

NOTE: If you wish to address the MWD Board of Directors during discussion of an agenda item, or during the PUBLIC FORUM, please complete a Speaker Request card (blue in color) and give it to the Board Secretary. Unless a detailed presentation of an agenda item is required by the Board of Directors, it is requested that each speaker limit comments to FIVE MINUTES. All testimony given before the Board of Directors is tape recorded.

A G E N D A
BIG BEAR MUNICIPAL WATER DISTRICT

BOARD OF DIRECTORS
Regular Meeting
March 4, 2010

PLACE: Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA 92315

Next Resolution Number: 2010- 03

OPEN SESSION: 1:00 P.M.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. DISCUSSION AND ACTION ON CLOSED SESSION ITEMS**
- 4. REPORTS**
 - A. General Manager
 - B. Lake Manager
 - C. Legal
 - D. Committee
 - E. Other
- 5. CONSENT CALENDAR**
 - A. Minutes of a Regular Meeting of February 18, 2010
 - B. Warrant List Dated February 26, 2010 for \$34,994.99
- 6. BUSINESS**
 - A. Consider a change order request from MWH for Soil Characterization for the Big Bear Marina Dredge Project
 - B. Consider postponing the contract award for Big Bear Marina Dredge Project CEQA proposal.

7. PUBLIC FORUM

(The Board will receive comments from the public on items not on the agenda; no action is permitted on these items. Time set aside not to exceed 30 minutes total by all participants)

8. ANNOUNCEMENTS

9. DIRECTOR COMMENTS

10. ADJOURNMENT

NEXT MEETING: Open Session at 1:00 P.M.
Thursday, March 18, 2010
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

***MINUTES OF A REGULAR MEETING OF
BIG BEAR MUNICIPAL WATER DISTRICT
HELD ON THURSDAY, FEBRUARY 18, 2010***

CALL TO ORDER

President Fashempour called the Open Session to order at 1:00 PM. Those in attendance included Director Eminger, Director Suhay, Director Smith, Director Murphy, District Counsel Wayne Lemieux, General Manager Scott Heule, Lake Manager Mike Stephenson, and Board Secretary Vicki Sheppard.

REPORTS

Mr. Heule reported that Staff has been fighting and mostly losing the battle with the terrible cold that has been going around. He stated that the District received 76 applications for the year round position of Launch Ramp Supervisor adding that interviews for the position will take place this coming Monday. He stated that applications for the maintenance and ramp attendant positions had similar responses and Mr. Stephenson and Mr. Carroll are working their way through those applications. Mr. Heule reported that in response to conversations during the last Watershed and Lake Improvement Committee meeting, he set up a meeting with Don Evenson and Doug Headrick on March 12 to discuss lake release issues. He explained that Staff posted signs closing the boardwalk due to the height of the snow on the boardwalk treads. He added that the resulting railing was too low to provide a reasonable amount of protection for users. He reported that the signs didn't do a perfect job based on the traffic observed on the boardwalks last weekend. He explained that the signs on the western section have been removed since most of the snow has melted away and the signs remain on the eastern section until more snow melts. Mr. Heule reported that District Counsel Wayne Lemieux has been working the past several months on a possible video conferencing method that might be useful to the District. He explained that it would allow Counsel to be represented at every meeting and after the meeting today we will conduct a test of a possible approach. Lake Manager, Mike Stephenson reported on creek flows explaining that he did some math after visiting Knickerbocker and Rathbun creeks. He explained that there is not a lot of flow as yet and he believes the lake is far from overflowing. He predicts it will reach 4.5 feet from full. He reported that the cameras for the ramps will be operational by April 1st. He reported that Travis Carroll gave citations to four men for venturing onto the lake ice. He added that no one was injured but it was amazing that the ice didn't break. He added that the San Bernardino County Dive Rescue Team had water rescue training the very next day. President Fashempour asked if there is a difference in lake water evaporation when the lake is frozen. Mr. Stephenson explained that it still evaporates when it is frozen.

APPROVAL OF CONSENT CALENDAR

Upon a motion by Director Murphy, seconded by Director Eminger, the following consent items were unanimously approved:

- Minutes of a Regular Meeting of February 4, 2010
- Warrant List Dated February 12, 2010 for \$29,087.9
- Approval of a Resolution of the Board of Directors of Big Bear Municipal Water District supporting the nomination of Melody Henriques-McDonald to the Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA)

- Approval of a vote on Alternative Apportionment Formula for Special Districts for Fiscal Year 2010-11 and thereafter

KAYAK RENTAL BUSINESS – DISCUSSION AND POSSIBLE ACTION

Director Eminger excused himself and left the Director's area due to a possible conflict of interest explaining that his wife works for Pleasure Point Marina.

Mr. Heule reported that after participating in the Board Workshop on this issue in October 2009, the Operations Committee met two additional times with representatives of the marinas. He added that kayak rental businesses have also been a topic at their regular committee meetings on three occasions. He explained that as a result of their deliberations and discussions the Committee is satisfied that enough information regarding the issue of vessel rental businesses has been gathered and evaluated and are confident that their interpretation of District obligations can be considered by the full Board of Directors. Mr. Heule reported that the Committee believes strongly that the District is responsible to the public and the landowners in Big Bear Valley to make the lake accessible to the public and to encourage its use by the public and they also note that it is the District's responsibility to manage recreation use of the lake. He stated that marinas help the District carry out this responsibility by providing the public with easy access to boat rentals, fuel, slip rentals, in some cases launch facilities, bait and tackle and food and snacks at their respective landing sites. He explained that marina's do not have a universal right to control all commercial activities currently occurring or ones that might occur on the Lake in the future. Mr. Heule advised that the Operations Committee believes public access and use needs to be a very high priority consideration for any decision the District makes and additionally noted that the District has consulted two attorneys to help interpret the marina contracts to be sure of the Districts obligations. He reported that both attorneys conclude that the Districts jurisdiction begins and ends at the high water line of the lake and therefore the Operations Committee finds that when commercial operations occur below the high water line the District has jurisdiction and a permit from the District or marina partnership should be required. He added that if the business operation occurs above the high water line the District has no jurisdiction. Mr. Heule explained that businesses in town renting kayaks or any other kind of vessels are not conducting commercial operations below the high water line; therefore the District has no jurisdiction over their operations. He added that non-marina businesses that rent vessels for use on the lake are prohibited from launching them or training rental customers on the water. He stated that if they want to provide that service they will need to partner with a marina or secure a permit from the District. Mr. Heule stated that if the Board determines that the interpretation and conclusions of the Operations Committee as described above are valid, the Committee will work with the General Manager to draft paperwork language to manage the process. He added that some clean-up language in District regulations might also be necessary for consideration by the Board at a later date.

Director Suhay moved approval of a recommendation that the Operations Committee and the General Manager work to draft language reflecting that the District's jurisdiction begins and ends at the high water line of the lake and therefore finds that when commercial operations occur below the high water line the District has jurisdiction and a permit from the District or marina partnership should be required. If the business operation occurs above the high water line the District has no jurisdiction. Director Smith seconded the motion.

President Fashempour opened the meeting for public discussion:

Ron Cotta, Johnny's Ski & Board House, stated that they rent and deliver kayaks to customers. He stated that the customers launch the kayaks themselves. He stated that sometimes they deliver to the customer's personal dock and asked if the dock is considered below the high water line. Director Suhay stated the dock is below the high water line. Mr. Cotta stated they will stop delivering to the docks.

Roy Brownie, Pleasure Point Marina, stated that he has some questions regarding the wording "commercial activity" and how it impacts the marinas. Director Suhay stated that commercial activity and commercial marina activity are not the same. District Counsel, Wayne Lemieux, stated that today is only a recommendation that as long as the activity is above the high water line that it is not a commercial operation on the lake. He made a comparison that if someone sells a hot dog above the high water line and then that person goes out on the lake with that hot dog, it is not a commercial activity on the lake and not within District jurisdiction.

Loren Hafen, Holloways Marina, North Shore Marina, Big Bear Shores, stated that he agrees with almost everything Mr. Heule said but when it gets down to what happens on the lake, he doesn't agree that some of these businesses are not conducting commercial activity on the lake commenting that hot dogs don't need boat permits. He added that if the District had allowed non-marina businesses to do business like this in the past he would not have spent money building the marinas and paying the District marina fees. Mr. Lemieux went over the definition of "private vessel" versus "for hire" vessel. He stated that the permitting powers for a private vessel are different from marina permits. Director Suhay thanked Mr. Hafen and commented that he had spent a great deal of time with the Operations Committee going over this recommendation.

Larry Cooke, Big Bear Lake resident, stated that he wants to look at where the liability would fall if someone injures themselves in one of these non-marina rental boats stating that liability will fall back on the District. Director Suhay stated that one of the things that might change is the wording on the permits. Mr. Lemieux stated that liability for the District is not great in regards to non-marina vessel rentals.

Roy Brownie stated that he wants to get together with the non-marina rental businesses and work with them so he doesn't have to pay for attorney's fees for litigation.

Ron Cotta stated that they have good liability insurance and would name the District as additionally insured if requested.

Director Suhay asked if Jory Lyle, Big Bear Paddling, was going to be returning to the Valley and operating this coming season. Mr. Cotta stated that he believes he will.

Director Murphy stated that he believes that if someone can rent a boat from a business down the hill that it is unfair to our local businesses to not allow them to do business.

Director Smith stated that he agrees with Mr. Brownie commenting that if a kayak rental business would link up with a marina it would be nice however the District can't mandate that they do so. He added that the District has tried to be fair.

President Fashempour stated that the motion had been moved and seconded and she called for a vote. With Director Eminger abstaining, the motion was unanimously approved.

Director Eminger rejoined the regular meeting.

CONSIDER APPROVAL OF A PROPOSAL FROM TRANSTECH MAPCO FOR BIG BEAR MARINA CONTAMINATION REMEDIATION DESIGN

Mr. Heule reported that in response to his request, Transtech-MAPCO submitted a scope of work and cost proposal to prepare engineering plans, specifications and construction documents for the ground water remediation trench at Big Bear Marina. He stated that their work is needed in order

to get the project approved by the Regional Water Quality Control Board and constructed this coming spring. He explained that the proposed estimated cost for the work is \$6,050 adding that the District would receive reimbursement from the State Leaking Underground Storage Tank Fund. He stated that the Committee is recommending that the work be authorized.

Director Murphy asked how long it would be until the District was reimbursed. Mr. Heule stated that it would probably be months.

Director Smith asked if this work would settle the issue. Mr. Heule explained that it probably would not. He explained that the soil is not conducive or favorable to the usual means of decontamination.

President Fashempour asked when the last soil sample was taken. Mr. Heule stated that it is sampled twice a year.

Director Murphy moved approval of a proposal from Transtech Mapco for Big Bear Marina Contamination Remediation design for a cost not to exceed \$6,050. Director Suhay seconded the motion and it was unanimously approved.

TMDL AQUATIC PLANT MANAGEMENT PLAN APPROVE CONCEPTUAL COST AND RESPONSIBILITY SHARING PLAN

Mr. Heule reported that one of the outstanding documents required by the TMDL is an aquatic plant management plan. He explained that Erika Saad (former Project Coordinator) prepared one version as part of the Proposition 13 Grant a few years ago. He stated that it included management schemes for both Eurasian Water Milfoil as well as Tamarisk and Tim Moore has edited the earlier version for use in the TMDL efforts. Mr. Heule reported that the plan describes three types of aquatic weed monitoring and how the monitoring work and invasive weed control will get accomplished. He explained that the plan describes an annual reconnaissance survey specific to planning for herbicide treatment applications and two other surveys are described that would be completed every three years and in much greater detail than the reconnaissance work. Mr. Heule summarized the Schedule of Deliverables table identifying the District as the responsible party only for performing the reconnaissance effort and annual weed treatments. He explained that the TMDL Dischargers would be responsible for funding and managing the triennial surveys with the District providing on the water logistical support and office space and computer equipment for the consultant to use to download data and processing prior to his submittal to the Task Force. He added that this approach keeps the District involved in anything happening on the water but obligates the TMDL Dischargers to fund their share of the monitoring and reporting portion. He explained that the annual ongoing costs for the reconnaissance survey would be approximately \$3,500. He stated that the Watershed/Lake Improvement Committee recommends that the Board approve the cost and responsibility sharing concept described in the rough draft of the plan and wait until the document has been finalized to formally approve the plan. Director Suhay asked if the Comprehensive Aquatic Vegetation Survey shown on page 39 is a stand-alone study. Mr. Heule stated that it is a stand-alone study. Director Smith asked Mr. Stephenson if hypothetically this year's storms allow for water release, would we release stagnant water from the bottom of the lake benefitting water quality. Mr. Stephenson stated that we would.

Director Eminger moved approval of the TMDL Aquatic Management Plan Conceptual Cost and Responsibility Sharing Plan. Director Smith seconded the motion and it was unanimously approved.

PUBLIC FORUM

Mr. Jim Gonzales, Big Bear Lake resident and applicant for the open seat on the Bear Valley Community Healthcare District's board, stated that he has been visiting various Big Bear Valley Board of Director's meetings. He complimented our Board stating that he is very impressed with the Board's conduct.

Director Eminger stated that our Board represents the entire Big Bear Valley. Mr. Gonzales stated that the Healthcare District does also.

ANNOUNCEMENTS

Mr. Heule stated that any Directors interested in attending the upcoming ACWA Conference would need to let us know as soon as possible so reservations could be made.

DIRECTOR COMMENTS

Director Eminger commented that he heard El Nino would be extending into the month of May and if that happens he believes we will be releasing water.

ADJOURNMENT TO CLOSED SESSION

The meeting was adjourned to Closed Session at 2:02 P.M to:
Conference with Legal Counsel
Potential litigation: Conroy v. BBMWD

RECONVENE TO OPEN SESSION

The meeting was reconvened to Open Session at 2:17 P.M.
No reportable action.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:18 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, March 4, 2010
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA

Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

(SEAL)

Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 02/12/10
 Account 10010-00-001, Sessions 000000 to 001811

Active Sessions (Not Included in Report)
 001760

Check	Payment / Vendor Information	Ck Date	Prty	Invoice	Session	Reference	Amount
Checking Account: 10010-00-001							
147830	COMPVI / Computer Village	02/23/10	2	116736	001801	EQUIPMAINT	1262.13
COMPVI Subtotal :							1262.13
147831		02/23/10	2	116710	001802	FACILMAINT	2734.98
COMPVI Subtotal :							2734.98
147832		02/23/10	2	116731	001803	COMPMAINT	4691.35
147832		02/23/10	2	116734	001803	COMPMAINT	3621.75
COMPVI Subtotal :							8313.10
147833		02/23/10	2	116692	001804	COMPCONSLT	400.00
147833		02/23/10	2	116944	001804	COMPCONSLT	300.00
147833		02/23/10	2	117028	001804	COMPCONSLT	100.00
COMPVI Subtotal :							800.00
147834	ACWAHB / ACWA Health Benefits Authority (H)	02/24/10	2	04012010	001809	HEALTHINS	17169.48
ACWAHB Subtotal :							17169.48
147836	ALLPRO / All Protection Alarm Co.	02/24/10	2	34761	001809	FACILMAINT	35.00
147836		02/24/10	2	35114	001809	FACILMAINT	30.00
147836		02/24/10	2	35426	001809	FACILMAINT	105.00
ALLPRO Subtotal :							170.00
147837	ATT785 / AT&T	02/24/10	2	01282010	001809	PHONE-LD	25.47
ATT785 Subtotal :							25.47
147838		02/24/10	2	02132010	001809	PHONE-WLD	30.27
ATT785 Subtotal :							30.27
147839	BVELEC / Bear Valley Electric	02/24/10	2	01292010	001809	UTIL-DAM	126.70
BVELEC Subtotal :							126.70
147840	BVPRIN / Bear Valley Printing	02/24/10	2	79395	001809	PRINTING	81.56
BVPRIN Subtotal :							81.56
147841	CONTAI / Container Storage Solutions	02/24/10	2	03072010	001809	MAINT-SHOP	108.75
CONTAI Subtotal :							108.75
147842	FEDRAL / Federal Express, Corp.	02/24/10	2	949921832	001809	SHIPPING	56.51
FEDRAL Subtotal :							56.51
147843	MASTER / FIRST BANKCARD	02/24/10	2	0129102328	001809	MASTER320	516.45

**Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 02/12/10
 Account 10010-00-001, Sessions 000000 to 001811**

**Active Sessions (Not Included in Report)
 001760**

<u>Check</u>	<u>Payment / Vendor Information</u>	<u>Ck Date</u>	<u>Prty</u>	<u>Invoice</u>	<u>Session</u>	<u>Reference</u>	<u>Amount</u>
	CENTER						
147843		02/24/10	2	0229108541	001809	MASTER102	155.92
						MASTER Subtotal :	672.37
147844	MNTROP / Mountain Trophy & Awards	02/24/10	2	7564	001809	PUBLICINFO	63.09
						MNTROP Subtotal :	63.09
147845	PITNY / PITNEY BOWES (RENTAL)	02/24/10	2	1098706F10	001809	POSTAGE	121.00
						PITNY Subtotal :	121.00
147846	RSD / RIVERSIDE SHERIFF'S DEPARTMENT	02/24/10	2	2010-308B	001809	PREEMPTRA1	170.00
						RSD Subtotal :	170.00
147847		02/24/10	2	2010-308A	001809	PREEMPTRA1	100.00
						RSD Subtotal :	100.00
147848	SPCOMP / Standard Printing Company, Inc.	02/24/10	2	225565	001809	OFFICSUPPL	19.96
						SPCOMP Subtotal :	19.96
147849	SWSTGS / Southwest Gas Corp	02/24/10	2	02172010A	001809	UTIL-RV	53.34
147849		02/24/10	2	02172010B	001809	UTIL-MAIN	567.72
						SWSTGS Subtotal :	621.06
147850	TERMIN / TERMINIX INTERNATIONAL	02/24/10	2	292670112	001809	FACILMAINT	47.00
						TERMIN Subtotal :	47.00
147851	TWINBR / Twin Bear Rentals	02/24/10	2	86292	001809	FACILMAINT	79.20
						TWINBR Subtotal :	79.20
147852	UPS / UPS	02/24/10	2	F33Y11070	001809	SHIPPING	27.25
						UPS Subtotal :	27.25
147853	VALERO / Valero Marketing and Supply Co.	02/24/10	2	02182010	001809	PETRO-AUTO	746.13
						VALERO Subtotal :	746.13
147854	VERIZO / Verizon California	02/24/10	2	01282010	001809	PHONE-DAM	42.14
147854		02/24/10	2	02012010A	001809	PHONE-MAIN	591.19
147854		02/24/10	2	02012010B	001809	PHONE-MAIN	54.51
147854		02/24/10	2	02012010C	001809	PHONE-RAMP	42.44
147854		02/24/10	2	02012010D	001809	PHONE-RAMP	41.16
147854		02/24/10	2	02012010E	001809	PHONE-RAMP	40.50

Big Bear Municipal Water District
 Computer & Manual Check Register
 Current and History Files, After 02/12/10
 Account 10010-00-001, Sessions 000000 to 001811

Active Sessions (Not Included in Report)
 001760

Check	Payment / Vendor Information	Ck Date	Prity	Invoice	Session	Reference	Amount
147854		02/24/10	2	02132010	001809	PHONE-MAIN	48.46
						VERIZO Subtotal :	860.40
147855	VERONL / VERIZON COMMUNICATIONS	02/24/10	2	02132010B	001809	DSL-CREEK	89.99
						VERONL Subtotal :	89.99
147856		02/24/10	2	02132010A	001809	DSL-MAIN	159.95
						VERONL Subtotal :	159.95
147857	VERWIR / Verizon Wireless	02/24/10	2	0839674207	001809	PHONE-CELL	338.64
						VERWIR Subtotal :	338.64
Total For Check Account: 10010-00-001							34994.99
Check Register Total :							34994.99

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: MARCH 4, 2010

AGENDA ITEM: 6A

SUBJECT: CONSIDER A CHANGE ORDER REQUEST FROM MWH FOR SOIL CHARACTERIZATION FOR THE BIG BERA MARINA DREDGE PROJECT

RECOMMENDATION:

The Watershed/Lake Improvement Committee, Directors Murphy and Eminger and the General Manager recommend approval of this item.

DISCUSSION/FINDINGS:

MWH Americas has been retained by the District to sample soils in the proposed marina dredge area to investigate potential gasoline contamination from the adjacent old gasoline line leak and to develop soil characteristics for the future dredging contractor. Staff has provided MWH with a large amount of data collected in two phases of the ACOE geotechnical investigations of the lake. MWH collaborated with Moffatt & Nichol engineers, the dredge designer, to identify where samples should be collected in each of the proposed dredge areas for testing of engineering properties. MWH has also had prospective drilling contractors visit the site to review access and capabilities of the District work pontoon for use as a floating drilling platform. They have been asked by Staff to conduct a thorough review of the ACOE materials in order to better identify specific sampling locations within the proposed dredge footprint and further evaluate the suitability of dredge material reuse on the site. This review task is a considerable effort because of the reports' size, including four, four-inch binders to contain each document. The original proposal that was authorized for this work did not anticipate the volume of basic data that was already available and would need to be reviewed and evaluated as part of this work. Results of the soil sampling studies need to be compiled, plotted on maps of the proposed project, and evaluated for comparison to current land surface reuse standards. The additional work also requires potentially more comprehensive consultations with regulators with further assistance from the Districts' TMDL consultant Tim Moore.

OTHER AGENCY INVOLVEMENT: None

FINANCING: An increase in the amount of the contract from \$7,193 to \$14,063 will be funded from the Lake Improvement designated fund.

Submitted by: Scott Heule, General Manager

CHANGE ORDER NO. 1
TO
TASK ORDER NO. 2

This Change Order is made this the 23rd day of February, 2010 by and between Big Bear Municipal Water District ("District") and MWH Americas, Inc. ("Consultant") pursuant to the terms and conditions set forth in the Master Consulting Services Agreement executed between the parties on the 15th day of August, 2008, ("Agreement"), which are incorporated in this Change Order by reference.

1. The Consultant Contract Number for this Change Order is Master Agreement for Consulting Services dated September 29, 2008. The consultant Task Order Number for this Change Order is 2. The Consultant Job Number for this Change Order is 1008144. The Consultant Contract Number and Job Number shall be referenced in each invoice submitted by Consultant to District under this Task Order/Change Order.

2. The Services to be performed by Consultant under this Change Order are as follows:

Task 1 – Supplemental Document Review and Interpretation

Based on the preliminary review and potential implications of the existing data provided by the District, the District has requested that MWH not submit a work plan as described in Task Order 2 at this time, and to instead apply any remaining budget in Task Order 2 toward further review and interpretation of these existing data. Specifically, MWH will review reports provided by the District of the Phase I and Phase II lake sediment sampling and analysis performed for the US Army Corp of Engineers. Data presented in these reports that were collected in the vicinity of the proposed marina dredge project will be summarized, and the potential implications of these data on the proposed dredge project will be presented to and discussed with the District.

Task 2 – Teleconference and Strategic Planning

A teleconference will be led by MWH on March 2, 2010, to further discuss the existing data and implications for the proposed marina dredge project with the District and other participants invited by the District. MWH will distribute data summary tables and maps by email to participants requested by the District for review prior to the teleconference. Four hours of project manager time has been assumed to address teleconference follow-up items and planning of next steps.

3. The Project Schedule is as follows:

Based on the preliminary review and potential implications of the existing data, the District has requested that MWH not submit a work plan as described in Task Order 2 at this time. MWH will complete the document review and discussions with the District

(Task 1) during the week ending February 26, 2010. Preparations for the teleconference will be completed by, and the teleconference conducted on March 2, 2010 (Task 2). Teleconference follow-up items and strategic planning of next steps will be completed by March 5, 2010.

4. The Compensation to be paid to Consultant for performance of the Services under this Change Order is as follows:

This Change Order 1 increases the not to exceed limit of Task Order 2 by an amount of \$7,193 to a total of \$14,063. This is a Cost-Plus Fee type contract with an upper limit not to be exceeded without prior written authorization. Change Order 1 costs to the District are summarized on the attached cost summary table and computed in accordance with the Master Agreement for Consulting Services dated September 29, 2008 as follows:

- A. Base Salary Cost, plus
Overhead rate at 165% of base salary costs, plus
Profit at 15% of Salary with Overhead
- B. Associate Project Cost (APC) of \$10.00 per hour
- C. Other Direct Costs- actual costs plus 10%
CADD use is \$13.00 per hour
- D. Subcontractor Costs- actual invoice costs plus 10%

5. Deliverables to be provided under this Task Order are as follows:

As described above in Sections 2 and 3.

CLIENT

Signature

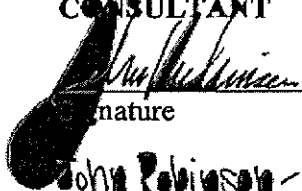
Name (Printed or Typed)

Date

CONSULTANT



Signature



Name (Printed or Typed)

2/25/10

Date

Detailed Cost Breakdown
 Big Bear Municipal Water District
 Big Bear Marina Pre-Dredge Sediment Characterization Project
 Estimate to Complete for Change Order 1 to Task Order 2
 February 23, 2010

LABOR COSTS	Staff Name	2009 Burdened Rate \$/hour	Task 1 Supplemental Document Review/Interpretation & Discussion		Task 2 3/2/2010 Conf. Call, Preparation and Follow-up		Task 3 PM and Meetings		TOTAL
			Units/Hr	Cost	Units/Hr	Cost	Units/Hr	Cost	
Principal Hydrogeologist	Simon Bluestone, P.G.	\$256.42	3	\$769	2	\$513	0	\$0	\$1,282
Principal Health and Safety Officer	Stuart Welch	\$193.55	2	\$387	2	\$343	0	\$0	\$730
Principal Scientist	Bruce Narocho, Ph.D	\$171.36	0	\$0	1	\$176	0	\$0	\$176
Principal Engineer	Roy Hummel	\$175.84	12	\$2,110	6	\$1,055	1	\$176	\$2,873
Project Manager	Steve Reiners	\$151.19	14	\$2,117	2	\$303	0	\$0	\$2,420
Technical Advisor	Jim Rouse	\$170.19	0	\$0	0	\$0	0	\$0	\$0
Project Engineer	Drew Lassen	\$93.47	2	\$187	0	\$0	0	\$0	\$187
Senior Geologist	Shelby Valenzuela, P.G.	\$102.24	2	\$204	0	\$0	0	\$0	\$204
Staff Geologist	Allison Ruotolo	\$67.08	2	\$134	0	\$0	0	\$0	\$134
Senior Drafter	Mike Luebke	\$126.96	0	\$0	0	\$0	0	\$0	\$0
Senior Administrator	Colleen MacDonnell	\$ 91.43	0	\$0	0	\$0	0	\$0	\$0
Administrator	Thomas Seagren	\$ 67.29	0	\$0	0	\$0	1	\$67	\$67
Labor Subtotals			33	\$4,369	13	\$2,125	2	\$216	\$6,713
DIRECT COSTS									
Reimbursable Item/Equipment		Rate	Qty	Cost	Qty	Cost	Qty	Cost	
FedExMail/Equipment Courier (per package)		Lump	0	\$0	0	\$0	0	\$0	\$0
Travel expenses		Lump	0	\$0	0	\$0	0	\$0	\$0
Subtotal without markup				\$0		\$0		\$0	\$0
Subtotal with 10% markup				\$0		\$0		\$0	\$0
APC		\$10 per labor hour		\$330		\$130		\$20	\$480
Reimbursable Expense Subtotal with 10% markup				\$330		\$130		\$20	\$480
SUBCONTRACTOR EXPENSES									
Subcontractor		Rate	Qty	Cost	Qty	Cost	Qty	Cost	
Drilling subcontractor				\$0		\$0		\$0	\$0
Analytical laboratory				\$0		\$0		\$0	\$0
Subtotal without markup				\$0		\$0		\$0	\$0
Subtotal with 10% markup				\$0		\$0		\$0	\$0
Subcontractor Expense Subtotal				\$0		\$0		\$0	\$0
ESTIMATED TOTALS				\$4,699		\$2,255		\$238	\$7,193

**BIG BEAR MUNICIPAL WATER DISTRICT
REPORT TO BOARD OF DIRECTORS**

MEETING DATE: MARCH 4, 2010

AGENDA ITEM: 6B

SUBJECT: CONSIDER POSTPONING THE CONTRACT AWARD FOR BIG BEAR MARINA DREDGE PROJECT CEQA PROPOSAL

RECOMMENDATION:

The Watershed/Lake Improvement Committee and the General Manager recommend postponing award of any marina dredge project CEQA work until additional soil investigation work has been completed. Staff will notify Lilburn Corporation and Tom Dodson and Associates that their proposals were not selected and that a contract for CEQA work will be negotiated with MWH at a later date.

DISCUSSION/FINDINGS:

In response to the Districts' request for proposals, three were received for the Big Bear Marina Dredge project CEQA work associated with the proposed dredge project. The proposals were reviewed by the Watershed/Lake Improvement Committee and Staff. Lilburn Corporation from San Bernardino proposed with a cost of \$71,405, Tom Dodson and Associates proposed with a cost of \$84,600 and MWH proposed with a cost of \$140,000. During their review of the Army Corps of Engineers (ACOE) geotechnical data associated with their other contract MWH identified concerns that if substantiated might impact the dredged soil land reuse portion of the work. Neither Lilburn Corporation or Tom Dodson and Associates provided as thorough an analysis as MWH and their proposed project staffing did not include scientists with the expertise needed to analyze and evaluate the ACOE data. Based on these findings the Committee recommends that Lilburn Corporation and Tom Dodson and Associates be informed that their proposals were not selected. Additionally, the Committee recommends that until further analysis of the ACOE data is completed by MWH all CEQA work should be placed on hold. The Committee further recommends that after the soil sampling and analysis work by MWH is completed Staff should negotiate a contract with MWH for the necessary CEQA document preparation.

OTHER AGENCY INVOLVEMENT: None

FINANCING: None

Submitted by: Scott Heule, General Manager