

CERTIFIED  
COPY

BEFORE THE  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

IN THE MATTER OF THE: )  
PRE-BIDDERS' CONFERENCE )  
IWM-C7050 )

DATE AND TIME: FRIDAY, FEBRUARY 20, 1998  
9:05 A.M.

PLACE: BOARD HEARING ROOM  
8800 CAL CENTER DRIVE  
SACRAMENTO, CALIFORNIA

REPORTER: BETH C. DRAIN, RPR, CSR  
CERTIFICATE NO. 7152

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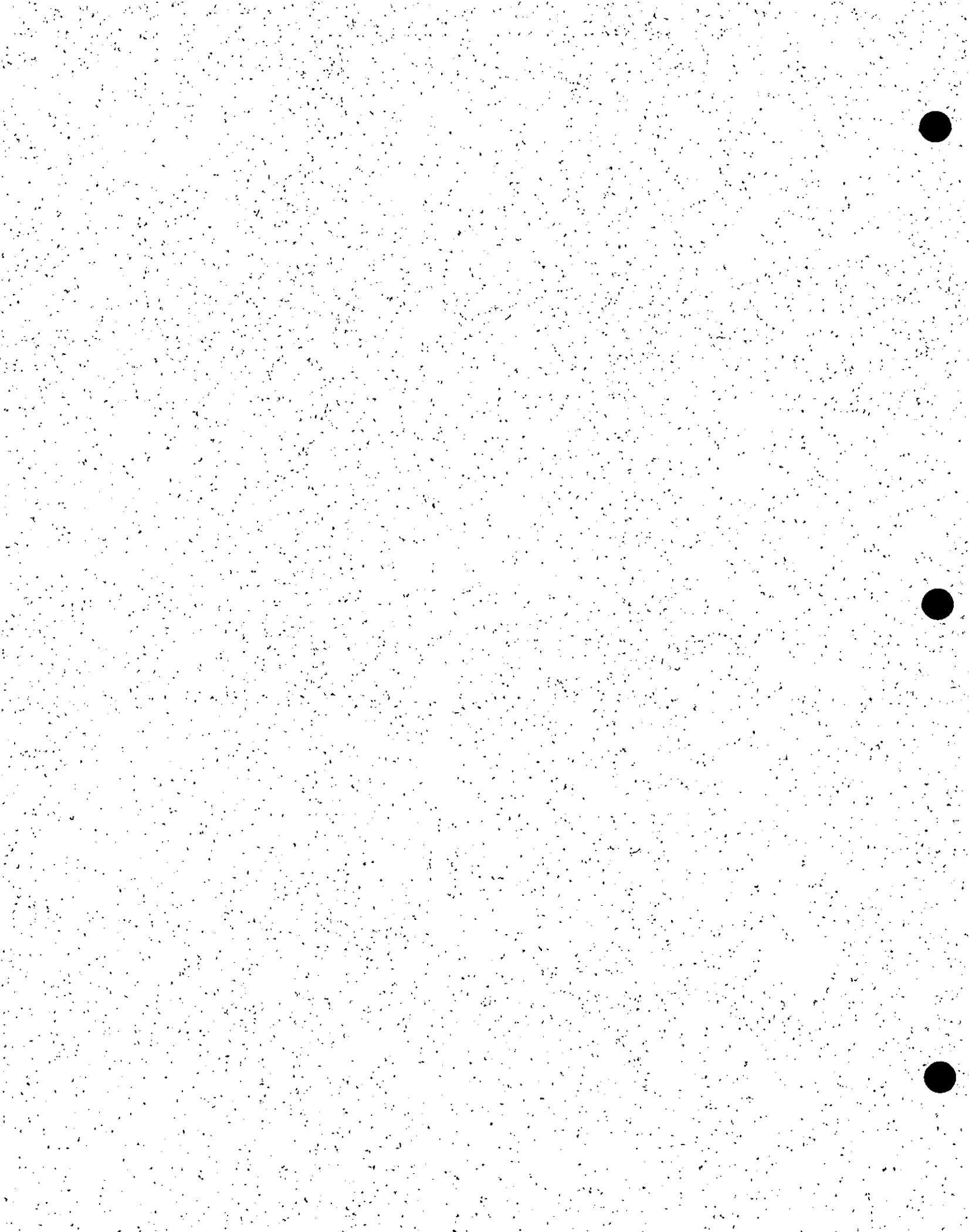
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APPEARANCES

MR. ALBERT JOHNSON  
MR. BOB FUJII  
MS. SUZANNE SMALL  
MS. LYNN ANDERSON  
MS. GALE REHBERG  
MR. DAVE MELENDREZ  
MS. JAN HOWARD



1 SACRAMENTO, CALIFORNIA; FRIDAY, FEBRUARY 20, 1998

2 9:05 A.M.

3  
4 MR. JOHNSON: THIS IS THE PREBID  
5 CONFERENCE FOR CONTRACT 7050, THE ILLEGAL WASTE TIRE  
6 STABILIZATION AND ABATEMENT SERVICES. I'M ALBERT  
7 JOHNSON. I'LL BE THE RFQ MANAGER FOR THIS CONTRACT,  
8 AND I WORK IN THE TIRE REMEDIATION AND ENGINEERING  
9 SERVICES SECTION. THE SUPERVISOR FOR THE SECTION IS  
10 BOB FUJII, WHO'S SITTING RIGHT OVER HERE NEXT TO ME.  
11 ALSO GALE REHBERG IS SITTING NEXT TO ME WORKS IN THAT  
12 SECTION, AND WE ALSO HAVE STACY AND DAVE MELENDREZ.  
13 THEY BOTH WORK IN OUR SECTION ALSO.

14 ALSO ON THE PANEL HERE WE HAVE LYNN  
15 ANDERSON AND JAN HOWARD THAT ARE FROM CONTRACTS AND  
16 SUZANNE SMALL SITTING ON THE END IS FROM OUR LEGAL  
17 OFFICE.

18 I HOPE EVERYONE SIGNED THE SIGN-IN  
19 SHEET. AND IF YOU'VE GOTTEN A COPY OF THE RFQ, MAKE  
20 SURE YOU INDICATE THAT ON THERE.

21 PLEASE HOLD THE QUESTIONS TO THE END OF  
22 THE CONFERENCE. WE'RE ONLY GOING TO ANSWER QUESTIONS  
23 THAT ARE SUBMITTED TO US ON THOSE CARDS IN WRITING, AND  
24 MAKE SURE YOU INCLUDE YOUR NAME AND THE COMPANY ON THAT  
25 CARD. WE'LL TRY TO ANSWER THE QUESTIONS HERE VERBALLY,



1 BUT AN ADDENDUM WILL FOLLOW THIS MEETING WITH A WRITTEN  
2 RESPONSE TO THE QUESTIONS. THE WRITTEN RESPONSE WILL  
3 BE THE BINDING RESPONSE.

4 THE NAME OF THE PERSON ASKING THE  
5 QUESTION WILL NOT BE GIVEN TODAY OR IN THE ADDENDUM.  
6 THE ADDENDUM WILL INCLUDE ANSWERS TO ANY WRITTEN  
7 QUESTIONS SUBMITTED BY OTHER PERSONS THAT ARE  
8 INTERESTED IN THIS CONTRACT.

9 NOW I'D LIKE TO BRIEFLY GO OVER THE WASTE  
10 TIRE STABILIZATION AND ABATEMENT CONTRACT PROGRAM, THE  
11 BACKGROUND OF IT. AB 1843 ESTABLISHED THE CALIFORNIA  
12 TIRE RECYCLING MANAGEMENT ACT. THE ACT, AMONG OTHER  
13 THINGS, CHARGED THE BOARD WITH THE RESPONSIBILITY OF  
14 TIRE PILE STABILIZATION AND REMEDIATION WHERE PUBLIC  
15 HEALTH AND SAFETY AND THE ENVIRONMENT MAY BE AT RISK.  
16 THE BOARD APPROVED IMPLEMENTATION OF THE WASTE TIRE  
17 STABILIZATION AND ABATEMENT CONTRACT ON AUGUST 31,  
18 1994.

19 THE CURRENT STABILIZATION AND ABATEMENT  
20 SERVICES CONTRACT NO. C-6050 WAS AWARDED TO SUKUT  
21 CONSTRUCTION COMPANY. THIS CONTRACT, 7050, IS PROPOSED  
22 TO BE FUNDED FOR \$675,000 IN A BUDGET THAT IS NOT TO  
23 EXCEED TWO AND A HALF MILLION DURING THE ESTIMATED 23  
24 MONTHS OF THE CONTRACT TERM.

25 THE REMEDIATION OF SITES BY REMOVAL AND



1 DISPOSAL OR REUSE AND TRANSFORMATION OF TIRES WILL  
2 CONTINUE. OBTAINING PERMITS, SITE GRADING,  
3 CONSTRUCTING ACCESS ROADS AND FIRE LANES, AND OTHER  
4 ENVIRONMENTAL CONTROLS WILL CONSUME MORE CONTRACTOR  
5 RESOURCES THAN IN THE PREVIOUS CONTRACT.

6 I'LL GO OVER SOME TYPICAL CONTRACT  
7 SCENARIOS, HOW IT ALL WORKS, AND THE CONTRACTOR WILL  
8 INTERACT WITH THE BOARD STAFF. THE BOARD STAFF WILL  
9 NOTIFY THE CONTRACTOR OF A PROPOSED SITE REMEDIATION OR  
10 STABILIZATION AND PROVIDE THEM WITH A SUMMARY OF THE  
11 ANTICIPATED SCOPE OF WORK AND REQUEST A COST PROPOSAL  
12 FOR PREPARING A WORK PLAN, COST ESTIMATE, AND  
13 SCHEDULE. THE CONTRACTOR WILL SUBMIT A COST PROPOSAL.

14 THE BOARD STAFF WILL REVIEW THAT AND  
15 NEGOTIATE THE COST, IF NECESSARY, THEN A WORK ORDER  
16 WILL BE ISSUED TO PREPARE THE WORK PLAN, COST ESTIMATE,  
17 AND SCHEDULE TO REMEDIATE OR STABILIZE THE SITE.  
18 TYPICALLY THE CONTRACTOR CONDUCTS A SITE VISIT WITH THE  
19 STAFF MEMBER, AND THEY VERIFY AND AGREE ON THE  
20 ESTIMATED QUANTITY OF TIRES. THE CONTRACTOR OBTAINS  
21 SUBCONTRACTOR PROPOSALS AND ESTIMATES, RESOURCES, COST,  
22 AND TIME REQUIRED FOR THE JOB. THE CONTRACTOR THEN  
23 SUBMITS THIS PROPOSAL WITHIN A SPECIFIED TIME. STAFF  
24 REVIEWS THE PROPOSAL, NEGOTIATES, IF NECESSARY, AND MAY  
25 ISSUE A WORK ORDER FOR THE WORK TO BE COMPLETED.



1 UPON ISSUANCE OF THE WORK ORDER TO  
2 REMEDIATE OR STABILIZE THE SITE, THE CONTRACTOR IS  
3 EXPECTED TO DILIGENTLY COMPLETE THE WORK.

4 WHEN RESPONDING TO THIS RFQ, SEE THE  
5 MINIMUM QUALIFICATION REQUIREMENTS IN SECTION 3.  
6 QUALIFICATION STATEMENTS MUST RESPOND TO ALL SPECIFIC  
7 REQUESTS FOR INFORMATION, STATEMENTS, AND DISCLOSURES  
8 REQUESTED IN SECTION 3, AND MUST BE SIGNED BY AN  
9 AUTHORIZED PERSON. THE PROPOSALS MUST BE RECEIVED NO  
10 LATER THAN 2 P.M. ON MARCH 27, 1998, OR THEY WILL BE  
11 RETURNED UNOPENED. THIS SHOULD BE DROPPED OFF AT THE  
12 THIRD FLOOR RECEPTIONIST DESK IN THIS BUILDING, 8800  
13 CAL CENTER DRIVE, SACRAMENTO.

14 DURING THE EVALUATION OF THE SELECTION  
15 PROCESS, THE PROPOSALS WILL BE SCREENED FOR  
16 COMPLETENESS. OMISSIONS OR MODIFICATIONS TO THE  
17 CONDITIONS OF THIS REQUEST MAY RESULT IN REJECTION OF  
18 THE PROPOSAL AS DETERMINED BY BOARD STAFF. COMPLETE  
19 PROPOSALS WILL BE REVIEWED AND RANKED IN ORDER OF  
20 PREFERENCE BY A PANEL OF BOARD STAFF MEMBERS BASED ON  
21 THE CRITERIA IN SECTION 3, STATEMENT OF QUALIFICATIONS  
22 EVALUATION.

23 BOARD STAFF WILL CONDUCT INTERVIEWS WITH  
24 NO LESS THAN THE TOP THREE FIRMS TO DISCUSS AND  
25 EVALUATE QUALIFICATIONS AND METHODS FOR FURNISHING THE



1 REQUIRED SERVICES. FROM THE TOP RANKED FIRM, STAFF  
2 WILL REQUEST A DETAILED FEE PROPOSAL FOR CONTRACTORS,  
3 EQUIPMENT, AND NONPREVAILING WAGE RATE, CONTRACTOR  
4 PERSONNEL, AND PROPOSED MARKUPS. AGREEMENT WILL BE  
5 REACHED ON THE FEE PROPOSAL OR STAFF WILL TERMINATE  
6 NEGOTIATIONS AND UNDERTAKE NEGOTIATIONS WITH THE NEXT  
7 MOST QUALIFIED FIRM. THIS PROCESS CONTINUES UNTIL A  
8 SATISFACTORY AGREEMENT IS REACHED.

9 OKAY. WELL, THAT'S ABOUT ALL I HAVE TO  
10 SAY, AND NOW IT'S TIME TO ANSWER ANY QUESTIONS THAT YOU  
11 MIGHT HAVE ON THOSE CARDS THAT YOU FILLED OUT.

12 UNIDENTIFIED SPEAKER: HAS EVERYBODY SIGNED IN  
13 THE SIGN-IN SHEET? IT'S REALLY IMPORTANT THAT YOU DO  
14 HAVE YOUR NAME ON THIS LISTING BECAUSE THIS LISTING  
15 WILL ALSO BE USED TO SEND OUT QUESTIONS AND ANSWERS TO  
16 THIS MEETING.

17 MR. JOHNSON: I THINK WE'LL WAIT TILL SUZANNE  
18 RETURNS BEFORE WE ANSWER THESE QUESTIONS. MAYBE WE  
19 SHOULD JUST GIVE THEM TO HER. I'LL READ THE QUESTION.

20 FIRST QUESTION IS WHAT DUTIES,  
21 RESPONSIBILITIES WILL THE HEALTH AND SAFETY OFFICER DO  
22 AND HANDLE?

23 MR. FUJII: DO YOU MEAN YOUR OWN HEALTH AND  
24 SAFETY OFFICER?

25 UNIDENTIFIED SPEAKER: (INAUDIBLE.)



1 MR. FUJII: I GUESS MY ANSWER TO THE  
2 QUESTION -- MY ANSWER TO THE QUESTION WOULD BE WE'LL  
3 LOOK INTO THIS A LITTLE BIT MORE, BUT IT WOULD BE THE  
4 PERSON RESPONSIBLE FOR DEVELOPING YOUR IVP AND TO  
5 ENSURE THE IVP IS IMPLEMENTED PROPERLY ON YOUR SIDE.  
6 AND SO IT COULD BE SOMEONE THAT WOULD GO OUT TO THE  
7 SITE AND MAYBE CHECK THE SITE CONDITIONS OUT AT THE  
8 BEGINNING OF THE JOB AND PERIODICALLY CHECK IT DURING  
9 THE COURSE OF THE JOB.

10 I'M SORRY. IVP IS THE INJURY  
11 PREVENTION -- YOUR HEALTH AND SAFETY PLAN. I'M  
12 SORRY.

13 MR. JOHNSON: OKAY. NEXT QUESTION: AT TIME  
14 OF RESPONSE, WHAT DOCUMENTATION IS NEEDED FOR THE  
15 DISABLED VETERAN, MINORITY WOMEN BUSINESS ENTERPRISE?

16 MS. SMALL: IN THE RFQ, AS IT'S OUT RIGHT NOW,  
17 IT STATES THAT YOUR SIGNATURE ON THE FORM CERTIFIES  
18 THAT YOU WILL COMPLY WITH THE REQUIREMENTS OF M-WBE, IN  
19 SHORT FOR MINORITY OWNED BUSINESS/WOMEN OWNED  
20 BUSINESS. AND AT THIS POINT THERE ARE ALSO FORMS  
21 WITHIN THE RFQ THAT WILL ASSIST YOU IN MAKING  
22 DETERMINATIONS AS TO YOUR COMPLIANCE.

23 THERE ARE SOME LEGAL DECISIONS THAT ARE  
24 IN THE WORKS RIGHT NOW IN THE COURT SYSTEM, AND WE  
25 WOULD LIKE TO RESPOND TO THIS IN WRITING BECAUSE THERE



1 ARE SOME THINGS THAT ARE CHANGING RIGHT NOW. SO YOU  
2 WILL RECEIVE A RESPONSE TO THIS PARTICULAR QUESTION IN  
3 WRITING.

4 MR. JOHNSON: DEFINE AGENT FOR PROCESS IN  
5 CALIFORNIA.

6 MS. SMALL: YOUR AGENT FOR SERVICE OF PROCESS,  
7 IF YOU ARE A CORPORATION, IS GOING TO BE LISTED ON YOUR  
8 CORPORATE OFFICERS. THAT'S A SPECIFIC PERSON WHO, IF  
9 YOU NEED -- IF SOMEONE NEEDS TO SERVE SOMETHING ON YOU,  
10 LEGALLY IS THE APPROPRIATE PERSON. IF YOU ARE NOT A  
11 CORPORATION, IF YOU ARE A BUSINESS, IT WILL BE USUALLY  
12 ONE OF YOUR OFFICERS. AND BY GIVING US THAT PERSON,  
13 YOU'RE CERTIFYING THAT THAT IS THE PERSON WHO IS  
14 AUTHORIZED ON YOUR BEHALF TO RECEIVE ANY LEGAL NOTICES  
15 THAT NEED TO BE FORWARDED OUT.

16 MR. JOHNSON: IS THAT IT? NO. THERE'S MORE  
17 QUESTIONS.

18 ON THE PROJECT EXPERIENCE DOES A HUNDRED  
19 THOUSAND DOLLARS FOR THE GENERAL APPLY TO PAST WORK  
20 PERFORMED AS A GENERAL OR AS A SUB?

21 UNIDENTIFIED SPEAKER: IF YOU ASK EXPERIENCE  
22 FOR THE PRIMARY -- A HUNDRED THOUSAND DOLLARS  
23 (INAUDIBLE).

24 WE'VE DONE AT THE SUBS THAT HAVE BEEN  
25 LESS THAN A HUNDRED (INAUDIBLE).



1 MR. FUJII: I'M TRYING TO THINK HOW THE RFQ IS  
2 SET UP. SO YOU ARE SAYING IN A SECTION OF OUR RFQ,  
3 THERE'S A SECTION JUST ASKING FOR -- IF YOU ARE A  
4 PRIMARY AND THE JOBS HAVE -- AND THE JOB'S OVER A  
5 HUNDRED THOUSAND, LIST YOUR EXPERIENCE?

6 UNIDENTIFIED SPEAKER: RIGHT. YOU DON'T WANT  
7 ME TO LIST 50 JOBS. YOU WANT ME TO LIST WHATEVER AS A  
8 PRIMARY (INAUDIBLE).

9 MR. FUJII: RIGHT. RIGHT.

10 UNIDENTIFIED SPEAKER: (INAUDIBLE).

11 MR. FUJII: YEAH. I MEAN I GUESS THE  
12 ANSWER -- THE STRICT ANSWER TO THE QUESTION IS PROBABLY  
13 YES, BUT WE'RE INTERESTED IN ANY EXPERIENCE THAT YOU  
14 WOULD HAVE PROBABLY IN DOING SIMILAR WORK. SO I'M NOT  
15 SURE HOW THAT FITS INTO THE FORM. I'M TRYING TO  
16 REMEMBER WHAT THE RFQ SAYS EXACTLY.

17 UNIDENTIFIED SPEAKER: IT'S (INAUDIBLE).

18 MR. FUJII: THAT'S RIGHT. THAT'S RIGHT.

19 UNIDENTIFIED SPEAKER: (INAUDIBLE).

20 MR. FUJII: THAT'S RIGHT. THAT'S WHAT THE RFQ  
21 SAYS, CORRECT.

22 UNIDENTIFIED SPEAKER: (INAUDIBLE).

23 MR. FUJII: WE'LL ANSWER THAT ONE IN WRITING  
24 JUST TO MAKE SURE.

25 MR. JOHNSON: NEXT QUESTION: WILL LETTER FROM



1 THE BONDING AGENT BE OKAY SINCE THE BONDING COMPANIES  
2 CHANGE AND THE BONDING AGENT STAYS THE SAME?

3 MS. SMALL: A LETTER IN LIEU OF WHAT?

4 UNIDENTIFIED SPEAKER: (INAUDIBLE).

5 MS. SMALL: UNFORTUNATELY, AS I RECALL IT, THE  
6 RFQ SAYS FROM THE BONDING COMPANY. AND WE'VE TAKEN A  
7 VERY STRICT CONSTRUCTION ON THESE RFQ'S. AND IF IT  
8 SAYS BONDING COMPANY, WHICH I THINK IT DOES, YOU NEED  
9 ONE FROM THE BONDING COMPANY. AND IF THERE'S A  
10 PROBLEM, YOU MIGHT WANT TO SUBMIT A COMMENT ON THAT,  
11 BUT I CAN'T STRESS ENOUGH THAT WE TAKE A VERY STRICT  
12 CONSTRUCTIONIST LOOK AT THESE RFQ'S BECAUSE WE FEEL WE  
13 HAVE TO TO MAKE IT FAIR. AND IF IT SAYS SOMETHING, YOU  
14 NEED TO FOLLOW IT TO THE LETTER.

15 MR. JOHNSON: THIS IS THE LAST QUESTION I HAVE  
16 HERE.

17 VERIFY THE STATEMENT BONDING AGENT MUST  
18 SUBMIT SINCE RFQ IS ON A WORK ORDER BASIS AND MORE THAN  
19 LIKELY THE CONTRACT WILL HAVE GENERAL JOBS -- SEVERAL  
20 JOBS TOTALLING THE CONTRACT AMOUNT.

21 UNIDENTIFIED SPEAKER: IT STATES THAT THE  
22 BONDING (INAUDIBLE).

23 MS. SMALL: GENERALLY I BELIEVE WHAT IT  
24 SAYS -- I CAN'T SEE IT HERE, BUT AS I RECALL IT AND  
25 WHAT I KNOW FROM PREVIOUS RFQ'S, IS THAT IT'S BEEN A



1 LETTER THAT STATES YOU'RE BONDABLE UP TO THE MAXIMUM  
2 AMOUNT OF THE CONTRACT, AND IT PUTS A DOLLAR AMOUNT IN  
3 THERE. BUT WE WILL ANSWER THIS IN WRITING BECAUSE I  
4 DON'T KNOW EXACTLY WHERE IT IS IN THIS RFQ RIGHT AT  
5 THIS MOMENT.

6 UNIDENTIFIED SPEAKER: (INAUDIBLE).

7 MS. SMALL: IT'S A LETTER CERTIFYING BONDING  
8 CAPACITY. AND THAT'S WHAT WE'VE GOTTEN IN THE PAST,  
9 WHICH IS A LETTER THAT SAYS -- I MEAN FOR OUR PURPOSES,  
10 IT NEEDS TO BE BONDING CAPACITY UP TO AN AMOUNT OF THE  
11 JOB. BUT MANY OF YOU WILL HAVE BONDING CAPACITY FAR  
12 BEYOND THE AMOUNT OF THIS CONTRACT. YOU MAY ELECT TO  
13 HAVE JUST THE AMOUNT OF THIS CONTRACT REFLECTED BY YOUR  
14 BONDING AGENT, BUT WHAT THE RFQ DOES REQUIRE IS A  
15 CURRENT BONDING CAPACITY. THAT DOESN'T MEAN THAT YOU  
16 HAVE TO ISSUE THE BOND AT THIS TIME, BUT WHAT YOUR  
17 CAPACITY IS.

18 MR. JOHNSON: OKAY. IS THERE ANY OTHER  
19 QUESTIONS?

20 AUDITED FINANCIALS VERSUS REVIEWED  
21 STATEMENT WHICH IS PREPARED BY CPA. I GUESS YOU WANT  
22 TO KNOW THE DIFFERENCE BETWEEN THOSE?

23 UNIDENTIFIED SPEAKER: I KNOW THE DIFFERENCE  
24 BETWEEN THE TWO. (INAUDIBLE). -- FISCAL YEAREND.  
25 FISCAL YEAREND IS NOT NOW. (INAUDIBLE).



1 MS. SMALL: I'M SORRY. BESIDES 8-6, WHERE  
2 ELSE DID YOU SEE THAT?

3 UNIDENTIFIED SPEAKER: (INAUDIBLE).

4 MS. SMALL: THOSE DEFINITELY CONFLICT, AND  
5 WE'LL OBVIOUSLY HAVE TO DO SOMETHING ABOUT THAT. BUT  
6 TO ANSWER YOUR FIRST QUESTION, A REVIEWED STATEMENT IS  
7 NOT GOING TO COMPLY WITH THAT.

8 I DO NOTE THAT THE ONE PORTION SPEAKS TO  
9 ANNUAL REPORTS, WHICH GENERALLY ARE AUDITED, BUT  
10 SOMETIMES AREN'T, BUT USUALLY THEY ARE. THOSE CAN BE  
11 USED, BUT THAT'S NOT GOING TO BE JUST A REVIEWED. AND  
12 IF THEY DECIDE TO USE WITHIN THE 12 MONTHS, YOUR LAST  
13 STATEMENT WILL BE APPROPRIATE.

14 UNIDENTIFIED SPEAKER: (INAUDIBLE).

15 MS. SMALL: THAT'S TRUE. UNFORTUNATELY, WE  
16 WILL RESPOND TO THIS IN WRITING BECAUSE THERE'S  
17 DEFINITELY A PROBLEM HERE.

18 UNIDENTIFIED SPEAKER: (INAUDIBLE).

19 MR. FUJII: WE WILL GET BACK TO YOU IN WRITING  
20 ON THAT ONE.

21 MR. JOHNSON: SECTION 4, PAGE 3, ITEM  
22 3 -- 1.06. THAT'S ALL PART OF THE SAME. SAME WITH  
23 SECTION 8, PAGE 6 HERE. OKAY. ALL RIGHT.

24 THE CURRENT LEVEL OF ACTIVITY FOR WASTE  
25 TIRE REMEDIATION IS VERY SLOW. NO CLEANUP PROJECTS



1 SINCE OCTOBER. IS IT THE INTENT OF THE BOARD TO  
2 AGGRESSIVELY PURSUE USE OF THE PROPOSED CONTRACT TO  
3 CLEAR UP LEGAL -- ILLEGAL PILES?

4 I THINK WE'RE GOING TO BE DOING SOME MORE  
5 WORK. I KNOW THINGS HAVEN'T HAPPENED -- NOT TOO MUCH  
6 HAS HAPPENED RECENTLY, BUT, YEAH, WE PLAN ON GOING  
7 AHEAD WITH PROJECTS IN THE NEAR FUTURE.

8 MR. FUJII: I'M NOT SURE WHAT THE -- ARE YOU  
9 ASKING BECAUSE WE HAVEN'T DONE MANY? IS THIS HOW IT'S  
10 GOING TO BE IN THE FUTURE? IS THAT KIND OF THE CONTEXT  
11 OF THE QUESTION?

12 UNIDENTIFIED SPEAKER: (INAUDIBLE).

13 MR. FUJII: YEAH. FOR A LOT OF REASONS, WE  
14 HAVEN'T DONE A LOT OF ACTIVITY, BUT IT'S NOT THE INTENT  
15 OF THIS PROGRAM TO CONTINUE AT THAT PACE. I MEAN THIS  
16 PROGRAM SUNSETS WITHOUT LEGISLATIVE APPROVAL TO GO ON  
17 IN JUNE OF 1999. AND SO WE'RE GOING TO BE PRETTY BUSY  
18 OVER THE NEXT COURSE OF THE YEAR, SO YOU CAN ASSURE  
19 THAT IF YOU WERE TO SEE ONE OF THESE CONTRACTS, WE  
20 WOULD WANT TO PROCEED AT A FAIRLY RAPID PACE.

21 MR. JOHNSON: I'VE GOT SOME QUESTIONS HERE.  
22 THERE'S NO NAME ON THEM. WE NEED TO --.

23 THE QUESTION: WILL THE BOARD ASSIST IN  
24 NEGOTIATING LOCAL PERMITS, THE PERMIT CONDITIONS FOR  
25 CLEANUP SITES? WHAT'S YOUR NAME?



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UNIDENTIFIED SPEAKER: (INAUDIBLE).

MR. JOHNSON: I'M GOING TO REPEAT THIS QUESTION. WILL THE BOARD ASSIST IN NEGOTIATING LOCAL PERMITS AND PERMIT CONDITIONS FOR CLEANUP SITES?

MR. FUJII: THE ANSWER TO THE QUESTION IS IT'S THE RESPONSIBILITY OF THE CONTRACTOR TO DO THAT.

UNIDENTIFIED SPEAKER: (INAUDIBLE).

MR. FUJII: YOU MEAN THINGS BEYOND THE SCOPE OF WHAT WE'RE PROPOSING?

UNIDENTIFIED SPEAKER: (INAUDIBLE).

MR. FUJII: WELL, I THINK IT SHOULD BE PRETTY CLEAR, THOUGH, THE BOARD IS NOT GOING TO PAY FOR ANYTHING OTHER THAN WHAT WE AGREE IN THE SCOPE OF WORK IS GOING TO BE DONE. AND SO IF THERE WERE OTHER IMPROVEMENTS, IT WOULD HAVE TO BE SOMETHING THAT WE WOULD AGREE TO IN THE FIRST PLACE. SO IF THEY'RE SAYING WE WOULD NOT GIVE YOU A GRADING PERMIT UNLESS YOU DO THESE IMPROVEMENTS, WE PROBABLY WOULD NOT DO THAT PROJECT. YOU KNOW, WE'RE NOT INTERESTED IN DOING IMPROVEMENTS FOR PEOPLE. OUR MAIN FOCUS IS TO CLEAN TIRE SITES UP, AND WE'RE NOT INTERESTED IN GOING OUT AND DO PUBLIC WORKS IMPROVEMENTS TO OTHER AREAS UNLESS IT'S, YOU KNOW, SOMETHING THAT CAN BE DONE IN THE CONTEXT OF A JOB AND WE ALL KIND OF AGREE IT'S SOMETHING THAT MAKES SENSE. BUT, YOU KNOW, I DON'T



1 KNOW THAT WE'RE GOING TO HOLD -- BE HELD HOSTAGE FOR  
2 THOSE KINDS OF SITUATIONS. SO I THINK WE WOULD LOOK TO  
3 THE CONTRACTOR TO TRY TO SECURE THOSE LOCAL, YOU KNOW,  
4 THE GRADING PERMITS AND ANYTHING ELSE THAT NEEDS TO BE  
5 DONE AT THOSE JOBS. AND IF THAT BECOMES AN ISSUE, WE  
6 CERTAINLY CAN TALK ABOUT IT, BUT, AGAIN, I DON'T THINK  
7 THAT ANYTHING OUTSIDE THE SCOPE OF WHAT OUR WORK PLANS  
8 ARE GOING TO ENTAIL IN TERMS OF CLEANING THE TIRE SITES  
9 WOULD BE DONE.

10 MR. JOHNSON: OKAY. NEXT QUESTION. THIS IS  
11 ALSO FROM JOHN THING. IS THERE A REQUIREMENT THAT  
12 PREVAILING WAGES BE USED ON ALL CONTRACT WORK?

13 MS. SMALL: THAT'S A VERY COMPLICATED QUESTION  
14 THAT WE WILL RESPOND TO IN WRITING. I CAN GIVE YOU A  
15 BRIEF OVERVIEW, AND THAT IS THAT PREVAILING WAGE IS  
16 REQUIRED ON PUBLIC WORKS. MOST OF THE WORK DONE UNDER  
17 THIS TIRE REMEDIATION CONTRACT IS NOT PUBLIC WORKS. IN  
18 THE PAST OUR CONTRACTORS HAVE PAID PREVAILING WAGE, BUT  
19 WHAT WE CAN GIVE YOU IN WRITING IS WHAT THE  
20 REQUIREMENTS ARE FOR PREVAILING WAGE UNDER THIS  
21 PROGRAM.

22 MR. JOHNSON: OKAY. NEXT QUESTION. ARE  
23 CORPORATE GUARANTEES ACCEPTABLE IN PLACE OF BONDS? I  
24 GUESS THEY'RE NOT. NOPE.

25 LAST QUESTION HERE DOESN'T HAVE A NAME ON



1 IT EITHER.

2 MR. FUJII: WE CAN COME UP AND FILL IT IN  
3 LATER. WE DON'T WANT TO --

4 MR. JOHNSON: WHOEVER SUBMITTED THIS QUESTION  
5 CAN COME AND PUT THEIR NAME ON IT AFTER WE READ IT  
6 HERE.

7 ARE RFQ RESPONSES FROM PREVIOUS  
8 QUALIFICATION CYCLES AND PREVIOUS NEGOTIATED CONTRACTS  
9 AND SUBCONTRACTS A MATTER OF PUBLIC RECORD?

10 I THINK THAT'S TRUE. THEY ARE PUBLIC  
11 RECORD, AREN'T THEY?

12 MR. FUJII: WANT TO RESPOND TO THAT?

13 MS. SMALL: THE WAY WE DEAL WITH THAT IS IF  
14 ONE OR ANY OF THE POSSIBLE RESPONDING PARTIES WANTS TO  
15 SEE A PARTICULAR RFQ THAT'S COME TO US -- A RESPONSE  
16 HAS COME TO US IN THE PAST, IF WE RECEIVE A REQUEST FOR  
17 THAT, WHAT WE DO IS WE WILL PUT ANY OR ALL OF WHAT'S  
18 REQUESTED IN THE LIBRARY AND MAKE IT AVAILABLE TO ALL  
19 THAT WE'VE SENT THE RFQ TO. THAT'S JUST THE WAY WE  
20 HANDLE THAT.

21 SO IF ANYONE WANTS TO SEE SOMETHING, THEY  
22 SEND IN A PUBLIC RECORDS REQUEST, AND WE MAKE -- WE  
23 SEND OUT A NOTICE TO EVERYONE WHO'S GOTTEN OUR RFQ,  
24 SAYING THIS IS AVAILABLE IN THE LIBRARY FROM  
25 SUCH-AND-DATE TO SUCH-AND-SUCH DATE. THAT'S HOW WE'VE



1 DEALT WITH THAT.

2 MR. JOHNSON: OKAY. HERE'S A PERSON THAT  
3 WOULD LIKE A COPY -- THIS CARD ALSO DOESN'T HAVE A NAME  
4 ON IT. THEY'D LIKE A COPY OF THE LIST OF PROJECTS THAT  
5 HAVE BEEN COMPLETED, TIRE CLEANUP PROJECTS. AND THAT'S  
6 AVAILABLE. SUBMIT YOUR REQUEST IN WRITING AND A  
7 LIST --

8 MR. FUJII: PUBLIC RECORDS REQUEST, VERY  
9 SIMILAR TO THE WAY WE WOULD DO THE OTHER INFORMATION.

10 MR. JOHNSON: THIS PERSON WOULD ALSO LIKE A  
11 LIST OF THE ATTENDEES THAT WERE HERE, WHICH WE CAN  
12 PROVIDE THAT. THAT WILL GO OUT WITH THE ADDENDUM WITH  
13 THE QUESTION AND ANSWERS. OKAY.

14 IS THERE ANY MORE QUESTIONS?

15 IF THE PROGRAM IS NOT REAUTHORIZED AFTER  
16 SUNSETTING IN JUNE OF 1999, WILL THE CONTRACT END AT  
17 THAT TIME AFTER 16 MONTHS?

18 I GUESS IT DOES END.

19 MR. FUJII: WHAT'S THE REAL ANSWER?

20 MS. SMALL: THAT'S A VERY GOOD QUESTION.  
21 SOMETHING THAT WE'RE LOOKING AT IN-HOUSE AT THIS POINT,  
22 BECAUSE IT REALLY HAS MORE TO DO WITH WHERE THE FUNDS  
23 WILL OR WILL NOT BE AT THE END OF THE PROGRAM. THERE  
24 MAY OR MAY NOT STILL BE FUNDS IN THIS ACCOUNT WHEN THE  
25 PROGRAM SUNSETS. AND THAT'S JUST SOMETHING WE'D HAVE



1 TO WAIT AND SEE, SO I DON'T KNOW -- WE CAN GIVE YOU A  
2 WRITTEN RESPONSE AS TO THE MECHANISMS, BUT WE CANNOT  
3 TELL YOU IF THERE'S GOING TO BE MONEY IN THAT ACCOUNT  
4 OR NOT AT THAT TIME.

5 UNIDENTIFIED SPEAKER: (INAUDIBLE).

6 MS. SMALL: THE FEE SUNSETS.

7 MR. FUJII: THE FEE SUNSETS.

8 UNIDENTIFIED SPEAKER: (INAUDIBLE).

9 MR. FUJII: DID YOU USED TO WORK HERE?

10 UNIDENTIFIED SPEAKER: LONG TIME AGO.

11 (INAUDIBLE).

12 MS. SMALL: TECHNICALLY OR JUST PLAIN LEGALLY  
13 YOU CAN'T SIPHON ANYTHING OFF OF 2136 BECAUSE THAT'S A  
14 SPECIFIC ACCOUNT ONLY FOR 2136. BUT I -- REGARDING --  
15 I'LL JUST TELL YOU WHAT I KNOW FOR PERSON AND THAT IS  
16 THAT OUR REGULATORY PROGRAM MUST CARRY ON. OUR  
17 PERMITTING PROGRAM MUST CARRY ON. THERE ARE NO SUNSETS  
18 ON THAT. THE SUNSET IS ONLY ON THE FEE, BUT  
19 UNFORTUNATELY THE TIRE ACCOUNT IS BASED ONLY ON THE  
20 FEE. AND SO OUR READING OF THE STATUTE IS WHEN THE FEE  
21 SUNSETS, THERE'S NO OTHER SOURCE OF FUNDS THAT'S  
22 DESIGNATED TO GO INTO THE ACCOUNT.

23 BUT WE CAN RESPOND IN WRITING TO THIS.  
24 BUDGETS IS MUCH MORE FAMILIAR WITH THE APPROPRIATE  
25 NOMENCLATURE FOR THIS THAN I AM.



1 MR. JOHNSON: OKAY. LAST QUESTION SO FAR.  
2 IN LIGHT OF YESTERDAY'S -- THE BOARD'S  
3 P&E MEETING, COMMITTEE MEETING, DO YOU INTEND TO MODIFY  
4 THE SCOPE OF WORK FOR THE PRIME CONTRACTOR?

5 AND I DON'T THINK WE'RE GOING TO MODIFY  
6 THE SCOPE OF WORK, WERE WE, BOB?

7 MR. FUJII: WELL, I GUESS MAYBE THE QUESTION  
8 NEEDS TO BE CLARIFIED A LITTLE BIT. YESTERDAY'S ITEM  
9 JUST BASICALLY DEALT WITH TWO ISSUES, FUNDING FOR THE  
10 CONTRACT FOR THE EXISTING 1996-97 CONTRACT AND ALSO  
11 REALLOCATING MONIES FROM THE 1997 RFQ, WHICH IS BEFORE  
12 YOU GUYS NOW, AND THEN DEALING WITH THE POLICY ISSUE  
13 THAT'S CONTAINED IN THE CONTRACT. SO I'M NOT  
14 SURE -- IT DIDN'T REALLY AFFECT THE SCOPE OF WORK  
15 NECESSARILY. SO I'M NOT SURE WHAT THE QUESTION IS. I  
16 MEAN THERE WASN'T ANY ATTEMPT IN THE ITEM THAT WE DID  
17 YESTERDAY TO AMEND THE SCOPE OF WORK.

18 UNIDENTIFIED SPEAKER: WE TALKED QUITE A BIT  
19 ABOUT THE PERMITTING PROCESS (INAUDIBLE).

20 MR. FUJII: OH, I SEE WHAT YOU ARE GETTING  
21 AT. I SEE WHAT YOU ARE GETTING AT. YEAH, THE  
22 POLICY -- IT'S NOT FINALIZED YET, BUT THERE WAS SOME  
23 DISCUSSION WITH THE COMMITTEE YESTERDAY THAT DIRECTED  
24 STAFF TO GO BACK AND AMEND THE POLICY LANGUAGE TO  
25 REQUIRE THAT THE CONTRACTOR SET TARGET GOALS FOR END



1 USE AND LANDFILLING ON SPECIFIC JOBS. AND IT'S NOT  
2 FINALIZED, BUT THAT'S SOMETHING THAT WILL BE HEARD IN  
3 THE UPCOMING MEETING NEXT WEEK. SO -- BUT I GUESS IN  
4 THAT CONTEXT, YOU ARE RIGHT IT COULD AFFECT WHAT THE  
5 RESPONSIBILITY OF THE PRIME CONTRACTOR MIGHT BE.

6 UNIDENTIFIED SPEAKER: (INAUDIBLE).

7 MR. FUJII: CORRECT. YES.

8 UNIDENTIFIED SPEAKER: (INAUDIBLE).

9 MR. JOHNSON: IS THERE ANY MORE QUESTIONS? I  
10 GUESS WE'LL WRAP IT UP THEN.

11 MR. FUJII: THANK YOU FOR COMING.

12 MR. JOHNSON: THANKS FOR COMING. I GUESS THE  
13 PERSON THAT FILLED OUT THESE TWO CARDS WITHOUT A NAME,  
14 IF THEY COULD PUT THEIR NAME ON THEM. THAT NEEDS TO BE  
15 DONE.

16  
17 (THE CONFERENCE WAS THEN CONCLUDED AT  
18 9:40 A.M.)  
19  
20  
21  
22  
23  
24  
25



## *Transcribing Reporter's Certificate*

\* \* \* \* \*

I, Beth C. Drain, a transcriptionist in  
the State of California, do hereby certify:

that the foregoing tape transcription is a true  
and accurate transcript of the proceedings  
conducted at the time and place as indicated to  
the best of my ability to hear and understand  
the tape recordings.

Beth C. Drain  
CSR No. 7152

