

RESOLUTION NO. 1046**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT AUTHORIZING USE OF THE DESIGN-BUILD METHOD OF PROJECT DELIVERY FOR THE STERLING NATURAL RESOURCE CENTER PROJECT**

WHEREAS, the San Bernardino Valley Municipal Water District (Valley District) is the lead agency, pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 *et seq.*) and CEQA Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), for the proposed Sterling Natural Resource Center (SNRC) Project; and

WHEREAS, the Valley District is collaborating with East Valley Water District (EVWD) for the SNRC Project; and

WHEREAS, the SNRC Project involves the construction of a wastewater treatment facility and associated facilities that will provide tertiary treatment of wastewater generated within the EVWD service area and make the treated water available for beneficial uses within the Upper Santa Ana River watershed; and

WHEREAS, the California Legislature has found and declared that various agencies authorized to use the design-build method of project delivery, using a best value procurement methodology, have reported benefits from such projects, including reduced project costs, expedited project completion, and design features that are not achievable through the traditional design-bid-build method; and

WHEREAS, the California Legislature has provided general authorization for certain local agencies to use design-build for certain projects by enacting Public Contract Code section 22160 *et seq.*; and

WHEREAS, Public Contract Code section 22160 *et seq.* authorizes local agencies such as the Valley District, with the approval of the governing body, to procure design-build contracts for the construction of regional and local wastewater treatment facilities, regional and local solid waste facilities, regional and local water recycling facilities, or fire protection facilities, in excess of one million dollars (\$1,000,000), awarding the contract either the low bid or the best value; and

WHEREAS, the Board adopted Resolution No. 1045, approving and adopting a Design-Build Conflict of Interest Policy regarding the ability of a person or entity, that performs services for the Valley District relating to the solicitation of a design-build project, to submit a proposal as a design-build entity, or to join a design-build team, pursuant to Public Contract Code section 22162; and

WHEREAS, the Board desires to authorize use of the design-build method for the construction of the SNRC Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Bernardino Valley Municipal Water District as follows:

1. The Board hereby finds and determines that the SNRC Project qualifies for procurement through a design-build contract, in that the SNRC Project is for the construction of

regional and local wastewater treatment facilities, regional and local solid waste facilities, regional and local water recycling facilities, or fire protection facilities, in excess of one million dollars (\$1,000,000).

2. The Board hereby finds and determines that use of the design-build method of project delivery, using a best value procurement methodology, for the SNRC Project is in the best interest of the Valley District.

3. The Board hereby approves and authorizes procurement of a design-build contract for the construction of the SNRC Project, awarding the contract based upon the best value.

4. For purposes of the SNRC Project, references to "Project Party" in the Valley District's Design-Build Conflict of Interest Policy shall mean the Valley District's Project Party for the SNRC Project, EVWD.

5. The Board hereby authorizes and directs the General Manager-Chief Engineer to do any and all things and to execute and deliver any and all documents that he may deem necessary or advisable in order to effectuate the purposes of this Resolution, and such actions previously taken by such officer is hereby ratified and confirmed.

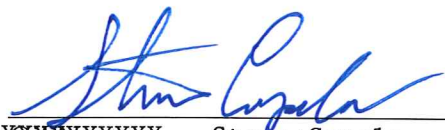
6. This Resolution shall become effective immediately upon adoption.

ENACTED: September 20, 2016.



Mark Bulot
President

ATTEST:



~~XXXXXXXX~~ Steve Copelan
~~Secretary~~ Vice-President