

**APPROVED**  
**DONNER SUMMIT PUBLIC UTILITY DISTRICT**  
**P.O. BOX 610 – SODA SPRINGS – CALIFORNIA – 95728**  
**TELEPHONE (530) 426-3456 – FAX (530) 426-3460**

**Minutes of the Special Meeting of the Board of Directors**  
**Held: June 15, 2016**

**STAFF PRESENT:** Tom Skjelstad, General Manager; Julie Bartolini, Office Manager

**OTHERS PRESENT:** Geoffrey O. Evers, General Counsel; Mei Ling Koch, Koch & Koch Inc.; Eric Koch, Koch & Koch, Inc.; Scott Alexander, Murphy Austin; Jeff Perko, Manito Construction, Inc.; Dean Marsh, Sauers Engineering

**1. Call to Order**

The Special Meeting of June 15, 2016 of the Donner Summit Public Utility District Board of Directors was called to order at 6:05 p.m. by President Cathy Preis, at 53823 Sherritt Lane Soda Springs, California.

**2. Roll Call**

Cathy Preis, President	- Present
Sara Schrichte, Vice President	- Present
Bob Sherwood, Secretary	- Present
Philip Gamick, Director	- Present
Alex Medveczky	- Present

**3. Clear the Agenda:** No Changes

**4. Public Participation:** None

**5. DSPUD Water Treatment Plant Improvement Project Bid Protest Hearing-** a hearing will be conducted to address the Bid Protest submitted by Murphy Austin Attorneys on behalf of Manito Construction. Discussion and possible action. Tom Skjelstad stated that on May 24<sup>th</sup> he received an email from SWRCB stating the project was approved by their section chief and construction costs such as equipment ordering are also eligible after that date. Notice to Award and Notice to proceed are both eligible cost for DSPUD now. Then on June 14, 2016, Tom Skjelstad received an email from SWRCB stating that there are some issues with the funding agreement at the upper management level that might affect the issuance of the funding agreement. Specifically, that it does not appear that we qualify as a small disadvantaged community. At this point we have no guarantee that this project will be funded as 80% grant 20% loan, however, he is hopeful that by the end of this week the State will have made a determination.

Scott Allen and Jeff Perko addressed the Board. Jeff provided a summary of the history on Manito Construction, Inc.

Scott Allen provided the Board with Manito Construction, Inc. Bid Evaluation Materials (exhibit A-E) and reviewed it in detail.

Eric and Mei Ling Koch addressed the Board and provided a history of Koch & Koch, Inc. Next they reviewed the sequence of events regarding their bid and the timing of completing and submitting their bid.

**6. Closed Session: Pursuant to Government Code Section 54956.9(b)(1) significant exposure to litigation.**

**7:10p.m.** Pursuant to Government Code Section 54956.9 (b)(1) the Board went into closed session.

**7:38p.m.** The regular meeting resumed. Cathy Preis stated that in closed session the motion was made and passed to accept the protest by Manito Construction and reject the Koch & Koch, Inc. bid as non-responsive. She also stated that it is the Board's intent to address the Notice of Award at the June 21, 2016 regular Board Meeting.

**7. Adjournment:**

**Motion: Adjourn Meeting at 7:42 p.m.**  
By: Bob Sherwood  
Second: Alex Medveczky  
Vote: 5 Ayes, 0 Noes, 0 Absent, 0 Abstain  
**Motion Carries**

Schedule of Upcoming Meetings

Regular Meeting - June 21, 2016  
Regular Meeting - July 19, 2016  
Regular Meeting - August 16, 2016

The wording in these minutes are as reread from the notes by the Clerk of the Board.

Respectfully Submitted,

Deleane Mehler  
Administrative Assistant