest on debt incurred in connection with past Capital Projects.

Section 2.02. Definitions.

A. "Actual construction costs" include the cost of all activities necessary or incidental to the construction of OC San facilities, such as financing, planning, designing, acquisition of the property or interests in the property, construction, reconstruction, rehabilitation, and repair.

B. "Capital Facilities Capacity Charge (Capacity Charge)" means a one-time, non-discriminatory charge imposed at the time a building or structure is newly connected to OC San's System, directly or indirectly, or an existing structure or category of use is expanded or increased. Said charge is to pay for OC San facilities in existence at the time the charge is imposed, or to pay for new facilities to be constructed in the future, that are of benefit to the property being charged. This charge does not apply to temporary facilities or operations that are regulated under the provisions of a Special Purpose Discharge Permit. A schedule of the Capital Facilities Capacity Charges specified herein will be on file in the Office of the Clerk of the Board of OC San, and in the Building Department of each City within OC San.

C. "Connection fee" means a fee equal to the cost necessary to physically connect a property to OC San's System, including but not limited to, installation of meters, meter boxes, pipelines, and appurtenances to make the connection and which fee does not exceed the actual cost of labor, materials, and overhead for the installation of those facilities.

D. "Non-discriminatory" means that the Capital Facilities Capacity Charge does not exceed an amount determined on the basis of the same objective criteria and methodology applicable to comparable public or non-public users and is not in excess of the proportionate share of the cost of OC San's facilities of benefit to the person or property being charged, based upon the proportionate share of use of those facilities.

E. "Public agency" means the United States or any of its agencies, the State or any of its agencies, the Regents of the University of California, a county, city,

district, school district, local or regional public authority, or any other political entity, subdivision or public corporation of the State.

F. The Supplemental Capital Facilities Capacity Charge, as provided for in Sections 2.07, 2.08, 2.09, and 2.10 of this Ordinance, is an annual charge payable to OC San on a quarterly or annual basis, as determined by OC San. Said charge is required to be paid by dischargers that exceed the maximum quantity of flow or constituents (BOD or SS) allowed as a base use for which the Capacity Charge is paid.

G. "Accessory Dwelling Unit (ADU)" means an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.

H. "Junior Accessory Dwelling Unit (JADU)" means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

Section 2.03. Connection Permits: Required.

A. Connection permits are required of each and every dwelling unit, and each commercial or industrial building, and structure connecting directly or indirectly to OC San's sewerage system facilities. Included are the connections of laterals to local municipal sewerage facilities, and the connection of local municipal sewerage facilities and laterals to OC San's facilities. Multiple detached structures on a single parcel of property shall each be required to obtain a connection permit.

B. Except as authorized by the issuance of a Special Purpose Discharge Permit under Sections 305 – 305.6 of OC San's Wastewater Discharge Regulations, or as authorized pursuant to a special extra territorial service agreement approved by the Board of Directors, no permit shall be valid unless the real property to be served by use of the permit is included within the boundaries of OC San and within the boundaries of a local sewerage agency authorized to maintain public sewerage facilities. However, a permit, as authorized above, may be issued for property to be served outside the boundaries of a local sewerage agency if a local sewerage agency makes application for the issuance of such permit.

There will be a non-discriminatory Capital Facilities Capacity Charge assessed to public agencies for connecting directly or indirectly to OC San's sewerage system facilities, and a connection permit must be obtained.

Section 2.04. Capital Facilities Capacity Charge: Payment Required. No application for a permit for a connection of a structure to OC San's sewerage facility, or to any sewerage facility which discharges into OC San sewerage facility, shall be approved, nor a permit issued, until OC San's Capital Facilities Capacity Charge is paid by the applicant, except as provided for discharges under a Special Purpose Discharge Permit. No connection permit shall be issued unless there is an established category of use of the

property to be served or a valid building permit issued which establishes the category of use of said property.

Section 2.05. Capital Facilities Capacity Charge: Time of Payment.

A. Payment of the Capital Facilities Capacity Charge established by this Ordinance for connection to OC San’s sewerage system facilities shall be required at the time of issuance of the building permit for all construction within OC San, except in the case of a building legally exempt from the requirement of obtaining a permit. The payment of the Capital Facilities Capacity Charge for such exempt buildings will be required at the time of and prior to the issuing of a plumbing connection permit for any construction within the territorial limits of OC San, or if none, prior to the issuance of a Certificate of Occupancy.

B. Upon application of any property owner seeking to connect to the District’s sewerage system, the General Manager or his designee, upon a finding of compelling need, may, pursuant to the authority of California Health & Safety Code Section 5474, approve of an agreement with the property owner for the payment of the applicable connection charge and/or annexation fees in installment payments over a period of not to exceed five (5) years, bearing an interest rate on the unpaid balance of not to exceed ten (10%) percent per annum and that the charges and interest shall constitute a lien on the property.

Section 2.06. Capital Facilities Capacity Charge and Plan Check and Inspection Fees: Schedule of Amounts.

A. Every person or entity connecting any new or expanded building or structure to OC San’s system facilities shall pay a Capital Facilities Capacity Charge in the amount for the applicable category of use set forth on Table A & B, below.

B. Every person or entity connecting any new or expanded building or structure directly to OC San’s local or regional system facilities shall pay Plan Check and Inspection Fees in the amount set forth in Table C, below.

TABLE A

CAPITAL FACILITIES CAPACITY CHARGES (CFCC)

NON-RESIDENTIAL, RESIDENTIAL ACCESSORY STRUCTURES, AND ACCESSORY DWELLING UNITS

<u>Use Category</u>	<u>Rate Basis</u>	<u>Base Charge</u>
Low Demand ²	Per 1,000 square feet ¹	\$ 242.00 ¹
Average Demand ^{4,5}	Per 1,000 square feet	\$ 1485.00 ¹
High Demand ³	Per 1,000 square feet	\$ 3521.00 ¹

¹Provided that the minimum Capital Facilities Capacity Charge for such new construction shall be \$5719; and all calculations shall be on a 1,000 square foot, or portion thereof, basis.

²Low Demand connections are the following categories of users: Nurseries; Warehouses; Churches; Truck Terminals; RV Parks; RV Storage Yards; Lumber/Construction Yards; Public Storage Buildings; and other facilities whose wastewater discharge is similar to these listed categories.

³High Demand connections are the following categories of users: Food/Beverage Service Establishments; Supermarkets (with bakery, meat counter, and/or food service); Car Washes; Coin Laundries; Amusement Parks; Shopping Centers with one or more Food/Beverage Service Establishments; Food Courts; Food Processing Facilities; Textile Manufacturers; Breweries; and other facilities whose wastewater discharge is similar to these listed categories.

⁴All other connections are Average Demand users including: Church Offices and Schools; Hotels, Shopping Centers/Strip Malls without food/beverage service establishments, Music Halls without food facilities, Office buildings, Senior Housing with individual living units without kitchens but with a common kitchen

⁵ Residential Accessory Structures such as workshops and hobby shops that connect to the sewer, will be charged at the average demand rate and the minimum charge does not apply.

⁶ Accessory Dwelling Units will be charged at the average demand rate and the minimum charge does not apply.

TABLE B

CAPITAL FACILITIES CAPACITY CHARGES (CFCC) RESIDENTIAL (PER UNIT) *

Single Family Residential (SFR) ¹	<u>Base Charge</u>
5+ Bedrooms	\$ 7,949.00
4 Bedrooms	\$ 6,806.00
3 Bedrooms	\$ 5,719.00
2 Bedrooms	\$ 4,633.00
1 Bedroom	\$ 3,545.00
Multi-Family Residential (MFR) ²	<u>Base Charge</u>
4+ Bedrooms	\$ 6,177.00
3 Bedrooms	\$ 5,090.00
2 Bedrooms	\$ 4,004.00
1 Bedroom	\$ 2,859.00
Studio ³	\$ 1,829.00

*The Base Rate for Residential CFCC is the 3 Bedroom SFR with all others having a rate that is a percentage of the base rate depending on the size of the unit.

¹ Bedroom additions are considered a change of use and a CFCC must be paid. Enclosed loft additions, bonus rooms, offices, workout rooms, media rooms, libraries and any other enclosed addition which could potentially be used as a bedroom are included in this category. The classification of these additions will be reviewed and determined by staff.

² MFR units consist of multiple attached units that are not sold individually and receive one secured property tax bill such as apartments. Multiple attached units that are not sold individually and are senior housing with individual living units that include a kitchen are considered MFR units.

³ Studio – one single room with no separating doors or openings leading to another part of the room (except for a bathroom).

Live/Work units will be charged at the residential rate for the living quarters and at the non-residential rate for the work portion square footage.

TABLE C

PLAN CHECK AND INSPECTION FEE TABLE

INSPECTION FEES FOR SINGLE CONNECTIONS

Lateral installation to property line:

<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
\$950.00	\$980.00	\$1,010.00	\$1,040.00	\$1,070.00

Lateral Installation to with optional cleanout to existing manhole:

<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
\$1,250.00	\$1,290.00	\$1,330.00	\$1,370.00	\$1,410.00

Core drilling into existing manhole base – add:

<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
\$1630.00	\$1,680.00	\$1,730.00	\$1,780.00	\$1,835.00

Installation of new manhole over existing sewer:

<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
\$2,065.00	\$2,125.00	\$2,190.00	\$2,255.00	\$2,325.00

Gas Flap Installation – add:

<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
\$510.00	\$525.00	\$540.00	\$555.00	\$570.00

INSPECTION FEES FOR MULTIPLE CONNECTIONS

Plan check and inspection fees of 20 percent of the sewer construction cost for new tract sewers, sewer extensions or special facilities are required when plans are submitted for plan check.

If additional funds are needed, they must be deposited as soon as they are requested to complete the inspection on the project. If funds are required after the work is completed, they must be paid before OC San finalizes the sewer project.

Section 2.07. Supplemental Capital Facilities Capacity Charge: Significant Commercial – Industrial Users and Significant Special Purpose Dischargers – Definitions.

A. A Significant Commercial – Industrial User (“SCIU”) is any person or entity who discharges commercial or industrial process flow, but excluding domestic sewage flow, in an amount greater than 25,000 gallons per day (“gpd”), or Biochemical Oxygen Demand (“BOD”) greater than 150 pounds per day, or Suspended Solids (“SS”) greater than 150 pounds per day, or who is required to obtain a Waste Discharge Permit, as prescribed by Article 3 of OC San’s Wastewater Regulations, due to having federally or OC San regulated or significant discharges.

B. A Significant Special Purpose Discharger (“SSPD”) is any person or entity who discharges to the sewer system wastewater or process flow in an amount greater than 25,000 gpd (excluding domestic, industrial or commercial) and who is required to obtain a Special Purpose Discharge Permit as prescribed in Section 305 of OC San’s Wastewater Regulations. A Special Purpose Discharger (SPD) discharges 25,000 gpd or less.

C. An Existing SCIU or SSPD is any SCIU or SSPD connected and discharging to OC San’s system prior to January 1, 2000.

D. A New SCIU or SSPD is any user who connects and discharges to OC San’s System pursuant to a Waste Discharge Permit issued on or after January 1, 2000; or if previously connected and not an SCIU, as defined in Subparagraphs 2.07A and B above, but, subsequent to January 1, 2000, increases flow, or BOD, or SS to a level as to constitute an SCIU or SSPD.

E. The maximum discharge allowed to a user, for which a base Capital Facilities Capacity Charge is paid, as per Table A, above, is 25,000 gallons per day (“gpd”), or 150 pounds per day each of BOD and SS (the “base use”). Discharge of flow, or BOD, or SS in amounts greater than allowed by this Subsection 2.07E shall be subject to the provisions of Sections 2.08 and 2.09 hereof.

F. Each Existing SCIU shall have a baseline of allowed discharge of flow, and BOD, and SS established by the OC San as of January 1, 2000. The baseline shall be based upon the discharge for Fiscal Year 1998-99, or upon such other discharge data which OC San determines is representative of the user's actual annual discharge to the sewerage system. Dischargers who are deemed to be SCIU's solely because of the requirements to obtain a Waste Discharge Permit, pursuant to Section 2.07A above, shall have a minimum baseline established as follows: Flow – 25,000 gallons per day; BOD – 150 pounds per day; and SS – 150 pounds per day. The SCIU shall be authorized to discharge flow, and BOD, and SS up to the baseline amounts without payment of a Supplemental Capital Facilities Capacity Charge.

G. Each Existing SPD shall have a baseline of 25,000 gpd. The Existing SPD shall be authorized to discharge flow up to 25,000 gpd without payment of a Supplemental Capital Facilities Capacity Charge.

H. The Supplemental Capital Facilities Capacity Charge, as prescribed by Sections 2.08, 2.09, and 2.10 below, shall be payable commencing with the effective date of this Ordinance.

Section 2.08. Supplemental Capital Facilities Capacity Charge: New Significant Commercial – Industrial Users. In addition to the base Capital Facilities Capacity Charge, as prescribed in Table A, for commercial – industrial use category properties, all New SCIU's shall pay a Supplemental Capital Facilities Capacity Charge for each gallon of flow, or pound of BOD, or SS, exceeding the base use discharge maximums, in the amount shown in Table D.

Section 2.09. Supplemental Capital Facilities Capacity Charge: Significant Special Purpose Dischargers. All SSPDs shall pay a Supplemental Capital Facilities Capacity Charge of \$.002140 per gallon per day for each gallon of flow exceeding 25,000 gallons per day.

Section 2.10. Supplemental Capital Facilities Capacity Charge: Existing Significant Commercial – Industrial Users and Special Purpose Dischargers.

A. All Existing Significant Commercial – Industrial Users connected to and discharging to OC San's System shall be required to pay a Supplemental Capital Facilities Capacity Charge upon the occurrence of either (i) an increase of discharge flow of 25,000 gallons per day ("gpd"), or 25% per day over its established baseline authorization, whichever is lesser; or (ii) an increase of either BOD or SS discharge of 150 pounds each per day, or 25% each per day, whichever is lesser, over its established baseline authorization. The daily averages will be based on the daily discharges for a year, utilizing discharge records and reports of the discharger or OC San.

B. The Supplemental Capital Facilities Capacity Charge shall be in the following amounts for each component that is increased as provided in Section 2.10A above.

TABLE D

SUPPLEMENTAL CAPITAL FACILITIES CAPACITY CHARGES

Daily Charge

	2023-24
FLOW	\$0.002140
BOD	\$0.50063
SS	\$0.30364

FLOW – Gallons Per Day
BOD – Pounds Per Day
SS – Pounds Per Day

C. All Existing SPDs connected and discharging to the sewer shall be required to pay a Supplemental Capital Facilities Capacity Charge upon occurrence of an increase of discharge flow over 25,000 gpd. The Supplemental Capital Facilities Capacity Charge shall be \$ 0.002140 per gallon per day of discharge for each gallon above 25,000 gpd.

D. The Supplemental Capital Facilities Capacity Charge shall be calculated on the basis of the average daily quantity of discharge in excess of the User's baseline or 25,000 gpd for SPDs. The daily averages will be based on the daily discharges for a year, utilizing discharge records and reports of OC San.

Section 2.11. Capital Facilities Capacity Charge: Replacement Structures. For new construction replacing former structures, the Capital Facilities Capacity Charge shall be calculated and paid to OC San on the rate basis of the category of the new use and the amounts as set forth in Tables A and B, less a credit amount, up to the amount of the new Capital Facilities Capacity Charge, equal to a charge, as prescribed in Tables A and B that would be for the prior category of use which was terminated and removed.

Section 2.12. Capital Facilities Capacity Charge: Remodeled Structures. In the case of existing structures connected to OC San's system facilities, to which new construction or alteration is made to change or increase the category of use or number of bedrooms, a Capital Facilities Capacity Charge shall be calculated and paid to OC San on the rate basis of the category of the new use and the amounts as set forth in Tables A and B, less a credit amount, up to the amount of the new Capital Facilities Capacity Charge, equal to a charge, as prescribed in Tables A and B for the prior category of use.

Section 2.13. Accessory Dwelling Units. Notwithstanding Section 2.12, pursuant to Government Code Section 65852.2, OC San shall not collect Capital Facilities Capacity Charges from any ADU if all the following conditions are met:

- (a) the ADU is attached to a single-family residence or accessory structure;

- (b) the ADU is built after the single-family residence;
- (c) the ADU's side and rear setbacks are sufficient for fire safety;
- (d) the ADU has independent exterior access from the existing single-family residence;
- (e) the ADU does not expand the single-family residence;
- (f) the ADU does not expand an accessory structure by more than 150 square feet and that expansion is only used to accommodate ingress and egress and;
- (g) there are no other ADUs on the property.

Section 2.14. Junior Accessory Dwelling Units. Notwithstanding Section 2.12, pursuant to Government Code Section 65852.2, OC San shall not collect Capital Facilities Capacity Charges from a JADU integrated into an existing single-family residence if a local agency approved the JADU pursuant to Government Code Section 65852.22 and a local ordinance.

Section 2.15. Payment of Capital Facilities Capacity Charge: Off-Site Sewers Not Part of Master Plan Relative to Reimbursement Agreements. A charge for connection to off-site sewers which are not included as part of OC San Master Plan and for which a Non-Master Plan Reimbursement Agreement has been entered into between OC San and the property owner, shall be paid in the amount provided for in said Agreement, to be known as a Non-Master Plan Capital Facilities Capacity Charge. The amount set forth in said Agreement shall be the amount due, provided the original Agreement is still in force. The Non-Master Plan Capital Facilities Capacity Charge shall be in addition to the other Capital Facilities Capacity Charges provided for in Sections 2.06 through 2.10 hereinabove, established for property connecting to said facilities.

Section 2.16. No Refund or Transfer. A Capital Facilities Capacity Charge is paid for the connection of a specific building or structure on a parcel of property. No refund of any charge shall be made because of non-use or change of use, or any other reason once the connection has been made. If the connection is not made and the request for connection is withdrawn within 12 months of the payment date, the charges paid will be refunded upon establishing proof from the City or County of a canceled permit. The connection permit is non-transferable to any other parcel of property.

Section 2.17. Baseline Transferability. The baseline of allowed discharge of flow, BOD and SS used to calculate a Supplemental Capital Facilities Capacity Charge shall not be transferable to a different property, nor shall a credit for such previously existing baseline be provided to another SCIU concurrently or subsequently occupying the same property for a different use. Each such SCIU shall pay Supplemental Capital Facilities Capacity Charges in accordance with Section 2.08 above.

Section 2.18. Capital Facilities Capacity Charge Annual Updates. The Capital Facilities Capacity Charge is based upon the most recently completed Facilities Master Plan. The residential, non-residential, and supplemental capital facilities capacity charge will be updated annually based upon the increase in the Engineering News-Record construction cost index for Los Angeles as of December of the prior year until the completion of the next Rate Study.

Section 2.19. Affordable Housing Projects. Per Resolution OCSD 11-02, development projects that include lower income housing units shall not be denied approval of an application for service, nor shall conditions be imposed thereon, or services reduced which are applied for, unless OC San makes specific written findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following:

- (a) insufficient water supply or insufficient water treatment or distribution capacity;
- (b) a State Department of Health Services order prohibiting new water connections;
- (c) insufficient sewer treatment or collection capacity;
- (d) a Regional Water Quality Control Board order prohibiting new sewer connections;
- (e) the applicant has failed to agree to reasonable terms and conditions

ARTICLE III

MISCELLANEOUS

Section 3:01. Application of Ordinance. The provisions of this Ordinance shall be in addition to the provisions of OC San's Wastewater Discharge Regulations for use of OC San's sewage facilities, including provisions for payment of charges or fees related thereto; OC San's ordinance establishing Fees Concerning Annexations of Territory to OC San; and any other OC San Ordinances and Resolutions not in conflict herewith.

Section 3:02. Exceptions. The provisions of this Ordinance shall apply to all owners of properties within OC San, including those properties otherwise deemed exempt from payment of taxes or assessments by provisions of the State Constitution or statute, including properties owned by other public agencies or tax-exempt organizations, except as expressly provided herein.

Section 3:03 Out of Area Sewer Service Agreements. OC San is empowered to contract for the transport, treatment and disposal of wastewaters originating within areas outside of OC San if it is in the best interest of OC San to do so. These Out of Area Sewer Service Agreements will establish fees and charges relative to the services provided by OC San for each individual agreement.

The Board of Directors of the Orange County Sanitation District does further hereby ORDAIN:

SECTION II. Severability. If any provision of this Ordinance, or the application to any person or circumstances is held invalid by order of Court, the remainder of the Ordinance, or the application of such provision to other persons or other circumstances, shall not be affected.

SECTION III. Effective Date. This Ordinance shall take effect July 1, 2023.

SECTION IV. Repeal. Ordinance No. OC SAN-57 is hereby repealed on June 30, 2023.

SECTION V. Certification and Publication. The Clerk of the Board shall certify to the adoption of this Ordinance, and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by a vote of not less than two-thirds of the Board of Directors of the Orange County Sanitation District at a Regular Meeting held on March 22, 2023.

Chad Wanke

[Chad Wanke \(Mar 23, 2023 11:54 PDT\)](#)

Chad P. Wanke
Chairman, Board of Directors
Orange County Sanitation District

ATTEST:

Kelly Lore

[Kelly Lore \(Mar 23, 2023 11:56 PDT\)](#)

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District

APPROVED AS TO FORM:

Bradley R. Hogin

Bradley R. Hogin
General Counsel
Orange County Sanitation District

STATE OF CALIFORNIA)
)SS.
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of Orange County Sanitation District, do hereby certify that the above and foregoing Ordinance No. OC SAN-59 was introduced for first reading at a regular meeting of said Board on the 22nd day of February 2023, and passed and adopted by a vote of not less than two-thirds at a regular meeting of said Board on the 22nd day of March 2023, by the following vote, to wit:

- AYES:** Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)
- NOES:** None
- ABSENT:** Farrah Khan and Bruce Whitaker
- ABSTENTIONS:** None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 22nd day of March 2023.

Kelly Lore
Kelly Lore (Mar 23, 2023 11:56 PDT)

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District












OC SAN-59

Final Audit Report

2023-03-23

Created:	2023-03-23
By:	Kelly Lore (klore@ocsan.gov)
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Signature Date: 2023-03-23 - 6:54:53 PM GMT - Time Source: server- IP address: 146.70.173.100
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✔ Agreement completed.

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ADMINISTRATION COMMITTEE

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

Agenda Report

File #: 2024-3548

Agenda Date: 4/10/2024

Agenda Item No: 6.

FROM: Robert Thompson, General Manager
Originator: Wally Ritchie, Director of Finance

SUBJECT:

PROPOSED ORDINANCE NO. OC SAN-60A AMENDING ORDINANCE NO. OC SAN- 60 TO CORRECT ERRORS IN TABLES OF ARTICLE II

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Motion to read Ordinance No. OC SAN-60A by title only and waive reading of said entire Ordinance;
- B. Introduce Ordinance No. OC SAN-60A entitled, "An Ordinance of the Board of Directors of the Orange County Sanitation District, Amending Ordinance No. OC SAN-60 to correct errors in Article II, Table F and Table G";
- C. Set May 22, 2024 as the date of the Public Hearing to hear protests and for the second reading of Ordinance No. OC SAN-60A; and
- D. Direct the Clerk of the Board to publish summaries of the Ordinance as required by law.

BACKGROUND

In March 2023, the Orange County Sanitation District (OC San) adopted Ordinance No. OC SAN-60, a new five-year sewer fee rate schedule which provides for equitable and proportionate distribution for the cost of service of operating OC San's wastewater system. In December 2022, HDR Engineering, Inc. issued its "Final Wastewater Rates, Fees, and Charges Study" ("HDR Report"). OC San's Board of Directors received the HDR Report on December 15, 2022. The report includes charges for use for Class I and Class II Permittees, as well as Special Purpose Discharge Permittees. During staff preparation for future rate implementation, clerical errors were discovered in the report tables which reduced three charges. Tables F and G were included in the adopted Ordinance No. OC SAN-60 and require correction.

RELEVANT STANDARDS

- Stable rates, no large unforeseen rate increases

PROBLEM

OC San's Board of Directors approved a five-year rate schedule for Industrial Sewer Service Charges, Wastehauler Charges and Miscellaneous Fees which expires at the end of the current fiscal year. After the adoption of Ordinance No. OC SAN-60, clerical errors were found in Article II, Table F and Table G, related to charges for use for Permittees.

PROPOSED SOLUTION

Adopt Ordinance No. OC SAN-60A to amend and correct the errors in Ordinance No. OC SAN-60.

TIMING CONCERNS

The current Ordinance is in effect. The amendments are required for the corrected rates to take effect.

RAMIFICATIONS OF NOT TAKING ACTION

Revenues will be insufficient to support OC San's operating expenses and the Facilities Master Plan adopted in December 2017.

PRIOR COMMITTEE/BOARD ACTIONS

March 2023 - Adopted Ordinance No. OC SAN-60 entitled, "An Ordinance of the Board of Directors of Orange County Sanitation District Adopting Miscellaneous Charges and Fees Relating to Industrial Dischargers, Source Control Permittees and Wastehaulers and Repealing Ordinance No. OCSD-51."

February 2023 - Introduced Ordinance No. OC SAN-60 entitled, "An Ordinance of the Board of Directors of Orange County Sanitation District Adopting Miscellaneous Charges and Fees Relating to Industrial Dischargers, Source Control Permittees and Wastehaulers and Repealing Ordinance No. OCSD-51;" and Set March 22, 2023, as the date of the Public Hearing to hear protests and for the second reading of Ordinance No. OC SAN-60.

December 2022 - Received and filed the Orange County Sanitation District's 2022 Wastewater Rates, Fees, and Charges Study completed by HDR Engineering, Inc.

ADDITIONAL INFORMATION

N/A

CEQA

N/A

FINANCIAL CONSIDERATIONS

This request complies with authority levels of OC San's Purchasing Ordinance. These items have been budgeted.

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Proposed Ordinance No. OC SAN-60A
- Ordinance No. OC SAN-60

ORDINANCE NO. OC SAN-60A

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT, AMENDING ORDINANCE NO. OC SAN-60 TO CORRECT ERRORS IN ARTICLE II, TABLE F AND TABLE G.

WHEREAS, Ordinance No. OC SAN-60, adopted charges and fees on industrial dischargers, source control permittees, and waste haulers for services and facilities furnished by the Orange County Sanitation District (OC San) in connection with OC San's sewage collection, treatment, disposal, and reuse system; and

WHEREAS, the Board of Directors wishes to amend Ordinance No. OC SAN-60 to correct a clerical error in Article II, Table F and Table G, shown in Exhibit "A", which was discovered after the adoption of said Ordinance.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District does hereby ORDAIN:

Section 1: Article II, Table F and Table G of Ordinance No. OC SAN-60 is hereby amended to with the corrected table in Exhibit "A".

Section 2: If any provision of this Ordinance is adjudged by a Court of proper jurisdiction to be invalid, or unenforceable, it is the intention of the governing body adopting this Ordinance, that all other provisions shall be valid and enforceable.

Section 3: This Ordinance shall be effective thirty (30) days after adoption.

Section 4: The Clerk of the Board shall Certify to the adoption of this Ordinance and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by a vote of not less than two-thirds of the Board of Directors of the Orange County Sanitation District at a Regular Meeting held on May 22, 2024.

Chad P. Wanke
Chairman, Board of Directors
Orange County Sanitation District

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District

APPROVED AS TO FORM:

Bradley R. Hogin
General Counsel
Orange County Sanitation District

STATE OF CALIFORNIA)
)SS.
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of Orange County Sanitation District, do hereby certify that the above and foregoing Ordinance No. OCSD-60A was introduced for first reading at a regular meeting of said Board on the 24th day of April, 2024, and second reading at a regular meeting of said Board on the 22nd day of May, 2024, by the following vote, to wit:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of May, 2024.

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District

Exhibit "A"

TABLE F
INDUSTRIAL DISCHARGER, SOURCE CONTROL
AND NON-COMPLIANCE SAMPLING FEES

<u>Cost of Processing and Sampling Following a Minor Violation</u>	<u>Charge</u> \$200.00/event
<u>Cost of Processing and Sampling Following a Major Violation</u>	\$400.00/event
<u>Non-Compliance Resampling Fee</u>	\$275.00/event
<u>Cost of Analysis per Fiscal year</u>	

Heavy Metals:	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
	\$52.00	\$54.00	\$56.00	\$58.00	\$60.00

- Aluminum
- Antimony
- Arsenic
- Cadmium
- Chromium
- Copper
- Gold
- Lead
- Molybdenum
- Nickel
- Palladium
- Platinum
- Selenium
- Silver
- Thallium
- Tin
- Titanium
- Vanadium
- Zinc

	<u>Per Fiscal Year</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Ammonia Analysis as Nitrogen		\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Biochemical Oxygen Demand (BOD)		\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
BOD and Suspended Solids (SS) Analysis		\$114.00	\$117.00	\$121.00	\$124.00	\$128.00
Chemical Oxygen Demand		\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Conductivity		\$76.00	\$78.00	\$81.00	\$83.00	\$85.00
Cyanide (Amenable)		\$171.00	\$176.00	\$181.00	\$187.00	\$482 192.00
Cyanide (Total)		\$99.00	\$102.00	\$105.00	\$108.00	\$111.00
Total Radium Determination		\$207.00	\$213.00	\$219.00	\$226.00	\$232.00

Gross Alpha and Beta Determination	\$111.00	\$114.00	\$117.00	\$121.00	\$124.00
Tritium Determination	\$102.00	\$105.00	\$108.00	\$112.00	\$115.00
Oil & Grease (Hexane Soluble Matter)	\$95.00	\$98.00	\$101.00	\$104.00	\$107.00
Total Organic Nitrogen	\$76.00	\$78.00	\$81.00	\$83.00	\$85.00
pH	\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Fluoride	\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Suspended Solids (Total)	\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
Suspended Solids (Total and Volatile)	\$171.00	\$176.00	\$181.00	\$187.00	\$192.00
Total Dissolved Solids	\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
Total Sulfides	\$83.00	\$87.00	\$89.00	\$92.00	\$95.00
Strontium Determination	\$134.00	\$138.00	\$142.00	\$146.00	\$150.00
Uranium Determination	\$45.00	\$46.00	\$48.00	\$49.00	\$50.00
Mercury (EPA 245.1)	\$76.00	\$78.00	\$81.00	\$83.00	\$86.00
Pharmaceutical Industry (EPA 1666)	\$342.00	\$352.00	\$363.00	\$374.00	\$385.00
Chlorinated Pesticides and Aroclors (EPA 608)	\$128.00	\$132.00	\$136.00	\$140.00	\$144.00
Volatile Organics (EPA 624)	\$304.00	\$313.00	\$322.00	\$332.00	\$342.00
Semi-Volatile Organics (EPA 625)	\$683.00	\$704.00	\$725.00	\$747.00	\$769.00
PFAS	\$413.00	\$431.00	\$444.00	\$457.00	\$471.00
Dissolved Sulfides	\$58.00	\$60.00	\$62.00	\$64.00	\$66.00

SELF-MONITORING AND DATA REPORTING
NON-COMPLIANCE

Cost of Processing and Issuing Significant Non-Compliance Notification	\$165.00
Cost of Processing Annual SNC and Publication	\$485.00
Non-Compliance Appeal Filing Fee*	\$150.00

*Filing Fee will be refunded if customer wins appeal

TABLE G

**CLASS I AND CLASS II PERMITTEES AND
SPECIAL PURPOSE DISCHARGE PERMITTEES**

CHARGES FOR USE (Fiscal Year)

Class I and II	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Flow (*)	\$1676.09	\$1754.41	\$1836.37	\$1922.17	\$2011.98
B.O.D. (**)	\$705.08	\$744.23	\$785.55	\$829.17	\$875.21
S.S. (***)	\$815.51	\$855.92	\$898.34	\$842 942.86	\$989.58

Special Purpose

Discharge Permit	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Flow (*) (Fiscal Year)	\$1676.09	\$1754.41	\$1836.37	\$1922.17	\$2011.98

- (*) Flow Per million gallons of Flow
- (**) B.O.D. Per thousand pounds of Biochemical Oxygen Demand
- (***) S.S. Per thousand pounds of Suspended Solids

All properties located within Revenue Area No. 14 pay no annual service fees. OC San's costs relating to providing service to these properties are billed by OC San directly to the Irvine Ranch Water District, the local agency providing the local sewer service.

ORDINANCE NO. OC SAN-60

AN ORDINANCE OF THE BOARD OF DIRECTORS OF ORANGE COUNTY SANITATION DISTRICT ADOPTING MISCELLANEOUS CHARGES AND FEES RELATING TO INDUSTRIAL DISCHARGERS, SOURCE CONTROL PERMITTEES AND WASTEHAULERS AND REPEALING ORDINANCE NO. OCSD-51

WHEREAS, Health & Safety Code Section 5471 authorizes the Board of Directors of the Orange County Sanitation District (OC San) to impose fees and other charges for services and facilities furnished by OC San in connection with OC San's wastewater collection, treatment, disposal, and reuse system; and

WHEREAS, OC San imposes charges and fees on industrial dischargers, source control permittees, and waste haulers pursuant to Ordinance No. OCSD-51 and

WHEREAS, OC San recently retained HDR Engineering, Inc. to evaluate OC San's projected revenue needs and recommend service fees and charges for the period July 1, 2023 to June 30, 2028. In December of 2022, HDR Engineering, Inc. issued its "Final Wastewater Rates, Fees, and Charges Study" (HDR Report). OC San's Board of Directors received the HDR Report on December 15, 2022, and the HDR Report is on file with OC San; and

WHEREAS, the HDR Report recommended specified adjustments to the fees and charges that OC San imposes on industrial dischargers, source control permittees, and waste haulers; and

WHEREAS, the recommendations set forth in the HDR Report are based on various studies and plans including, among others, financial forecasts, and OC San's 2017 Facilities Master Plan ("Master Plan"). The Master Plan identified the capital improvement projects that will be needed over the next 20 years and estimated the cost of each project. OC San's Board of Directors adopted the Master Plan on December 20, 2017; and

WHEREAS, on Wednesday, March 22, 2023 at 6:00 P.M., in OC San's Boardroom on the first floor of its Administration Building located at 10844 Ellis Avenue, Fountain Valley, California, OC San held a properly noticed public hearing, and received and considered comments concerning the proposed charges; and

WHEREAS, the Board of Directors has carefully reviewed the HDR Report and considered oral and written comments from the public, Board Members, OC San staff, and OC San consultants made at and prior to the March 22, 2023 public hearing;

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District does hereby ORDAIN:

SECTION I. Adopt miscellaneous charges and fees relating to industrial discharges, source control permittees, and waste haulers.

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Section 3.02. Exceptions

Section 3.03. Severability

Section 3.04. Effective Date

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Section 3.06. Certification and Publication

ARTICLE I

RECITAL OF FINDINGS

Section 1.01. Findings – Declaration of Intent.

A. OC San operates a system for the collection, treatment, disposal, and reuse of wastewater (“System”). The System protects human health and the environment from the potentially harmful effects of wastewater.

B. The revenues collected pursuant to this Ordinance shall be used to finance the improvements, programs, and staffing needed to operate, maintain, replace, and improve OC San’s existing facilities, fund necessary reserves, and retire debt incurred to finance such activities. The revenues shall be used for no other purpose.

C. The fees and charges established by this Ordinance are based on the information and analysis set forth in the HDR Report and the Master Plan, both of which were made available to the public in accordance with Government Code Section 66016 and other provisions of law.

D. The fees and charges established by this Ordinance do not exceed the estimated reasonable cost of providing the wastewater collection, treatment, disposal, and reuse services for which the fees are charged. The manner in which the costs are allocated to each payor bears a fair or reasonable relationship to the payor's burdens on, and benefits received from, OC San’s System.

E. The fees and charges established by this Ordinance will fund the operations, maintenance, construction, rehabilitation, and repair necessary to maintain service within OC San’s existing service area. Therefore, adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations Section 15273(a).

ARTICLE II

MISCELLANEOUS CHARGES AND FEES RELATING TO INDUSTRIAL DISCHARGERS, SOURCE CONTROL PERMITTEES AND WASTEHAULERS

Section 2.01. Purpose and Scope. The purpose of this Ordinance is to recover those costs incurred by OC San (i) on account of industrial dischargers’ and waste haulers’ use of OC San’s facilities; (ii) when administering OC San’s source control program; and (iii) when performing non-compliance sampling of industrial wastewater dischargers who have violated OC San’s Wastewater Discharge Regulations or the terms and conditions of the discharger’s permit. Revenues derived under the provisions of this Ordinance shall be used to defray the costs incurred by OC San (i) on account of such use of OC San’s facilities; and (ii) in performing these tasks.

Section 2.02. Administrative Fees and Charges Relating to Permittees. Administrative fees and charges relating to permittees are hereby established in the sum or sums as set forth in Tables E, F, G, H, I and J, below.

Section 2.03. Source Control Non-Compliance Fees. Source control non-compliance fees are hereby established for dischargers' non-compliance sampling and for self-monitoring and data reporting non-compliance, in the sum or sums as set forth in Table F, below.

Section 2.04. Special Purpose Discharge Permittees; Charges for Use. As authorized by Sections 305.5 and 305.6 of OC San's Wastewater Discharge Regulations, charges for use are hereby established for Special Purpose Discharge Permittees, as set forth in Table G, below.

Section 2.05. Class I and Class II Permittees – Charges for Use. As authorized by Sections 302.3, 302.6, 303.3 and 303.6 of OC San's Wastewater Discharge Regulations, the charges for use are hereby established for Class I and Class II Permittees as set forth in Table F, below.

Section 2.06. Wastehauler Charges for Use. As authorized by Sections 306.3 and 306.7 of the OC San's Wastewater Discharge Regulations, the charges for use are hereby established for wastehaulers as set forth in Table H, below.

Section 2.07 Discharge Certifications Charges for Use As authorized by Section 307 of the OC San's Wastewater Discharge Regulations, the charges for use are hereby established for a discharge certification (certified discharger) and Zero Discharge Certification (Certified Zero/No Discharge) as set forth in Table F, below.

Section 2.08. Administrative Appeals.

A. Any user, permit applicant, or permittee affected by any decision, action, or determination by OC San may, within forty-five (45) days of the date of mailing by OC San of the initial invoice for fees imposed pursuant to this Ordinance, request that OC San reconsider imposition of such fees. Following review of such a request, OC San shall notify the user, permit applicant, or permittee by certified mail of OC San's decision on the reconsideration request.

B. Any user, permit applicant, or permittee adversely affected by OC San's decision on the reconsideration request, may file an appeal in accordance with Sections 618 and 621 of OC San's Wastewater Discharge Regulations.

TABLE E

**ADMINISTRATIVE FEES AND CHARGES
RELATING TO PERMITTEES**

Permit Fees Charges per Fiscal Year

	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Class I/Certified					
A. Discharger	\$ 1685.00	\$1,791.00	\$1,904.00	\$2,024.00	\$2,152.00
B. Class II	\$ 554.00	\$ 591.00	\$ 630.00	\$ 672.00	\$ 717.00
C. SPDP ¹	\$1,192.00	\$1,225.00	\$1,259.00	\$1,293.00	\$1,328.00

D.	SPDP Renewal	\$ 860.00	\$ 913.00	\$ 969.00	\$ 1,029.00	\$ 1,092.00
E.	Wastehauler Zero Discharge	\$ 207.00	\$ 225.00	\$ 245.00	\$ 267.00	\$ 291.00
E.	Certifications	\$ 126.00	\$ 133.00	\$ 140.00	\$ 147.00	\$ 155.00

¹New permit only - add nonrefundable deposit for first 1 million gallons as defined in Table G

Wastehauler Fees

Charges

F.	Permit Decal Initial Issue	\$ 25.00
G.	Permit Decal Replacement	\$ 50.00
H.	Entry Card Initial Issue	\$ 50.00
I.	Entry Card Replacement	\$100.00
J.	After Hours Discharge – Prearranged	\$102.00/event
K.	After Hours Discharge – Emergency	\$165.00/event

Administrative/Processing Fees

Charges

L.	OC San's Collection of Water Consumption Data	\$ 500.00/permit
M.	Appeal Hearing Filing Fee	\$ 800.00/appeal
N.	Late Application (30 days or less from expiration date)	\$ 500.00
O.	Late Application (15 days or less from expiration date)	\$1,000.00

**TABLE F
INDUSTRIAL DISCHARGER, SOURCE CONTROL
AND NON-COMPLIANCE SAMPLING FEES**

<u>Cost of Processing and Sampling Following a Minor Violation</u>	<u>Charge</u>
	\$200.00/event
<u>Cost of Processing and Sampling Following a Major Violation</u>	
	\$400.00/event
<u>Non-Compliance Resampling Fee</u>	\$275.00/event

Cost of Analysis per Fiscal year

Heavy Metals:	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
	\$52.00	\$54.00	\$56.00	\$58.00	\$60.00

- Aluminum
- Antimony
- Arsenic
- Cadmium
- Chromium
- Copper
- Gold
- Lead
- Molybdenum
- Nickel

- Palladium
- Platinum
- Selenium
- Silver
- Thallium
- Tin
- Titanium
- Vanadium
- Zinc

	<u>Per Fiscal Year</u>	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Ammonia Analysis as Nitrogen		\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Biochemical Oxygen Demand (BOD)		\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
BOD and Suspended Solids (SS) Analysis		\$114.00	\$117.00	\$121.00	\$124.00	\$128.00
Chemical Oxygen Demand		\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Conductivity		\$76.00	\$78.00	\$81.00	\$83.00	\$85.00
Cyanide (Amenable)		\$171.00	\$176.00	\$181.00	\$187.00	\$182.00
Cyanide (Total)		\$99.00	\$102.00	\$105.00	\$108.00	\$111.00
Total Radium Determination		\$207.00	\$213.00	\$219.00	\$226.00	\$232.00
Gross Alpha and Beta Determination		\$111.00	\$114.00	\$117.00	\$121.00	\$124.00
Tritium Determination		\$102.00	\$105.00	\$108.00	\$112.00	\$115.00
Oil & Grease (Hexane Soluble Matter)		\$95.00	\$98.00	\$101.00	\$104.00	\$107.00
Total Organic Nitrogen		\$76.00	\$78.00	\$81.00	\$83.00	\$85.00
pH		\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Fluoride		\$38.00	\$39.00	\$40.00	\$41.00	\$43.00
Suspended Solids (Total)		\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
Suspended Solids (Total and Volatile)		\$171.00	\$176.00	\$181.00	\$187.00	\$182.00
Total Dissolved Solids		\$57.00	\$59.00	\$60.00	\$62.00	\$64.00
Total Sulfides		\$83.00	\$87.00	\$89.00	\$92.00	\$95.00
Strontium Determination		\$134.00	\$138.00	\$142.00	\$146.00	\$150.00
Uranium Determination		\$45.00	\$46.00	\$48.00	\$49.00	\$50.00
Mercury (EPA 245.1)		\$76.00	\$78.00	\$81.00	\$83.00	\$86.00
Pharmaceutical Industry (EPA 1666)		\$342.00	\$352.00	\$363.00	\$374.00	\$385.00
Chlorinated Pesticides and Aroclors (EPA 608)		\$128.00	\$132.00	\$136.00	\$140.00	\$144.00
Volatile Organics (EPA 624)		\$304.00	\$313.00	\$322.00	\$332.00	\$342.00
Semi-Volatile Organics (EPA 625)		\$683.00	\$704.00	\$725.00	\$747.00	\$769.00
PFAS		\$413.00	\$431.00	\$444.00	\$457.00	\$471.00
Dissolved Sulfides		\$58.00	\$60.00	\$62.00	\$64.00	\$66.00

SELF-MONITORING AND DATA REPORTING
NON-COMPLIANCE

Cost of Processing and Issuing Significant Non-Compliance Notification	\$165.00
Cost of Processing Annual SNC and Publication	\$485.00
Non-Compliance Appeal Filing Fee*	\$150.00

*Filing Fee will be refunded if customer wins appeal

TABLE G

CLASS I AND CLASS II PERMITTEES AND
SPECIAL PURPOSE DISCHARGE PERMITTEES

CHARGES FOR USE (Fiscal Year)

Class I and II	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Flow (*)	\$1676.09	\$1754.41	\$1836.37	\$1922.17	\$2011.98
B.O.D. (**)	\$705.08	\$744.23	\$785.55	\$829.17	\$875.21
S.S. (***)	\$815.51	\$855.92	\$898.34	\$842.86	\$989.58
Special Purpose					
Discharge Permit	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Flow (*) (Fiscal Year)	\$1676.09	\$1754.41	\$1836.37	\$1922.17	\$2011.98

- (*) Flow Per million gallons of Flow
 (**) B.O.D. Per thousand pounds of Biochemical Oxygen Demand
 (***) S.S. Per thousand pounds of Suspended Solids

All properties located within Revenue Area No. 14 pay no annual service fees. OC San's costs relating to providing service to these properties are billed by OC San directly to the Irvine Ranch Water District, the local agency providing the local sewer service.

TABLE H

WASTEHAULER CHARGES FOR USE

	Per Fiscal Year	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>	<u>2026-27</u>	<u>2027-28</u>
Within OC San Boundaries*		\$0.09	\$0.09	\$0.09	\$0.09	\$0.09
Outside OC San Boundaries*;**		\$0.32	\$0.32	\$0.32	\$0.32	\$0.32

- (*) Per gallon of truck capacity
 (**) Outside OC San boundaries and inside OC San service area or authorized by OC San's General Manager.

Waste hauled from a source that is not within OC San's service area is prohibited unless authorized by the General Manager. Service area is defined as any area the OC San has an agreement to serve.

ARTICLE IV

MISCELLANEOUS

Section 4.01. Application of Ordinance. The provisions of this Ordinance shall be in addition to the provisions of OC San's Wastewater Discharge Regulations for use of OC San's sewage facilities, including provisions for payment of charges or fees related thereto; OC San's ordinance establishing Fees Concerning Annexations of Territory to OC San; and any other OC San Ordinances and Resolutions not in conflict herewith.

Section 4.02. Exceptions. The provisions of this Ordinance shall apply to all owners of properties within OC San, including those properties otherwise deemed exempt from payment of taxes or assessments by provisions of the State Constitution or statute, including properties owned by other public agencies or tax-exempt organizations, except as expressly provided herein.

Section 4.03 Out of Area Sewer Service Agreements. OC San is empowered to contract for the transport, treatment and disposal of wastewaters originating within areas outside of OC San if it is in the best interest of OC San to do so. These Out of Area Sewer Service Agreements will establish fees and charges relative to the services provided by OC San for each individual agreement.

The Board of Directors of the Orange County Sanitation District does further hereby ORDAIN:

SECTION II. Severability. If any provision of this Ordinance, or the application to any person or circumstances is held invalid by order of Court, the remainder of the Ordinance, or the application of such provision to other persons or other circumstances, shall not be affected.

SECTION III. Effective Date. This Ordinance shall take effect July 1, 2023.

SECTION IV. Repeal. Ordinance No. OCSD-51 is hereby repealed effective June 30, 2023.

SECTION V. Certification and Publication. The Clerk of the Board shall certify to the adoption of this Ordinance and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by a vote of not less than two-thirds of the Board of Directors of the Orange County Sanitation District at a Regular Meeting held on March 22, 2023.

Chad Wanke

[Chad Wanke \(Mar 23, 2023 11:55 PDT\)](#)

Chad P. Wanke
Chairman, Board of Directors
Orange County Sanitation District

ATTEST:

Kelly Lore

[Kelly Lore \(Mar 23, 2023 12:00 PDT\)](#)

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District

APPROVED AS TO FORM:

Bradley R. Hogin

Bradley R. Hogin
General Counsel
Orange County Sanitation District

STATE OF CALIFORNIA)
) SS.
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of Orange County Sanitation District, do hereby certify that the above and foregoing Ordinance No. OCSD-60 was introduced for first reading at a regular meeting of said Board on the 22nd day of February 2023, and passed and adopted by a vote of not less than two-thirds at a regular meeting of said Board on the 22nd day of March 2023, by the following vote, to wit:

AYES: Brad Avery, Pat Burns, Doug Chaffee, Jon Dumitru, Rose Espinoza, Stephen Faessel, Ryan Gallagher, Glenn Grandis, Phil Hawkins, Johnathan Ryan Hernandez, Steve Jones, Christine Marick, Scott Minikus, Jordan Nefulda, Andrew Nguyen, Robert Ooten, Robbie Pitts, David Shawver, Susan Sonne, Schelly Sustarsic, Chad Wanke, John Withers and Debbie Baker (Alternate)

NOES: None

ABSENT: Farrah Khan and Bruce Whitaker

ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 22nd day of March, 2023.

Kelly Lore

[Kelly Lore \(Mar 23, 2023 12:00 PDT\)](#)

Kelly A. Lore, MMC
Clerk of the Board
Orange County Sanitation District












OC SAN-60

Final Audit Report

2023-03-23

Created:	2023-03-23
By:	Kelly Lore (klore@ocsan.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAmUhpM7RVYSXhJ9oleuK4-bw1JQpCBObG

"OC SAN-60" History

-  Document created by Kelly Lore (klore@ocsan.gov)
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-  Document emailed to Bradley Hogin (bhogin@wss-law.com) for signature
2023-03-23 - 4:43:49 PM GMT
-  Email viewed by Bradley Hogin (bhogin@wss-law.com)
2023-03-23 - 4:51:04 PM GMT- IP address: 72.203.105.111
-  Document e-signed by Bradley Hogin (bhogin@wss-law.com)
Signature Date: 2023-03-23 - 4:51:13 PM GMT - Time Source: server- IP address: 72.203.105.111
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-  Signer chad@chadwanke.com entered name at signing as Chad Wanke
2023-03-23 - 6:55:32 PM GMT- IP address: 146.70.173.100
-  Document e-signed by Chad Wanke (chad@chadwanke.com)
Signature Date: 2023-03-23 - 6:55:34 PM GMT - Time Source: server- IP address: 146.70.173.100
-  Document emailed to Kelly Lore (klore@ocsan.gov) for signature
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-  Email viewed by Kelly Lore (klore@ocsan.gov)
2023-03-23 - 7:00:26 PM GMT- IP address: 104.47.64.254
-  Document e-signed by Kelly Lore (klore@ocsan.gov)
Signature Date: 2023-03-23 - 7:00:38 PM GMT - Time Source: server- IP address: 47.176.92.30

✔ Agreement completed.

2023-03-23 - 7:00:38 PM GMT

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ADMINISTRATION COMMITTEE

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

Agenda Report

File #: 2024-3552

Agenda Date: 4/10/2024

Agenda Item No: 7.

FROM: Robert Thompson, General Manager
Originator: Wally Ritchie, Director of Finance

SUBJECT:

FY 2024-25 AND 2025-26 OPERATING BUDGET EXPENDITURES

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Information Item.

BACKGROUND

Discussion of the Orange County Sanitation District (OC San) FY 2024-25 and FY 2025-26 Budget development process was initiated at the January 17, 2024 Board of Directors meeting. During this process, staff provides presentations to the Administration and Operations Committees, focusing on various areas of the budget. Staff will make a brief presentation on the proposed expenditure details of the Operating Budget at the Committee meeting.

The Operating and Capital Budgets, effective July 1 of this year, will be presented for adoption at the June 26, 2024 Board meeting.

RELEVANT STANDARDS

- Produce Ops and CIP budgets every two years, with annual update

PRIOR COMMITTEE/BOARD ACTIONS

N/A

ADDITIONAL INFORMATION

N/A

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- FY 2024-25 and 2025-26 Budget Expense Update
- FY 2024-25 and 2025-26 Budget Expense Summary
- Presentation

FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)

	<u>Projected 2023-24</u>	<u>Proposed 2024-25</u>	<u>Proposed 2025-26</u>
1) SALARIES, WAGES & BENEFITS	\$113.6	\$122.8	\$129.3
1a) Salaries & Wages	\$82.8	\$89.8	\$94.4

Salaries for 655 full-time equivalent (FTE) positions have been approved in the current budget and 662 FTE are included in the proposed budgets. The increase is attributable to new employees, step advancements and planned salary increases per bargaining agreements. The Vacancy Factor was set at 5 percent based on trend information.

1b) Leave Payoffs	\$2.7	\$3.0	\$3.1
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Leave Payoffs for retirements are anticipated to be in line with recent history reflecting retirements of long-term employees.

1c) Overtime	\$2.9	\$3.1	\$3.2
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Overtime is proposed to remain relatively flat. Of the total proposed, \$2.8 million is budgeted in Operations and Maintenance primarily for required overtime as the plants are in operation 24/7 (vacation, sick, shift overlap), emergencies, unscheduled maintenance, backlog, and off-shift construction support. The remaining is budgeted in other divisions and has remained essentially the same.

1d) Orange County Emp. Ret. System	\$11.7	\$12.2	\$12.7
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OC San employees are members of the Orange County Employees' Retirement System (OCERS). The employer's required contribution rates slightly increased this year after remaining relatively flat following the payoff of OC San's unfunded actuarial accrued liability beginning in the fall of 2019.

1e) Group Insurance	\$11.0	\$12.2	\$13.3
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Includes Medical, Dental, Vision, Life Insurance, Medicare, and Disability. The proposed group insurance budget is approximately \$17,500 per employee (662 proposed full-time equivalent positions).

1f) Benefits, Other	\$2.5	\$2.5	\$2.6
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Includes Workers' Compensation, Tuition Reimbursement, Development Pay, and Uniform Rental. Workers' Compensation (\$0.9 million in FY 2023-24) is used to maintain the level of accumulated reserves within the Workers' Compensation self-insurance funds. The Development Pay Program (\$725,000) is intended to promote employee efforts that increase job knowledge, skills, and abilities.

**FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)**

	<u>Projected 2023-24</u>	<u>Proposed 2024-25</u>	<u>Proposed 2025-26</u>
2) REPAIRS AND MAINTENANCE	\$35.1	\$36.3	\$35.7
2a) Materials & Services	\$27.7	\$28.0	\$27.3

The material and services budget supports the maintenance of the collection system and the treatment plants. Materials and services for the collections system include street overlays/manhole raising, manhole cover purchases, surveying services, and easement improvements and other materials and services. Collections has a multiple repair projects in the budgeted years: including siphon cleaning (\$1.0M). Plant maintenance materials and services include: manhole rehab and replacement services (\$1.3M), digester cleaning (\$1.7M), and materials and services to maintain OC San’s fleet (\$0.7M).

The budget for basic scheduled, predictive, and preventive maintenance and emergency maintenance are included in these budgets which are proposed based on historical experience and cost trends.

2b) Service Agreements	\$7.4	\$8.3	\$8.4
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Service contracts are mostly either computer-related or O&M maintenance-related. Major contracts for Information Technology (\$3.6M) include IBM Software Maintenance, Microsoft Enterprise License Agreements, Cisco Smart Net, Maximo support, disaster recovery hardware and software support, Oracle support, and various smaller service agreements. Contractor Support Services in the Operations and Maintenance Department manages all service contracts for the maintenance of the collection system and treatment plants (\$4.4M). These service agreements include crane certification, engine monitoring systems, door and gate maintenance, scale certification, tree trimming, pest control, fire extinguisher and fire sprinkler certification, Uninterruptible Power Supply electrical maintenance, scaffolding, and various other plant maintenance and service maintenance agreements covering various equipment located throughout OC San. Additional service maintenance agreements covering various equipment items are budgeted throughout OC San.

3) OPERATING MATERIALS & SUPPLIES	\$30.8	\$31.2	\$31.8
3a) Chemical Coagulants	\$15.8	\$15.9	\$16.3

Anionic Polymer – Anionic polymer is added to the primary clarifiers in combination with ferric chloride to enhance primary clarifier performance. Proposed costs are increasing from the FY 2023-24 Adopted Budget and the projected usage will remain approximately the same. The proposed anionic polymer budget is \$695,500 for FY 2024-25 and \$716,000 for FY 2025-26.

FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)

Projected	Proposed	Proposed
<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>

Cationic Polymer – Cationic polymer is added to digested sludge prior to dewatering to improve the sludge and water separation process. Cationic polymer is also added to the waste activated sludge dissolved air flotation thickeners (DAFTs) to improve solids coagulation. The cationic polymer budget is \$6.5 million for FY 2024-25 and \$6.6 million for FY 2025-26.

Ferric Chloride – Ferric chloride is an iron salt which is used to increase the solids removal efficiencies in the primary treatment process and to control digester hydrogen sulfide. As the amount of ferric chloride is optimized in primary treatment, additional amounts of ferric chloride are added to the digesters to control hydrogen sulfide. The proposed ferric chloride budget for is \$8.7 million for FY 2024-25 and \$9.0 million for FY 2025-26, increasing from the projected amount for FY 2023-24.

3b) Odor Control	\$10.1	\$10.4	\$10.5
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Sodium Hydroxide (Caustic Soda) – Caustic soda (25%) is used in the foul air scrubbers and in OC San’s main trunk lines (50%) tributary to the treatment plants. The total proposed caustic soda budget is \$843,000 for FY 2024-25 and \$852,000 for FY 2025-26.

Muriatic Acid – Muriatic Acid (Hydrochloric Acid) is used to backwash the media in the foul air scrubbers, associated piping, and pumps. This cleans deposits caused by hard water, sulfides from the reaction with the foul air, and caustic soda used in the scrubbing process. Muriatic Acid is also used as a method for cleaning polymer tanks. The proposed budget is \$23,000 for FY 2024-25 and \$24,000 for FY 2025-26.

Magnesium Hydroxide, Trunklines – Magnesium hydroxide reduces the formation of hydrogen sulfide in the collection system, which causes odor and corrosion. Contract services include supply, tanks and delivery equipment, operational monitoring, sampling, reporting, and on-going maintenance services for odor control chemical dosing systems within the wastewater collection and conveyance system. The proposed budget is \$3.2 million for both FY 2024-25 and FY 2025-26.

Ferrous Chloride, Trunklines – Ferrous Chloride is used in the trunks to reduce hydrogen sulfide generation. This contract provides supply, tanks and delivery equipment, operational monitoring, sampling, reporting, and on-going maintenance services for odor control chemical dosing systems within the wastewater collection and conveyance system. The previously approved and proposed budget is \$4.1 million for both FY 2024-25 and FY 2025-26.

Calcium Nitrate, Trunklines – Calcium nitrate is a biological approach to controlling odors in wastewater. It provides the naturally occurring bacteria with an alternate source

**FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)**

	<u>Projected 2023-24</u>	<u>Proposed 2024-25</u>	<u>Proposed 2025-26</u>
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of oxygen which, when metabolized, produces nitrogen gas as a byproduct rather than the sulfides produced by the naturally occurring sources of oxygen. This contract provides supply, tanks and delivery equipment, operational monitoring, sampling, reporting, and on-going maintenance services for odor control chemical dosing systems within the wastewater collection and conveyance system. is \$852,000 for both FY 2024-25 and FY 2025-26.

Bleach, Treatment Plant Odor Control – Bleach is used in treatment plant odor control scrubbers and has replaced more expensive chemicals. The proposed budget is \$1.4 million for both FY 2024-25 and FY 2025-26.

3c) Disinfection	\$0.6	\$0.6	\$0.6
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Sodium Hypochlorite (Bleach) – The treatment plant bleach usage is for disinfection of plant water and the control of filamentous organisms in activated sludge in the secondary treatment process. The proposed budget is \$597,000 for FY 2024-25 and \$614,000 for FY 2025-26.

3d) Tools and Safety Equipment / Tools	\$1.9	\$1.7	\$1.7
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O&M uses 72% of these budgets with another 13% budgeted in Risk Management. Costs include various personal protective equipment items required for job safety. Reflective vests are now required in the working treatment plants and collection system, increasing expenses for safety equipment.

3e) Laboratory Chemicals and Supplies	\$0.7	\$0.8	\$0.8
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Approximately 84% of this budget supports the Environmental Laboratory purchases of glassware, filtration supplies, solvents used for organic extractions, acids and bases used in metals digestion and glassware cleaning, reagents, a variety of standards used in quality assurance of the tests, specialty gases, microbiology supplies and growth media, chromatography columns, test organisms for bioassay, toxicity, and various other laboratory supplies.

3f) Gas, Diesel, and Oil	\$0.7	\$0.9	\$0.9
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Gasoline, compressed natural gas, diesel, and oil are used in the operation of mobile equipment, within generators and other operating equipment. The future price of gasoline and natural gas are the major impacts to these budgets.

3g) Other	\$1.0	\$0.9	\$1.0
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Other smaller operating expenses are collectively reported within this line item such as janitorial supplies, miscellaneous operating supplies, and property tax fees.

FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)

	<u>Projected 2023-24</u>	<u>Proposed 2024-25</u>	<u>Proposed 2025-26</u>
4) CONTRACTUAL SERVICES	\$22.1	\$23.5	\$24.1
4a) Solids Removal	\$14.0	\$14.5	\$14.8

Biosolids – The biosolids unit cost is mainly driven by the nature of the energy intensive thermal conversion processes (Drying + Pyrolysis). Increased unit costs are expected.

4b) Other Residual Solids and Waste	\$1.0	\$1.2	\$1.2
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The other residual solids and waste category includes disposal costs for grit and screening waste, digester cleaning waste, and hazardous materials. The Grit and Screening budget includes supplying bins to collect then haul and dispose of grit, screenings, and drying bed material to a landfill. The grit is generated from the grit chambers, and the screenings is the material collected off the bar screens. Drying bed material is typically made up of the material cleaned out of pipes in the collection system by OC San crews and other city crews in OC San’s service area.

4c) Groundskeeping/Janitorial/Security	\$3.8	\$4.6	\$4.9
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The Security Services budget is \$2.5 million based on the level of security services provided to OC San. The proposed budget increase is related to extra janitorial services and increased security requirements for the new Headquarters facility.

4d) County Service Fee	\$0.4	\$0.4	\$0.4
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The County Service Fee is the fee charged by the County of Orange for the inclusion of OC San’s sanitation fees on the County of Orange Property Tax Bill and for the collection of these fees by the County on behalf of OC San.

4e) Oxygen Plant Operations	\$1.2	\$1.3	\$1.4
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OC San’s Oxygen Plant has been decommissioned and currently, the activated sludge plant operates solely with purchased oxygen.

4f) Temporary Services	\$0.5	\$0.4	\$0.3
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Temporary Services are expected to remain steady.

4g) Outside Lab Services	\$0.4	\$0.4	\$0.4
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OC San contracts out certain laboratory services that are not cost-efficient to perform in-house. Examples include air quality analyses, oil analyses for transformers and

**FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)**

	<u>Projected 2023-24</u>	<u>Proposed 2024-25</u>	<u>Proposed 2025-26</u>
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internal combustion engines, contaminants of potential concern, and hi-resolution mass spectroscopy. As approximately half of OC San biosolids are reused in Arizona; contracted testing for those biosolids must meet the State of Arizona requirement for analyses to be performed in an Arizona certified laboratory.

4h) Contracted Services, Other	\$0.8	\$0.7	\$0.7
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Contracted services that are in support of operating and maintaining the collection system and the treatment plants and have been moved into the operations and maintenance service agreements line item. The budgeted amount is for various engineering support contracts.

5) UTILITIES	\$16.1	\$16.1	\$16.4
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5a) Power	\$11.3	\$11.3	\$11.5
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Electricity – The estimated consumption and resulting costs for electrical energy purchased for the FY 2023-24 total \$11.345.932. This estimate includes only running 2 of the 3 CenGen engines and assumes savings for battery utilization at Plant No.1. This budgetary number contains no contingency and anticipates moderating energy costs due to purchase contracts.

5b) Water	\$1.3	\$1.3	\$1.3
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Potable Water – The potable water budget includes the water supplied by the City of Fountain Valley for Plant No. 1 and the City of Huntington Beach for Plant No. 2. Approximately 5% of the potable water at Plant No. 1 is used for domestic uses and less than 1% is used for irrigation. Most of the irrigation at both plants uses reclaimed water. Less than 1% of the potable water used at Plant No. 2 is for domestic uses due to the relatively small number of employees at Plant No. 2.

5c) Natural Gas	\$2.9	\$2.9	\$3.0
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For FY 2023-24, the estimated natural gas to be purchased from Southern California Gas Company and the gas marketer (i.e., Constellation Energy) is \$2.9M.

The gas unit cost is anticipated to moderate due to long term contracts. The market remains volatile for natural gas price in Southern California and will be monitored.

The “core subscription” is natural gas purchased directly from The Gas Company and used mainly for building heating and supplemental process heating. The natural gas used for Central Generation is purchased from a gas marketer, Constellation Energy,

FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)

	<u>Projected</u> <u>2023-24</u>	<u>Proposed</u> <u>2024-25</u>	<u>Proposed</u> <u>2025-26</u>
and transported through The Gas Company conveyance system at stipulated cost. The projected prices include the costs that will be paid to both entities.			
5d) Telephone	\$0.6	\$0.6	\$0.6

Included in this line item is the funding for over 600 landlines and mobile phones for management and field staff, as deemed appropriate.

6) PROFESSIONAL SERVICES	\$5.4	\$7.9	\$7.1
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6a) Legal Services	\$1.7	\$1.5	\$1.5
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Legal services are services primarily provided by General Counsel for general legal support. Other specialized legal services from other firms are also included in this budgeted amount.

6b) Engineering Services	\$1.5	\$1.7	\$1.8
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These services augment technical support for critical projects. Requested engineering services include support for corrosion assessment; coatings and cathodic protection; engineering support staffing for civil, mechanical, and instrumentation programs; and support to maintenance projects.

6c) Advocacy Efforts	\$0.2	\$0.3	\$0.3
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These are consultant services for promoting OC San's interests in Sacramento and Washington D.C concerning legislation and funding.

6d) Audit and Accounting	\$0.2	\$0.2	\$0.3
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These services represent the cost for OC San's independent annual financial audit and contracted internal auditing services.

6e) Software Program Consultant	\$0.5	\$1.0	\$0.8
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These support costs are required to supplement programming staff as new software versions and new programs are implemented and revised; they are also in support of the SCADA/ (supervisory control and data acquisition) system for process monitoring and controlling.

6f) Other	\$1.3	\$3.2	\$2.4
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Professional services also include labor and industrial hygiene services. Collectively reported within the line item, "Other" are various services including succession planning,

FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)

	Projected	Proposed	Proposed
	<u>2023-24</u>	<u>2024-25</u>	<u>2025-26</u>

pre-employment testing, actuarial services, performance management consultant, local sewer service fee rate study, specialized onsite training, strategic outsourcing, development of lock-out – tag-out procedures, stratus environmental audits and studies, groundwater extraction, OCHCA inspections, and grant applications, and an analysis of the business practices of the of maintenance support services.

7) OTHER OPERATING SUPPLIES	\$7.2	\$8.3	\$8.9
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7a) Property & General Liability Insurance	\$3.3	\$3.6	\$4.0
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OC San’s outside excess general liability insurance coverage is \$40 million with a self-insurance retention of \$750,000. OC San’s property insurance coverage of \$1 billion for perils other than flood and earthquake, \$25 million for flood, and \$25 million for earthquake is subject to self-insurance retentions of \$250,000 for all perils other than flood and earthquake, \$100,000 for flood, and 5% per structure with a minimum of \$5 million for earthquake.

The proposed appropriation is needed to fund insurance premiums, claims, and maintain the recommended level of reserve within the general liability and property self-insurance fund.

7b) Regulatory Operating Fees	\$1.6	\$1.8	\$1.9
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Payments to the Regional Water Quality Control Board for the National Pollution Discharge Elimination System (NPDES) Permit and to the South Coast Air Quality Management District for permit fees.

7c) Other Operating	\$0.7	\$0.8	\$0.8
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Other material, supplies, and services collectively reported within this line item.

7d) General Manager Contingency	\$1.5	\$1.8	\$1.9
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These funds are centrally budgeted and expended through the direct discretion and approval of the General Manager to support unanticipated OC San needs or requests of the Board.

7e) Prior year Appropriations	\$0.0	\$0.0	\$0.0
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Since the operating budget lapses at the end of each fiscal year, funds are needed to be set aside for contacts, purchases, commitments, and other legal obligations that have been incurred prior to June 30 in the prior year, but goods or services have not been delivered until after June 30 in the new budget year. (Projected FY 2019-20 budget reflects application of these funds.)

**FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)**

	<u>Projected 2023-24</u>	<u>Proposed 2024-25</u>	<u>Proposed 2025-26</u>
7f) Other Non-Operating	\$0.1	\$0.1	\$0.1

Other non-operating expenses and obsolete inventory are in this group of expenses.

8) ADMINISTRATIVE EXPENSE	\$1.6	\$2.7	\$2.7
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8a) Small Computer Items	\$0.8	\$1.3	\$1.3
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New Computers/Notebooks/Tablets, printers, monitors, networking equipment, computer peripherals, digital equipment, PDAs, digital cameras, etc.

8b) Memberships	\$0.6	\$0.7	\$0.7
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OC San's largest membership costs are for OC San-wide participation in groups such as the National Association of Clean Water, the National Water Research Institute, the Water Environment Research Foundation, the California Association of Sanitation Agencies, the Southern California Alliance of Publicly Owned Treatment Works, the Association of California Water Agencies, and the Center for Demographic Research. A minor portion of these expenses is for staff memberships in professional associations.

8c) Supplies, Postage & Publications	\$0.1	\$0.2	\$0.2
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Office supplies include such items as envelopes, letterhead, notebooks, calendars, etc.

8d) Other	\$0.1	\$0.5	\$0.5
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Other smaller administrative expenses collectively reported within this line item.

9) RESEARCH AND MONITORING	\$1.8	\$2.1	\$2.0
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9a) Environmental Monitoring	\$1.0	\$1.2	\$1.1
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The budget line item for "Environmental Monitoring" includes costs associated with OC San's NPDES permit-required ocean monitoring program.

In addition to the funds needed to conduct the permit-required ocean monitoring program, environmental monitoring also includes operating funds and insurance fees for OC San's ocean monitoring vessel, the M/V Nerissa.

9b) Air Quality Monitoring	\$0.2	\$0.3	\$0.3
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Periodic monitoring and analysis of air emissions requires testing from various sources including the central generation facilities, validation of emissions from continuous monitoring equipment, and source testing after CIP installation/modification (i.e., P1

FY 2024-25 and FY 2025-26 BUDGET EXPENSE – ADDITIONAL DETAIL
(In Millions)

	<u>Projected 2023-24</u>	<u>Proposed 2024-25</u>	<u>Proposed 2025-26</u>
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trickling filters, P1 primary basin install and modifications, etc.). Periodically, there is a requirement to test the waste gas flares.

9c) Other Research	\$0.6	\$0.6	\$0.6
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OC San contributes annually to research organizations such as the Southern California Coastal Water Research Project.

10) TRAINING AND MEETINGS	\$0.9	\$2.0	\$2.0
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10a) Training	\$0.8	\$1.8	\$1.8
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This category includes ongoing technical and safety training and materials for staff, required training for computerized plant monitoring, and control systems and training to allow for a more adaptive and flexible work force. Cost savings have been achieved in part through increased use of on-line training.

10b) Meetings	\$0.1	\$0.2	\$0.2
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The General Manager has reviewed all meeting request budgets for necessity, duplication, and redundancy and has limited this amount to a responsible level.

11) PRINTING AND PUBLISHING	\$0.3	\$0.4	\$0.4
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11a) In-House Publishing	\$0.2	\$0.2	\$0.2
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Although the budget provides for some outside reproduction, most OC San printing activities are completed In-house, reflecting an expanded management information system and administrative requirements, as well as continuing demand by the public and regulatory agencies for information. These activities including printing of OC San maps, brochures, Board reports and agenda items, budget materials, etc.

11b) Other	\$0.1	\$0.2	\$0.2
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Includes outside printing and publishing expenses and notices and ads.

12) COST ALLOCATION	(\$20.0)	(\$21.4)	(\$22.4)
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This represents direct and indirect labor, benefits, materials, and services charged to the Capital Improvement Program (CIP) where the related work was performed.

2024-25 and 2025-26 Budget Development - Expense Summary

(In Millions)

Description	2023-24 Budget	2023-24 Projected	2024-25 Proposed	% Change	2025-26 Proposed	% Change
Salaries, Wages & Benefits	\$ 115.7	\$ 113.6	\$ 122.8	8.1%	\$ 129.3	5.3%
Repairs & Maintenance	35.5	35.1	36.3	3.4%	35.7	-1.7%
Operating Materials & Supplies	30.5	30.8	31.2	1.3%	31.8	1.9%
Contractual Services	21.8	22.1	23.5	6.3%	24.1	2.6%
Utilities	12.3	16.1	16.1	0.0%	16.4	1.9%
Professional Services	7.6	5.4	7.9	46.3%	7.1	-10.1%
Other	12.8	11.8	15.5	31.4%	15.9	2.6%
Total Non-Salary	120.5	121.3	130.5	7.6%	131.0	0.4%
Total Before Allocation	236.2	234.9	253.3	7.8%	260.3	2.8%
Cost Allocation	(21.6)	(20.0)	(21.4)	7.1%	(22.4)	4.5%
Net Operating Requirements	\$ 214.6	\$ 214.9	\$ 231.9	8.0%	\$ 237.9	2.6%

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1954 - 2024

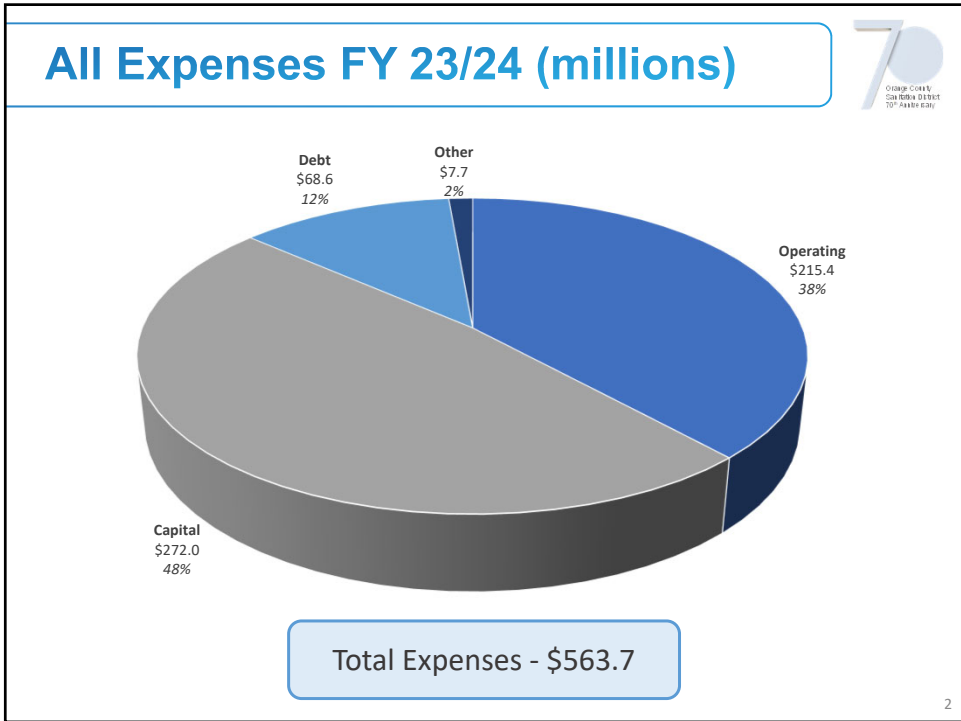
Orange County
Sanitation District
70th Anniversary

FY 24-25 and FY 25-26 Operating Budget Expenditures

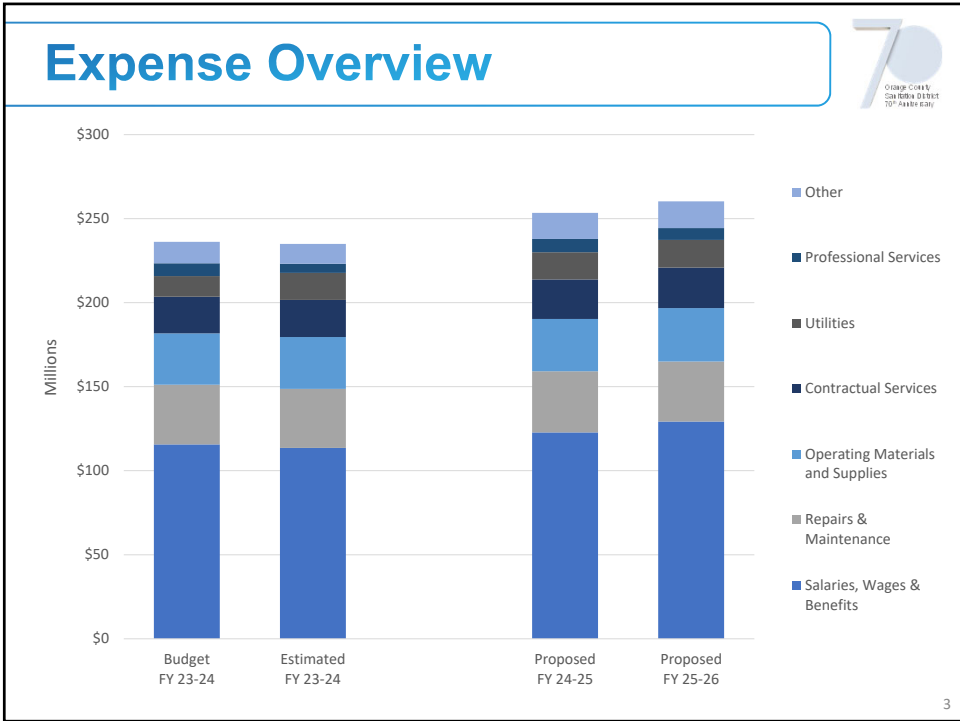
Presented by: Ruth Zintzun, Finance and
Procurement Manager
Administration Committee

April 10, 2024

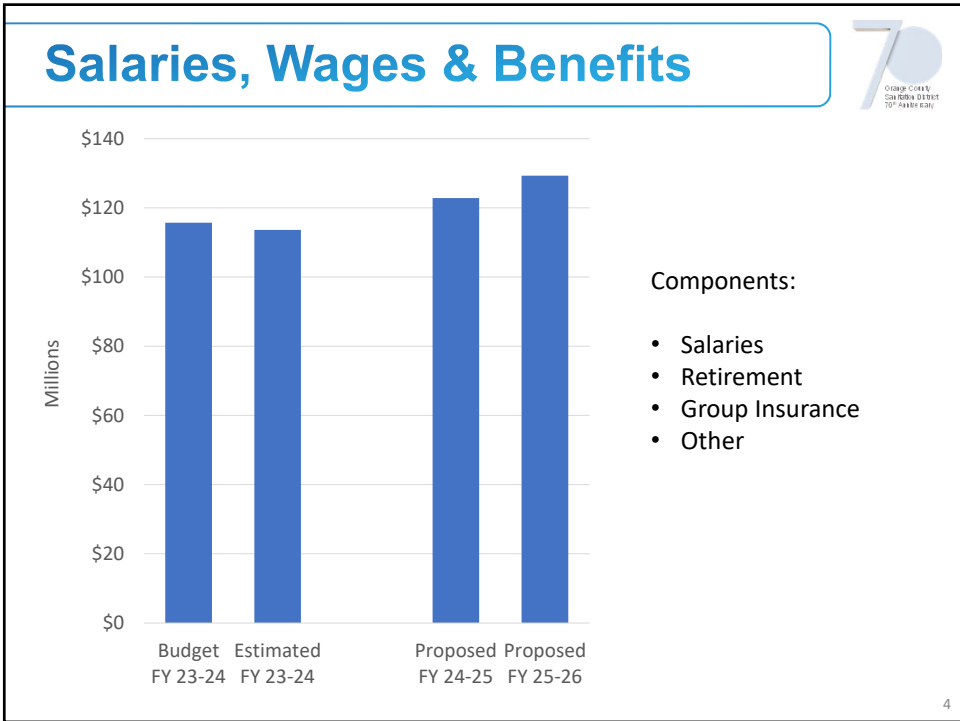
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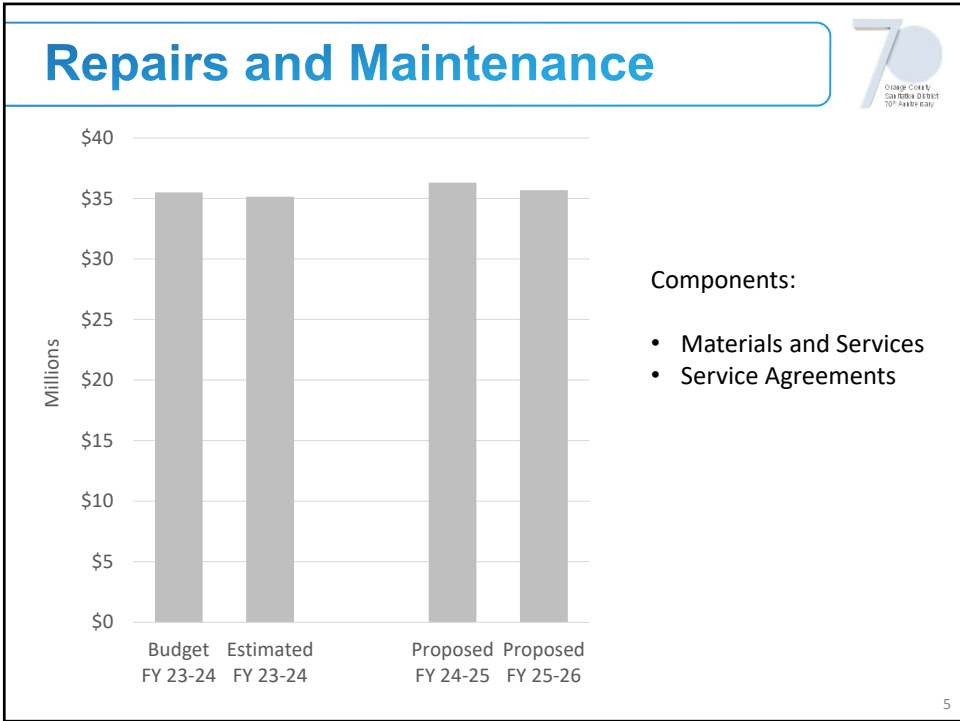
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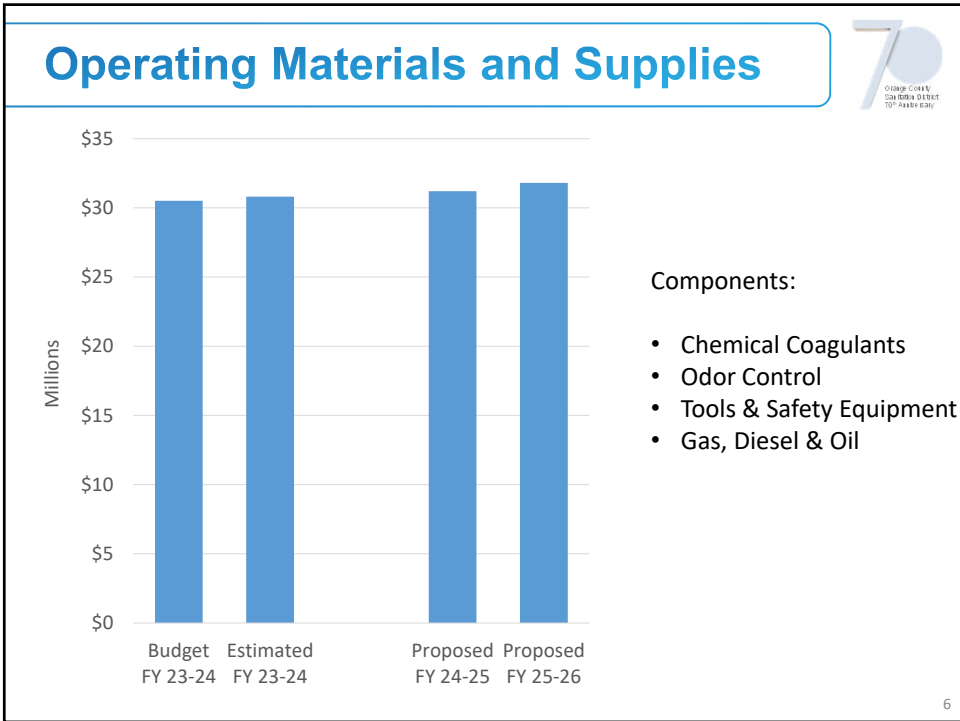
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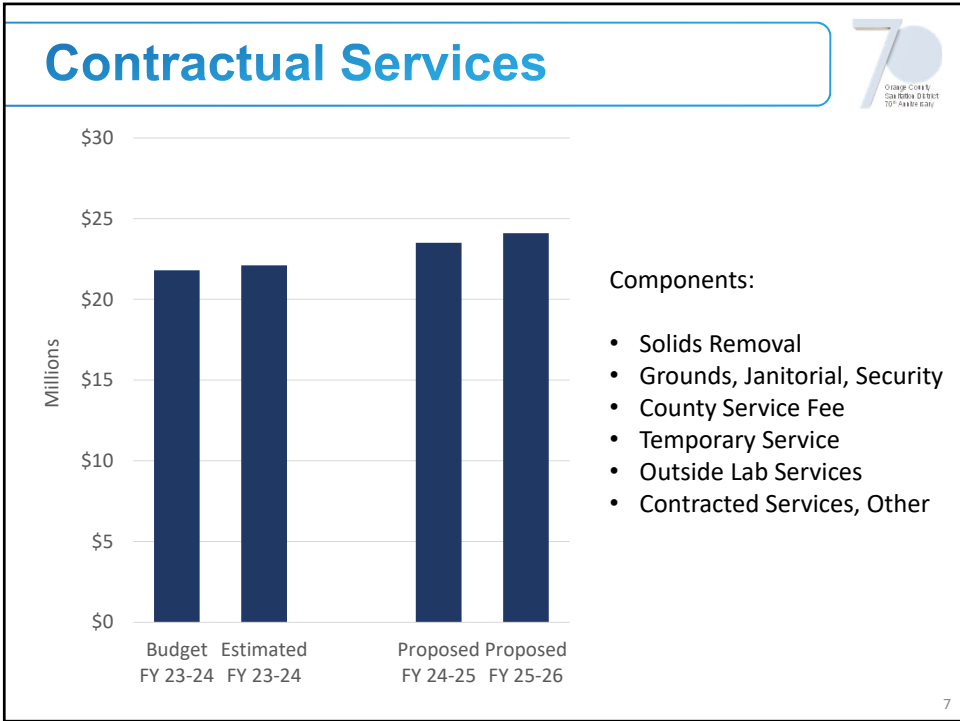
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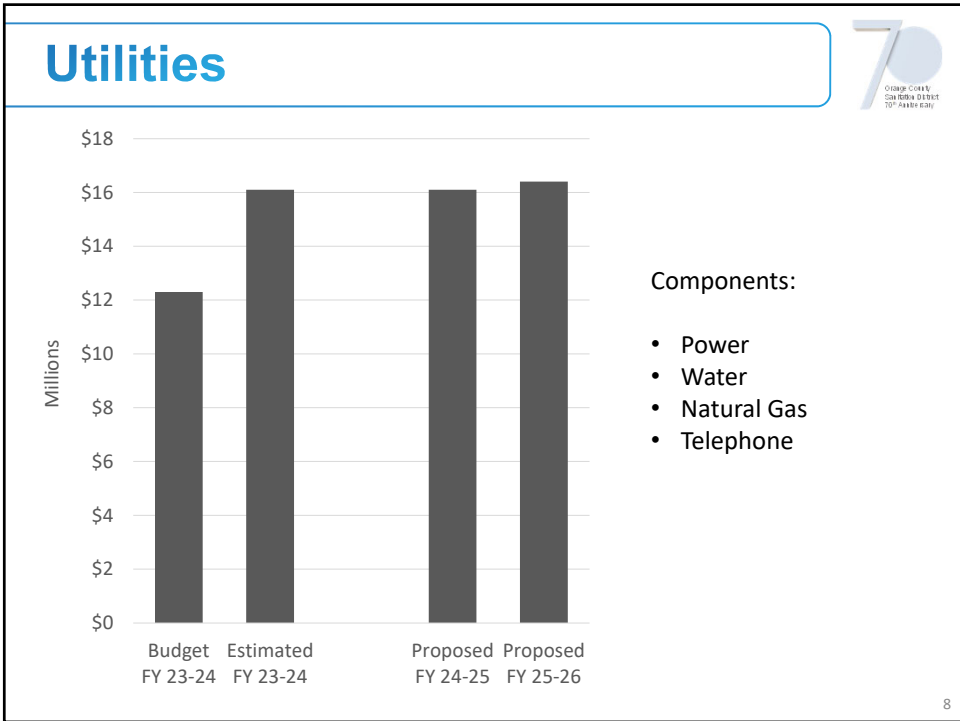
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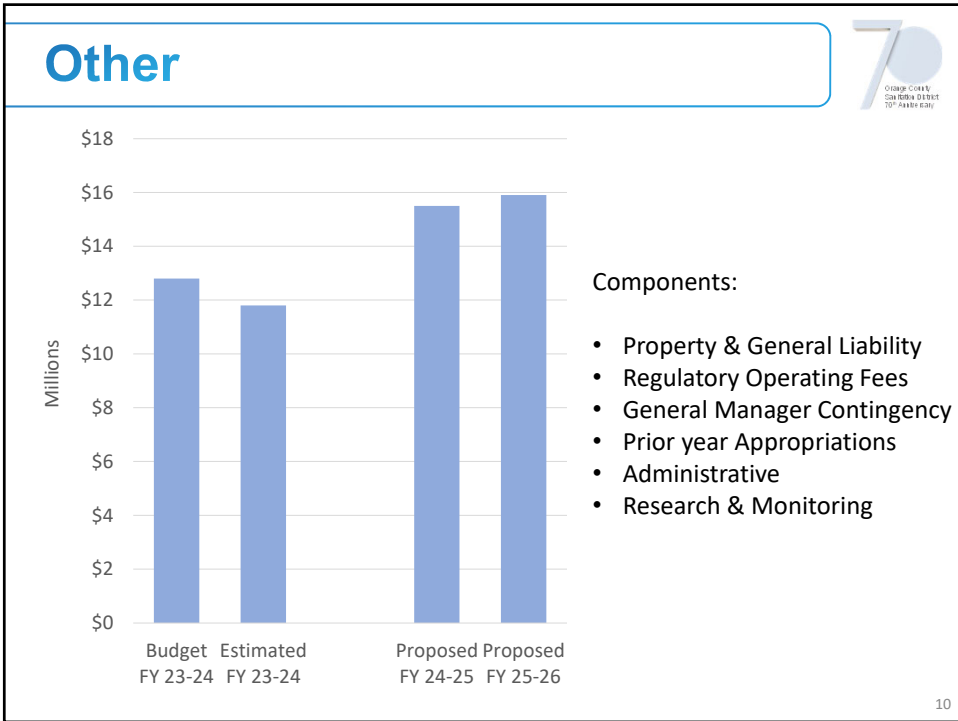
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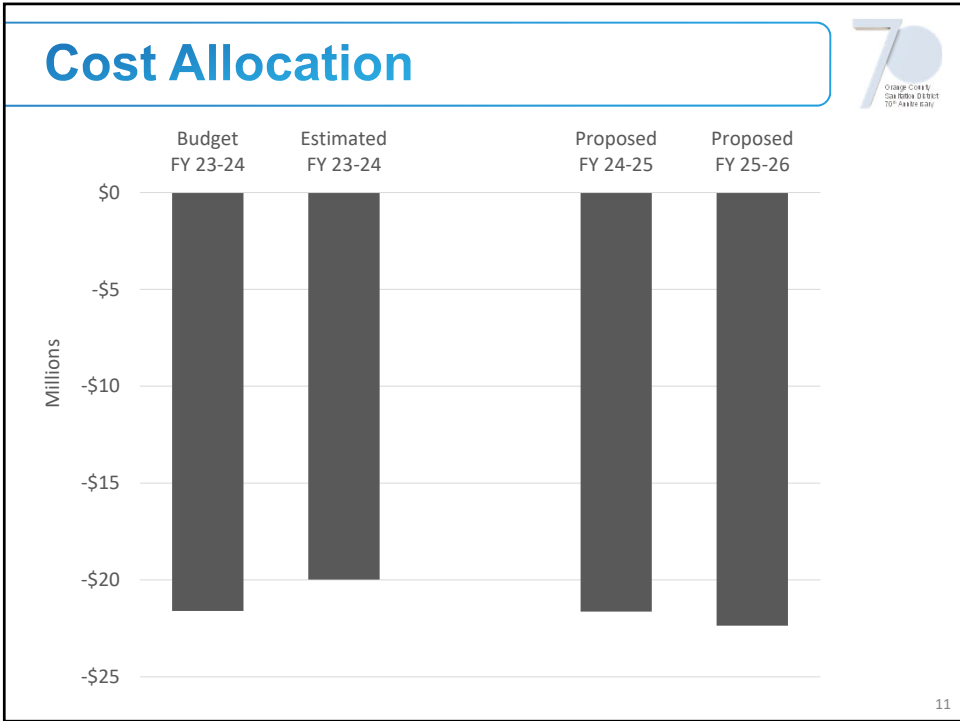
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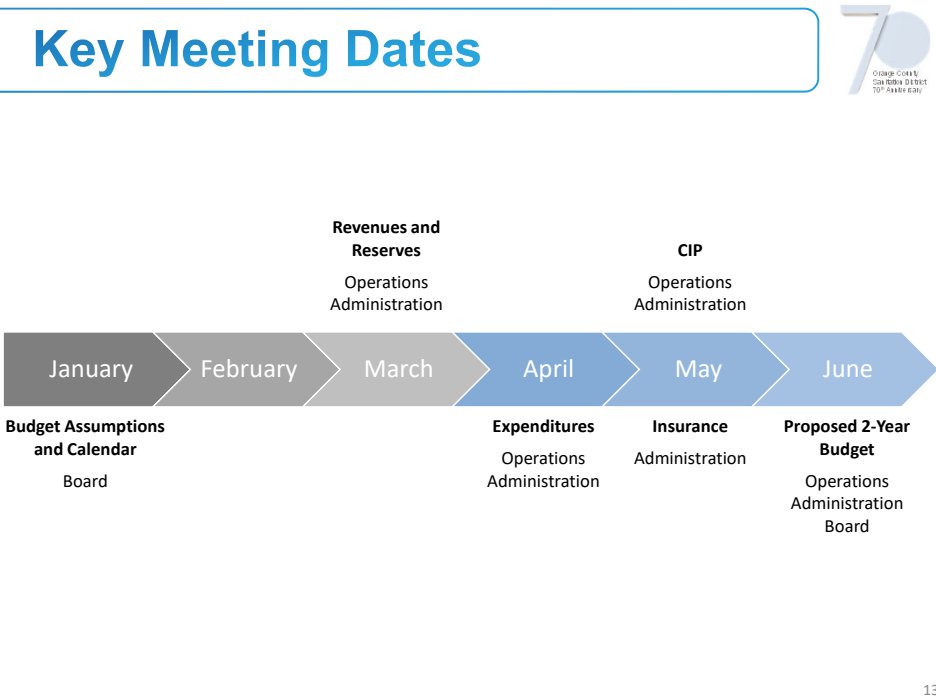
Summary

Operating Expenses (Millions)

	Budget FY 23-24	Estimated FY 23-24	Proposed FY 24-25	Proposed FY 25-26
Salaries, Wages and Benefits	\$115.7	\$113.6	\$122.8	\$129.3
Materials, Supplies and Services	120.5	121.3	130.5	131.0
Cost Allocation	(21.6)	(20.0)	(21.4)	(22.4)
Net Operating Expenses	\$214.6	\$214.9	\$231.9	\$237.9
<i>Change from Prior Budget</i>			\$17.3 8.0%	\$6.0 2.6%

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Key Meeting Dates



The diagram shows a horizontal timeline from January to June. The months are represented by chevron-shaped boxes. Above the timeline, 'Revenues and Reserves' is listed for January, February, and March, and 'CIP' is listed for April, May, and June. Below the timeline, specific meeting topics are listed for each month: 'Budget Assumptions and Calendar' for January, 'Expenditures' for April, 'Insurance' for May, and 'Proposed 2-Year Budget' for June. The 'Operations Administration' department is associated with the Revenues and Reserves, CIP, Expenditures, and Insurance items. The 'Board' is associated with the Budget Assumptions and Calendar and the Proposed 2-Year Budget items. A logo for Orange County Sanitation District 70th Anniversary is in the top right corner.

Month	Topic	Department
January	Budget Assumptions and Calendar	Board
February	Revenues and Reserves	Operations Administration
March	Revenues and Reserves	Operations Administration
April	Expenditures	Operations Administration
May	Insurance	Operations Administration
June	Proposed 2-Year Budget	Operations Administration Board

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13



A large graphic featuring a stylized number '7' and a circle. The number '7' is light blue with a 3D effect. The circle is also light blue and contains the text 'Questions?' in a bold, blue font. In the top right corner, it says 'Orange County Sanitation District 70th Anniversary'. In the bottom left corner, it says '1954 - 2024'. A logo for Orange County Sanitation District 70th Anniversary is in the top right corner.

Orange County Sanitation District
70th Anniversary

1954 - 2024

Questions?

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ADMINISTRATION COMMITTEE

Administration Building
10844 Ellis Avenue
Fountain Valley, CA 92708
(714) 593-7433

Agenda Report

File #: 2024-3553

Agenda Date: 4/10/2024

Agenda Item No: 8.

FROM: Robert Thompson, General Manager
Originator: Mike Dorman, Director of Engineering

SUBJECT:

TPAD DIGESTER FACILITY AT PLANT NO. 2, PROJECT NO. P2-128

GENERAL MANAGER'S RECOMMENDATION

RECOMMENDATION:

Information Item.

BACKGROUND

Sludge is a byproduct of wastewater treatment that requires further processing to reduce pathogens and volatile organic content so the remaining biosolids material can be beneficially reused in compliance with state and federal requirements. Orange County Sanitation District (OC San) uses anaerobic digesters at both Plants to stabilize sludge prior to dewatering. Anaerobic digesters are large, enclosed concrete structures that require pumping, mixing, heating, and gas handling systems. Anaerobic digesters also generate methane gas used to produce power and heat.

OC San has 18 digesters at Plant No. 2 that were built from 1959 through 1979. Completed in 2017, a comprehensive Biosolids Master Plan recommended upgrading the existing digester complex by adding Temperature Phased Anaerobic Digestion (TPAD) facilities.

TPAD Digester Facility at Plant No. 2, Project No. P2-128, is the first of four sequential projects planned to ultimately replace the entire digester complex as detailed in the Biosolids Master Plan.

Staff will present an update on the Project and decisions used to control costs and regulatory risks.

RELEVANT STANDARDS

- 24/7/365 treatment plant reliability
- Safe, beneficial reuse of Biosolids
- Use all practical and effective means for resource recovery
- Maintain and adhere to appropriate internal planning documents (Biosolids Master Plan and Strategic Plan)

ATTACHMENT

The following attachment(s) may be viewed on-line at the OC San website (www.ocsan.gov) with the complete agenda package:

- Presentation

70
1954 - 2024

Orange County
Sanitation District
70th Anniversary

TPAD Digester Facility at Plant No. 2, Project No. P2-128 Update

Presented by:
Mike Dorman, Director of Engineering

Administration Committee
April 10, 2024

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Plant No. 2 Anaerobic Digesters

Raw Sludge → **Digesters (98° F)** → **Class B Biosolids**

Digester Gas

15+ Days

After Dewatering

18 Digesters

Project Drivers

- 46-65 years old
- Some are nearing end of useful life
- Seismic deficiencies cannot be cost effectively addressed (2015 Study)
- Liquefaction risks

2



Class A vs Class B Biosolids


Class B (OC San's biosolids)

- Non-food crop direct land application (Arizona)
- Compost processing by vendor to achieve Class A

Class A


- Food crop direct land application (California, Arizona)
- Landscaping amendments



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Biosolids Master Plan (2017)



Technology Evaluation


Base Product

Final Product

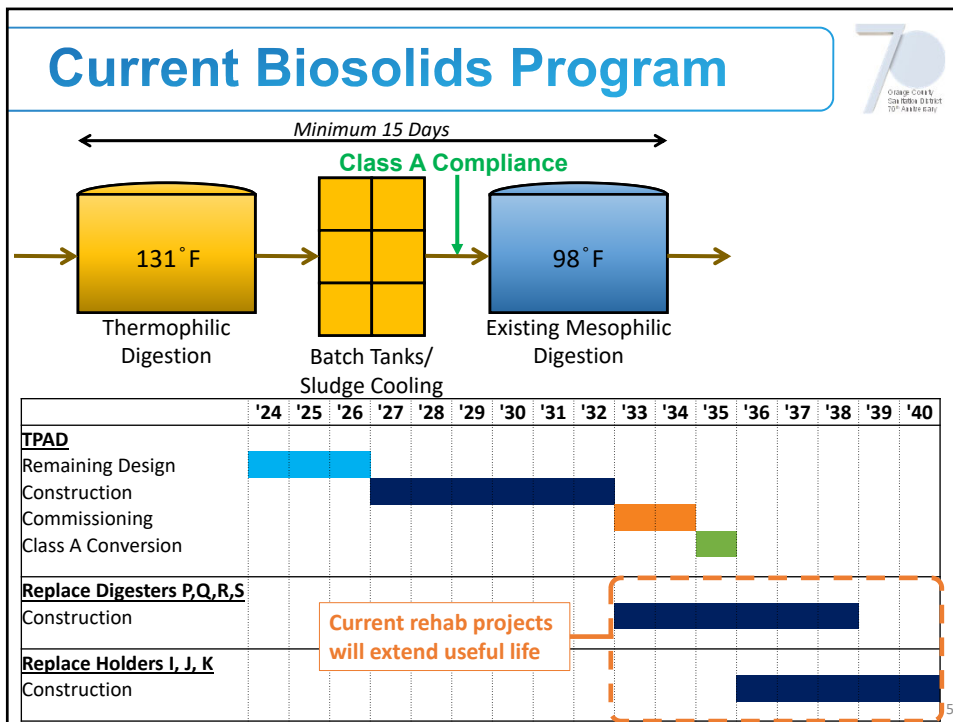
End Use

Little has changed with the Biosolids Market over the last 8 years except potential impact with PFAS and microplastics.

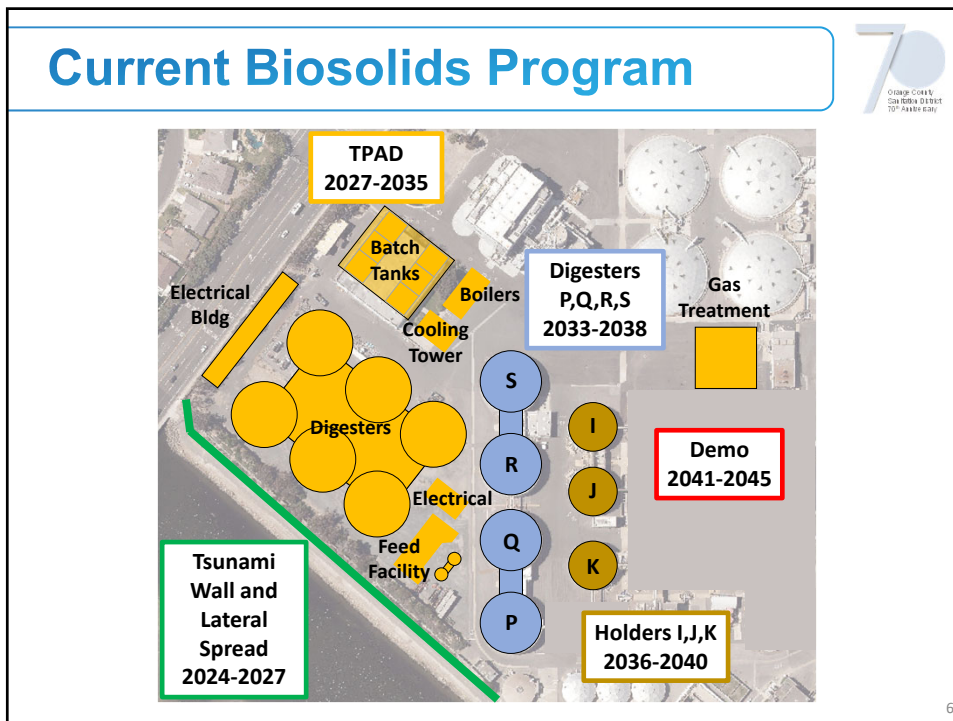
	Class B (Land Application)	Class A (Composting)	Class A (Land Application)
Current	40%	60%	0%
Future (TPAD)	7%	60%	33%



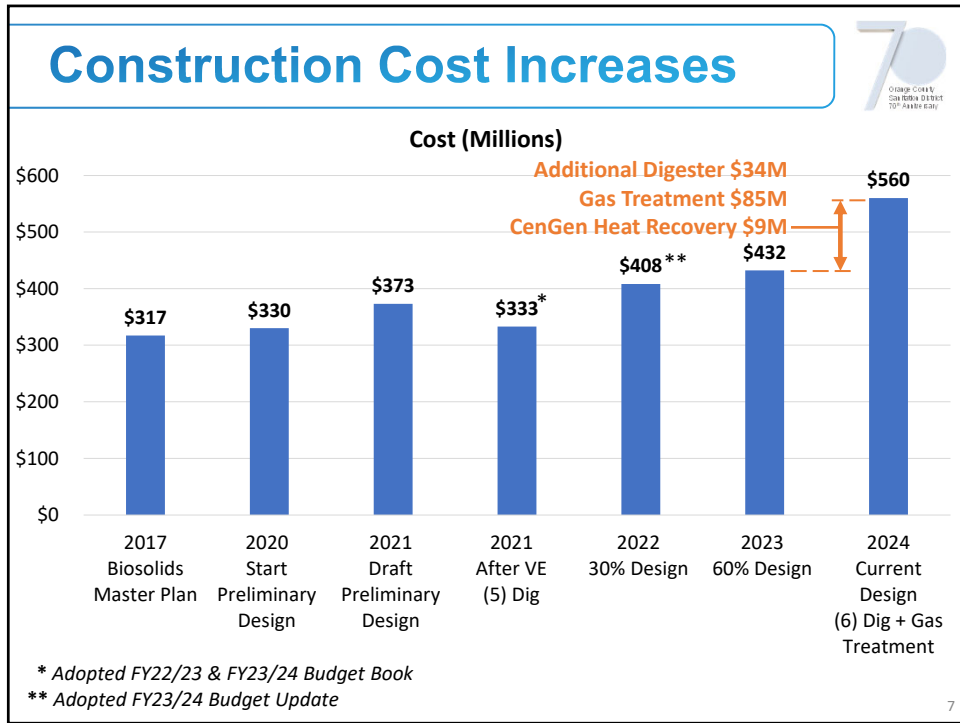
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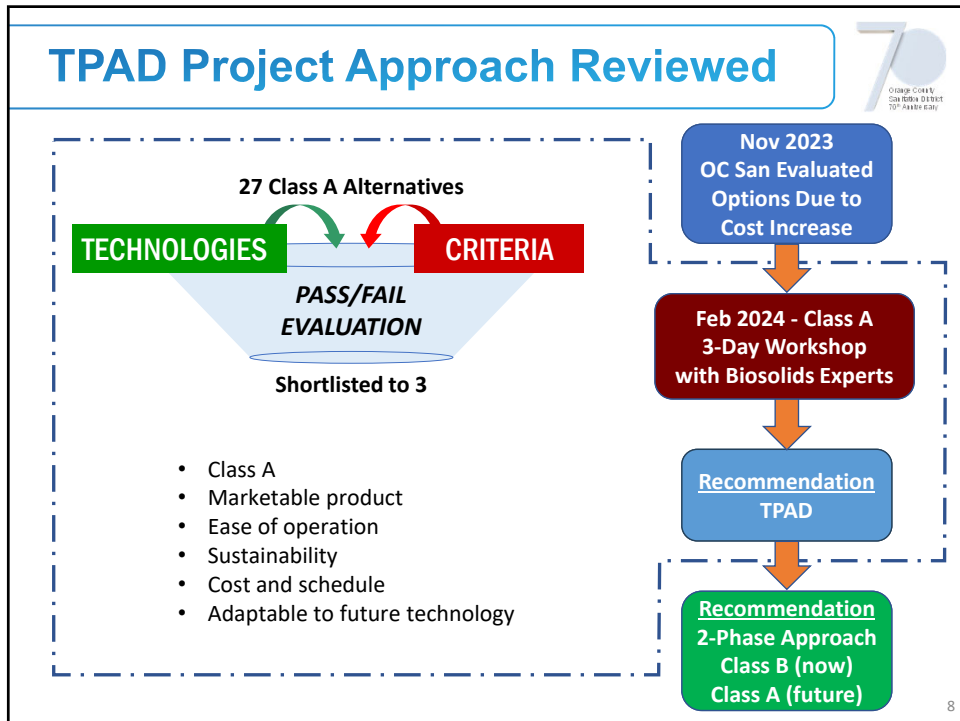
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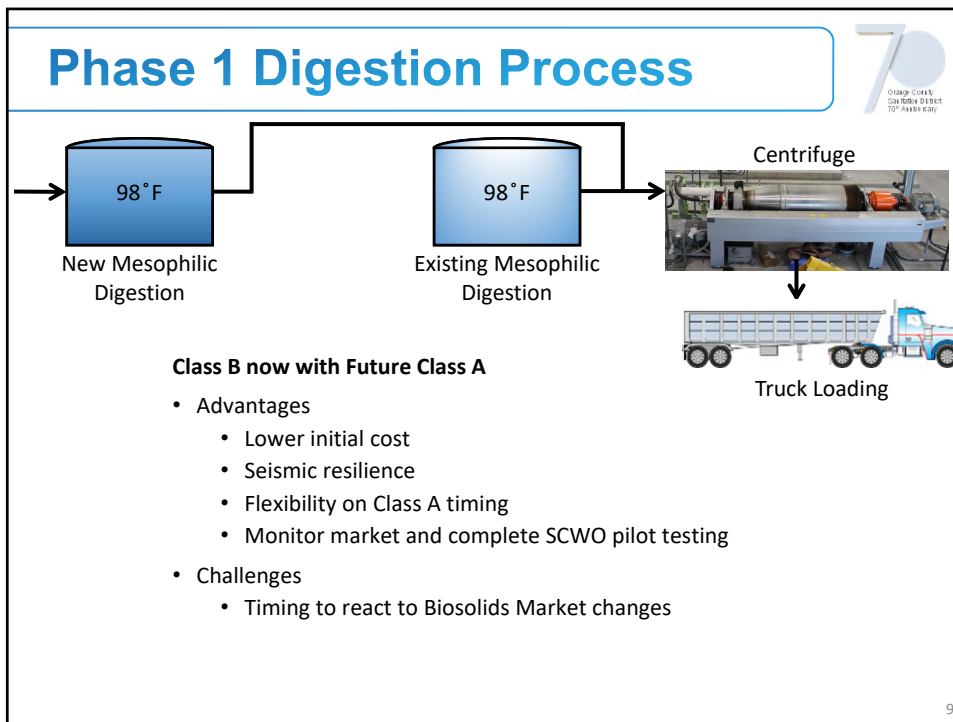
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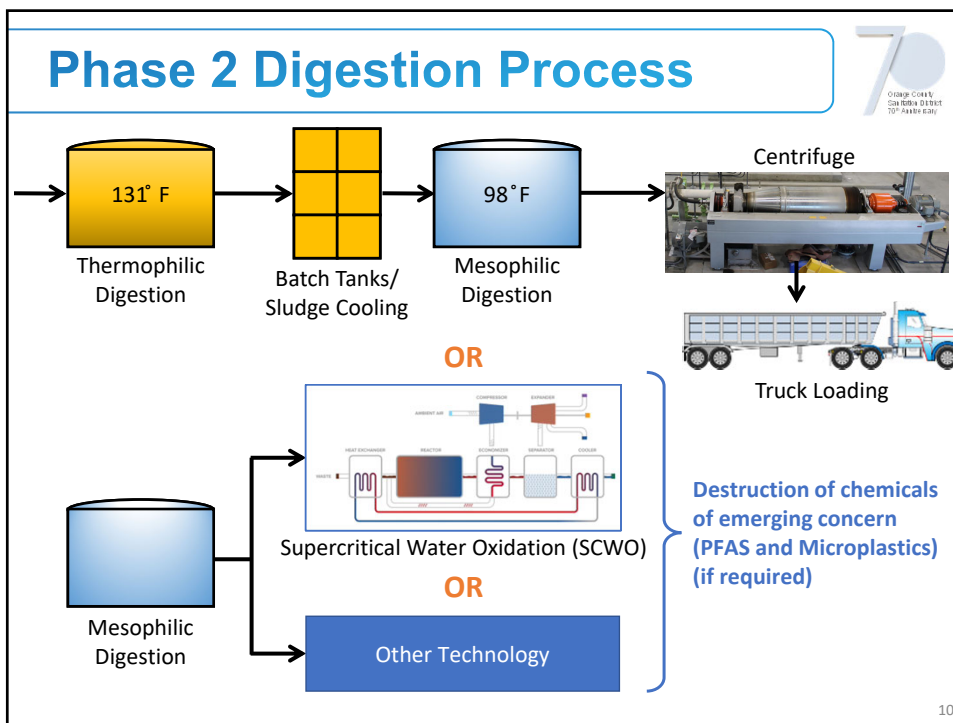
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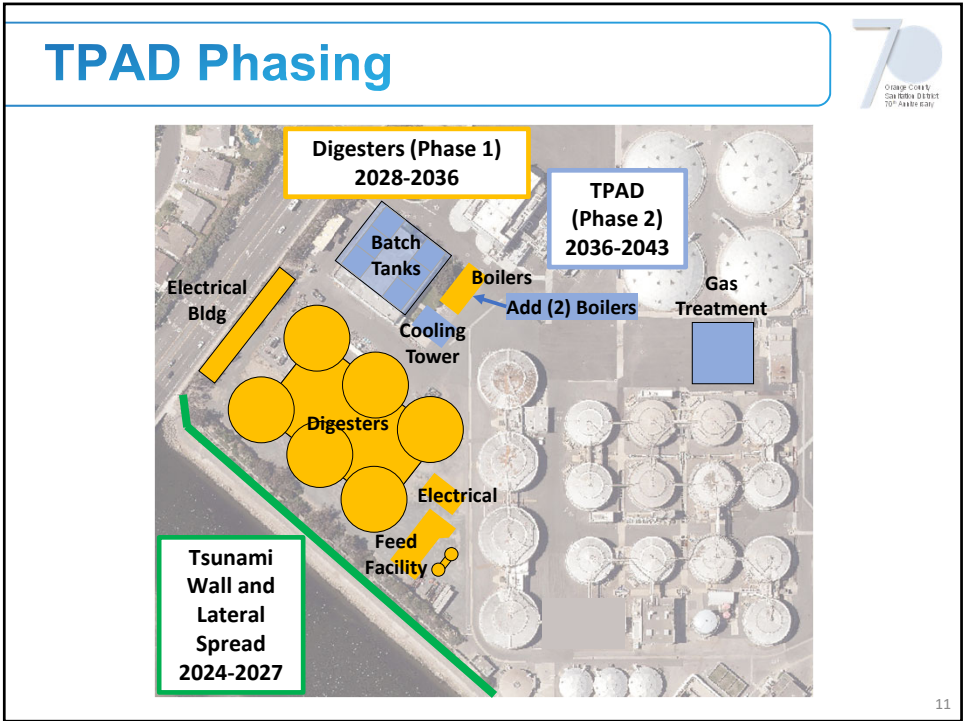
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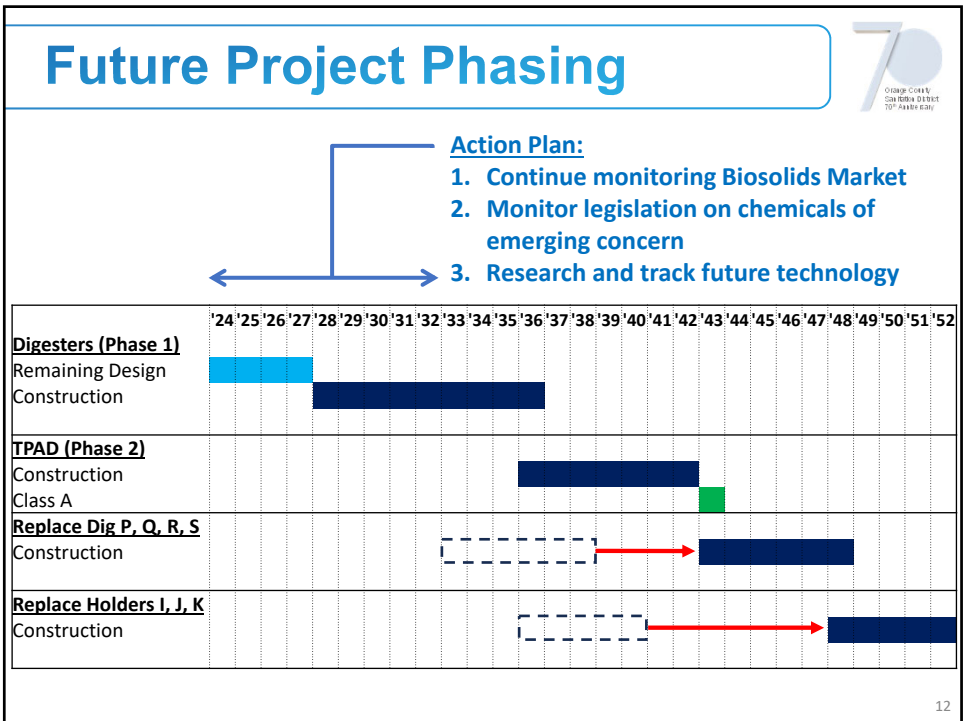
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Budget Overview



	TPAD Cost (\$M)	Meso Cost (\$M)
Design	\$57	\$55
Construction Staff	\$59	\$49
Construction Contractor	\$560	\$408
Contingency Contract	\$56	\$43
Total	\$732	\$555

No Budget Increase

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ORANGE COUNTY SANITATION DISTRICT COMMON ACRONYMS

ACWA	Association of California Water Agencies	LOS	Level Of Service	RFP	Request For Proposal
APWA	American Public Works Association	MGD	Million Gallons Per Day	RWQCB	Regional Water Quality Control Board
AQMD	Air Quality Management District	MOU	Memorandum of Understanding	SARFPA	Santa Ana River Flood Protection Agency
ASCE	American Society of Civil Engineers	NACWA	National Association of Clean Water Agencies	SARI	Santa Ana River Interceptor
BOD	Biochemical Oxygen Demand	NEPA	National Environmental Policy Act	SARWQCB	Santa Ana Regional Water Quality Control Board
CARB	California Air Resources Board	NGOs	Non-Governmental Organizations	SAWPA	Santa Ana Watershed Project Authority
CASA	California Association of Sanitation Agencies	NPDES	National Pollutant Discharge Elimination System	SCADA	Supervisory Control And Data Acquisition
CCTV	Closed Circuit Television	NWRI	National Water Research Institute	SCAP	Southern California Alliance of Publicly Owned Treatment Works
CEQA	California Environmental Quality Act	O & M	Operations & Maintenance	SCAQMD	South Coast Air Quality Management District
CIP	Capital Improvement Program	OCCOG	Orange County Council of Governments	SOCWA	South Orange County Wastewater Authority
CRWQCB	California Regional Water Quality Control Board	OCHCA	Orange County Health Care Agency	SRF	Clean Water State Revolving Fund
CWA	Clean Water Act	OCSD	Orange County Sanitation District	SSMP	Sewer System Management Plan
CWEA	California Water Environment Association	OCWD	Orange County Water District	SSO	Sanitary Sewer Overflow
EIR	Environmental Impact Report	OOBS	Ocean Outfall Booster Station	SWRCB	State Water Resources Control Board
EMT	Executive Management Team	OSHA	Occupational Safety and Health Administration	TDS	Total Dissolved Solids
EPA	US Environmental Protection Agency	PCSA	Professional Consultant/Construction Services Agreement	TMDL	Total Maximum Daily Load
FOG	Fats, Oils, and Grease	PDSA	Professional Design Services Agreement	TSS	Total Suspended Solids
gpd	gallons per day	PFAS	Per- and Polyfluoroalkyl Substances	WDR	Waste Discharge Requirements
GWRS	Groundwater Replenishment System	PFOA	Perfluorooctanoic Acid	WEF	Water Environment Federation
ICS	Incident Command System	PFOS	Perfluorooctanesulfonic Acid	WERF	Water Environment & Reuse Foundation
IERP	Integrated Emergency Response Plan	POTW	Publicly Owned Treatment Works	WIFIA	Water Infrastructure Finance and Innovation Act
JPA	Joint Powers Authority	ppm	parts per million	WIIN	Water Infrastructure Improvements for the Nation Act
LAFCO	Local Agency Formation Commission	PSA	Professional Services Agreement	WRDA	Water Resources Development Act

ORANGE COUNTY SANITATION DISTRICT GLOSSARY OF TERMS

ACTIVATED SLUDGE PROCESS – A secondary biological wastewater treatment process where bacteria reproduce at a high rate with the introduction of excess air or oxygen and consume dissolved nutrients in the wastewater.

BENTHOS – The community of organisms, such as sea stars, worms, and shrimp, which live on, in, or near the seabed, also known as the benthic zone.

BIOCHEMICAL OXYGEN DEMAND (BOD) – The amount of oxygen used when organic matter undergoes decomposition by microorganisms. Testing for BOD is done to assess the amount of organic matter in water.

BIOGAS – A gas that is produced by the action of anaerobic bacteria on organic waste matter in a digester tank that can be used as a fuel.

BIOSOLIDS – Biosolids are nutrient rich organic and highly treated solid materials produced by the wastewater treatment process. This high-quality product can be recycled as a soil amendment on farmland or further processed as an earth-like product for commercial and home gardens to improve and maintain fertile soil and stimulate plant growth.

CAPITAL IMPROVEMENT PROGRAM (CIP) – Projects for repair, rehabilitation, and replacement of assets. Also includes treatment improvements, additional capacity, and projects for the support facilities.

COLIFORM BACTERIA – A group of bacteria found in the intestines of humans and other animals, but also occasionally found elsewhere, used as indicators of sewage pollution. E. coli are the most common bacteria in wastewater.

COLLECTIONS SYSTEM – In wastewater, it is the system of typically underground pipes that receive and convey sanitary wastewater or storm water.

CERTIFICATE OF PARTICIPATION (COP) – A type of financing where an investor purchases a share of the lease revenues of a program rather than the bond being secured by those revenues.

CONTAMINANTS OF POTENTIAL CONCERN (CPC) – Pharmaceuticals, hormones, and other organic wastewater contaminants.

DILUTION TO THRESHOLD (D/T) – The dilution at which the majority of people detect the odor becomes the D/T for that air sample.

GREENHOUSE GASES (GHG) – In the order of relative abundance water vapor, carbon dioxide, methane, nitrous oxide, and ozone gases that are considered the cause of global warming (“greenhouse effect”).

GROUNDWATER REPLENISHMENT SYSTEM (GWRS) – A joint water reclamation project that proactively responds to Southern California’s current and future water needs. This joint project between the Orange County Water District and OCSD provides 70 million gallons per day of drinking quality water to replenish the local groundwater supply.

LEVEL OF SERVICE (LOS) – Goals to support environmental and public expectations for performance.

N-NITROSODIMETHYLAMINE (NDMA) – A N-nitrosamine suspected cancer-causing agent. It has been found in the GWRS process and is eliminated using hydrogen peroxide with extra ultra-violet treatment.

NATIONAL BIOSOLIDS PARTNERSHIP (NBP) – An alliance of the NACWA and WEF, with advisory support from the EPA. NBP is committed to developing and advancing environmentally sound and sustainable biosolids management practices that go beyond regulatory compliance and promote public participation to enhance the credibility of local agency biosolids programs and improved communications that lead to public acceptance.

PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS) – A large group (over 6,000) of human-made compounds that are resistant to heat, water, and oil and used for a variety of applications including firefighting foam, stain and water-resistant clothing, cosmetics, and food packaging. Two PFAS compounds, perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) have been the focus of increasing regulatory scrutiny in drinking water and may result in adverse health effects including developmental effects to fetuses during pregnancy, cancer, liver damage, immunosuppression, thyroid effects, and other effects.

PERFLUOROCTANOIC ACID (PFOA) – An ingredient for several industrial applications including carpeting, upholstery, apparel, floor wax, textiles, sealants, food packaging, and cookware (Teflon).

PERFLUOROCTANESULFONIC ACID (PFOS) – A key ingredient in Scotchgard, a fabric protector made by 3M, and used in numerous stain repellents.

PLUME – A visible or measurable concentration of discharge from a stationary source or fixed facility.

PUBLICLY OWNED TREATMENT WORKS (POTW) – A municipal wastewater treatment plant.

SANTA ANA RIVER INTERCEPTOR (SARI) LINE – A regional brine line designed to convey 30 million gallons per day of non-reclaimable wastewater from the upper Santa Ana River basin to the ocean for disposal, after treatment.

SANITARY SEWER – Separate sewer systems specifically for the carrying of domestic and industrial wastewater.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) – Regional regulatory agency that develops plans and regulations designed to achieve public health standards by reducing emissions from business and industry.

SECONDARY TREATMENT – Biological wastewater treatment, particularly the activated sludge process, where bacteria and other microorganisms consume dissolved nutrients in wastewater.

SLUDGE – Untreated solid material created by the treatment of wastewater.

TOTAL SUSPENDED SOLIDS (TSS) – The amount of solids floating and in suspension in wastewater.

ORANGE COUNTY SANITATION DISTRICT GLOSSARY OF TERMS

TRICKLING FILTER – A biological secondary treatment process in which bacteria and other microorganisms, growing as slime on the surface of rocks or plastic media, consume nutrients in wastewater as it trickles over them.

URBAN RUNOFF – Water from city streets and domestic properties that carry pollutants into the storm drains, rivers, lakes, and oceans.

WASTEWATER – Any water that enters the sanitary sewer.

WATERSHED – A land area from which water drains to a particular water body. OCSD's service area is in the Santa Ana River Watershed.