



FRESNO COUNTY ZOO AUTHORITY

MEETING AGENDA

9:00 AM, Wednesday, September 28, 2022

Fresno County Employees' Retirement Association

7772 N. Palm Ave. Fresno, CA 93711

(559) 457-0681

1. Call to Order
2. Roll Call
3. Approve Agenda
4. Public Comments
This portion of the meeting is reserved for persons desiring to address the board on matters within the Board's jurisdiction that are not on the agenda. Attention is called to the fact that the Board is prohibited from taking any action on matters that are not on the agenda. Members of the public are limited to three minutes to speak during Public Comments as well as for each item on the agenda. Before beginning comments, please state for the record your name and affiliation, if any
5. Approve Consent Agenda Items
These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to remove any item from the Consent Calendar. Items removed from the Consent Calendar may be heard immediately following approval of the Consent Calendar
 - a. Review and approve minutes of July 27, 2022
 - b. Review and approve payment of County of Fresno invoice for Professional and Specialized Services in the amount of \$10,078.55 for services through August 2022
 - c. Receive Treasurer's Reports for July and August 2022
6. Present certificate to Kent L. Stratford for 17 years of service as a member of the Zoo Authority Board
7. Receive Fresno Chaffee Zoo Director's report

8. Receive Business Plan Presentation from Fresno Chaffee Zoo consultant
9. Receive Fresno Chaffee Zoo Corporation's July 2022 Year-to-Date Financial Report and August 2022 Early Insights
10. Approve Fresno Chaffee Zoo Corporation's request of Measure Z Capital funds totaling \$1,775,810.79 for the construction of the Conservation Building
11. Review next meeting date and revise if necessary:

Wednesday, October 26, 2022

Wednesday, November 30, 2022

Wednesday, December 28, 2022
12. Receive staff reports
13. Chair's comments
14. Board Member comments
15. Adjourn

All supporting documentation is available for public review in the office of the Fresno County Zoo Authority, 2281 Tulare Street, Room 304, Fresno, 93721, during regular business hours.

For further information, please contact Ronald Alexander, Zoo Authority Coordinator, at 600-1710, email zooauthority@co.fresno.ca.us, or visit www.zooauthority.org. Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Zoo Authority Coordinator no later than 9:00 a.m. on the day prior to the meeting.



FRESNO COUNTY ZOO AUTHORITY

ACTION SUMMARY MINUTES

9:00 AM, Wednesday, July 27, 2022

Fresno County Employees' Retirement Association

7772 N. Palm Ave. Fresno, CA 93711

(559) 457-0681

1. Call to Order
CHAIRMAN ROMAN CALLED THE MEETING TO ORDER AT 9:02AM.
2. Roll Call
A QUORUM WAS PRESENT WITH MEMBERS ROMAN, GARABEDIAN, WATERHOUSE, AND ARIAS IN ATTENDANCE.
3. Approve Agenda
GIVEN TIME CONSTRAINTS FOR THIS MEETING, CHAIRMAN ROMAN RECOMMENDED A REVISION TO THE ORDER OF THE AGENDA. REQUESTED MOVING ITEM NINE TO AFTER ITEM SIX. MEMBER ARIAS MOVED TO APPROVE THE AMENDMENT AND ADOPT THE AGENDA, SECONDED BY MEMBER WATERHOUSE. THE MOTION PASSED UNANIMOUSLY.
4. Public Comments
This portion of the meeting is reserved for persons desiring to address the board on matters within the Board's jurisdiction that are not on the agenda. Attention is called to the fact that the Board is prohibited from taking any action on matters that are not on the agenda. Members of the public are limited to three minutes to speak during Public Comments as well as for each item on the agenda. Before beginning comments, please state for the record your name and affiliation, if any
HELD. NONE RECEIVED.
5. Approve Consent Agenda Items
These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to remove any item from the Consent Calendar. Items removed from the Consent Calendar may be heard immediately following approval of the Consent Calendar
 - a. Review and approve minutes of June 29, 2022

b. Receive Treasurer's Reports for June and Quarter Ending June 2022

MEMBER WATERHOUSE MOVED TO APPROVE THE CONSENT ITEMS, SECONDED BY MEMBER ARIAS. THE MOTION PASSED UNANIMOUSLY.

6. Receive Fresno Chaffee Zoo Corporation's 2021 Annual Audit from Price Paige & Company
RECEIVED. HENRY OUM, AUDIT PARTNER OF PRICE PAIGE & COMPANY, REPORTED ON THE 2021 AUDIT. REPORTED THERE WERE NO ISSUES AND ISSUED AN UNMODIFIED OPINION, WHICH IS THE BEST OPINION FROM OUTSIDE AUDITORS.
7. Receive Fresno Chaffee Zoo Director's report
RECEIVED. CEO JON DOHLIN PROVIDED A KINGDOMS OF ASIA CONSTRUCTION ZOO PLEX UPDATE. LOOKING FORWARD TO THE NEXT MEETING TO PRESENT THE PURPOSE PLAN AND BUSINESS PLAN. ENERGY EFFICIENCY PROJECT IS UNDERWAY. INVITED ALL TO SAFARI NIGHT ON SEPTEMBER 30TH.
8. Receive Fresno Chaffee Zoo Corporation's May 2022 Year-to-Date Financial Report and June 2022 Early Insights
RECEIVED. CFO NORA CROW REPORTED ON MAY ATTENDANCE, REVENUES AND EXPENSES, OPERATING DEFICIT AND SURPLUS, AND PPP2 FORGIVENESS APPLICATION BEING SUBMITTED. REPORTED ON YEAR-TO-DATE VARIANCE ANALYSIS VS BUDGET, PER CAPITA SPENDING AND THE MAY AND JUNE BALANCE SHEET.
9. Receive and approve request from Fresno Chaffee Zoo Corporation to release remaining Measure Z budgeted funds from the Animal Ambassador Building in the total combined amount of \$127,388.46; this includes \$25,330.66 in remaining design funds and \$102,057.80 in remaining construction funds
MEMBER ARIAS MOVED TO APPROVE THE REQUEST TO RELEASE REMAINING MEASURE Z BUDGETED FUNDS FROM THE ANIMAL AMBASSADOR BUILDING. SECONDED BY MEMBER WATERHOUSE. THE MOTION PASSED UNANIMOUSLY.
10. Review next meeting date and revise if necessary:

Wednesday, August 31, 2022 (Cancelled on May 25, 2022)
Wednesday, September 28, 2022
Wednesday, October 26, 2022

REVIEWED WITH NO CHANGES TO THE SCHEDULE.
11. Receive staff reports
NO ADDITIONAL STAFF REPORTS RECEIVED.
12. Chair's comments
THANKED ALL FOR ATTENDING.
13. Board Member comments
MEMBER ARIAS THANKED ALL FOR WORKING THROUGH THE SUMMER.
14. Adjourn
THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, CHAIRMAN ROMAN ADJOURNED THE MEETING AT 9:43AM.

All supporting documentation is available for public review in the office of the Fresno County Zoo Authority, 2281 Tulare Street, Room 304, Fresno, 93721, during regular business hours.

For further information, please contact Ronald Alexander, Zoo Authority Coordinator, at 600-1710, email zooauthority@co.fresno.ca.us, or visit www.zooauthority.org. Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Zoo Authority Coordinator no later than 9:00 a.m. on the day prior to the meeting.



Invoice for Professional Services in Support of the Zoo Authority
Billing Hours and Expenses through August 2022

Invoice Number
09-ZOO-092822

September 28, 2022

TO: Zoo Authority Board
c/o County of Fresno
2281 Tulare St. Room 304
Fresno, CA 93721

Department / Title	Hours	Rates	Cost
ACTTC FR&A			
Accounting & Finance Div Chief	0.50	\$92.49	\$46.25
Accounting & Finance Manager	17.46	\$91.80	\$1,602.83
Accountant I	26.98	\$62.78	\$1,693.80
Account Clerk I	15.50	\$56.16	\$870.48
Account Clerk II	62.04	\$59.94	\$3,718.69
County Counsel			
Deputy County Counsel	13.50	\$159.00	\$2,146.50
CAO			
Board Coordinator		\$130.52	\$0.00
Professional Services Total	135.98		\$10,078.55
Office Expense Total			
Invoice Total			\$10,078.55



Invoice

FOR COUNTY USE ONLY

ACCOUNT	FUND	ORG	PROGRAM	SUBCLASS
4885	0001	0300	0	10000

BILL TO:

Zoo Authority

Email to:

ronalexander@fresnocountyca.gov

Invoice Date	Invoice Number	Due Date
8/4/2022	2466	9/4/2022

MAKE YOUR REMITTANCE PAYABLE TO:

FRESNO COUNTY TREASURER

AND SEND IT TO THE FOLLOWING ADDRESS:

Oscar J. Garcia, CPA

AUDITOR-CONTROLLER/TREASURER TAX

COLLECTOR - ADMINISTRATION DIVISION

PO BOX 1247

FRESNO, CA 93715-1247

PLEASE INCLUDE THE INVOICE NUMBER ON YOUR CHECK OR MONEY ORDER

DESCRIPTION		AMOUNT
ACTTC FR&A (04100300)		
Project Code: 9810ACCT		
FR&A Accounting Services for pay period ending	7/10/2022	\$ 2,751.44
FR&A Accounting Services for pay period ending	7/24/2022	\$ 1,229.66
CURRENT AMOUNT DUE		
Total Balance Due		\$ 3,981.10



Invoice

FOR COUNTY USE ONLY

ACCOUNT	FUND	ORG	PROGRAM	SUBCLASS
4885	0001	0300	0	10000

BILL TO:

Zoo Authority
Email to:
ronalexander@fresnocountyca.gov

Invoice Date	Invoice Number	Due Date
7/25/2022	2444	8/25/2022

MAKE YOUR REMITTANCE PAYABLE TO:

FRESNO COUNTY TREASURER

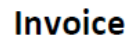
AND SEND IT TO THE FOLLOWING ADDRESS:

Oscar J. Garcia, CPA
AUDITOR-CONTROLLER/TREASURER TAX
COLLECTOR - ADMINISTRATION DIVISION

PO BOX 1247
FRESNO, CA 93715-1247

PLEASE INCLUDE THE INVOICE NUMBER ON YOUR CHECK OR MONEY ORDER

DESCRIPTION		AMOUNT
ACTTC FR&A (04100300)		
Project Code: 9810ACCT		
FR&A Accounting Services for pay period ending	6/12/2022	\$ 1,492.62
FR&A Accounting Services for pay period ending	6/26/2022	\$ 679.06
CURRENT AMOUNT DUE		
Total Balance Due		\$ 2,171.68



DESCRIPTION		AMOUNT
ACTTC FR&A (04100300)		
Project Code: 9810ACCT		
FR&A Accounting Services for pay period ending	8/7/2022	\$ 1,369.16
FR&A Accounting Services for pay period ending	8/21/2022	\$ 410.11
CURRENT AMOUNT DUE		
Total Balance Due		\$ 1,779.27

Statement

Date: August 2, 2022

Invoice # 23-01

FRESNO COUNTY COUNSEL
2220 Tulare Street, Suite 500
Fresno, CA 93721

Bill to: Zoo Authority
VIA Email to Ron Alexander

Comments:[illegible]

Remittance	
Invoice #	23-01
Date	
Amount Due	\$1,462.80
Amount Enclosed	

Make all checks payable to Fresno County Counsel
2220 Tulare Street, Suite 500, Fresno, CA 93721 Ph# 559/600-3479

Statement

Date: August 31, 2022

Invoice # 23-02

FRESNO COUNTY COUNSEL
2220 Tulare Street, Suite 500
Fresno, CA 93721

Bill to: Zoo Authority
VIA Email to Ron Alexander

Comments:[illegible]

Remittance	
Invoice #	23-02
Date	
Amount Due	\$2,146.50
Amount Enclosed	

Make all checks payable to Fresno County Counsel
2220 Tulare Street, Suite 500, Fresno, CA 93721 Ph# 559/600-3479



**Fresno County Zoo Authority
Treasurer's Report
Unaudited Cash Basis
For the Month Ended July 31, 2022**

Summary of Measure Z Proceeds			
Tax Proceeds Received:			
-	Measure Z - Sales Tax Proceeds	\$	2,050,253.47
	Total Proceeds Received:	\$	2,050,253.47
Tax Proceeds Allocated:			
-	Allocation to Zoo Authority Fund (2%)	\$	41,005.07
-	Allocation to Trust Fund for Operations and Capital Projects (98%)		2,009,248.40
	Total Proceed Allocations	\$	2,050,253.47
Cash Balance by Fund			
Zoo Authority Fund >> Administrative Fund 2%			
	Beginning Cash Balance	\$	2,668,689.94
Receipts:	- Measure Z Sales Tax Proceeds		41,005.07
	- Interest Received		665.80
Disbursements:	- PeopleSoft Financial Charges		(53.75)
	Net Increase/(Decrease) to Cash		41,617.12
	Ending Cash Balance - Zoo Authority Administrative Fund	\$	2,710,307.06
Trust Fund for FCZC Operations and Capital Projects 98%			
	Beginning Cash Balance	\$	33,129,452.22
>>> Operations Fund			
	Beginning Cash Balance		7,017,447.56
Receipts:	- Measure Z Sales Tax Proceeds		669,749.47
	- Interest Received		1,964.27
	Net Increase/(Decrease) to Cash		671,713.74
	Ending Cash Balance - Available for Operations	\$	7,689,161.30
>>> Capital Facilities Project Fund			
	Beginning Cash Balance	\$	26,112,004.66
Receipts:	- Measure Z Sales Tax Proceeds		1,339,498.93
	- Interest Received		6,972.61
	Net Increase/(Decrease) to Cash		1,346,471.54
	Ending Cash Balance - Available for Capital Projects		27,458,476.20
	Ending Balance Available for Operations and Capital Projects	\$	35,147,637.50
	Total Interest Received During the Month		9,602.68

By Staff _____

Date _____

Accepted _____

Date _____

* Interest receipts are recorded in the month received rather than in the month earned and were calculated on an annual percentage rate of 1.358 as of June 30, 2022.



Fresno County Zoo Authority

SUMMARY OF MEASURE Z SALES TAX PROCEEDS

	PRIOR FISCAL YEARS			CURRENT FISCAL YEAR			
	2019-2020	2020-21	2021-22	2022-23			
	ACTUAL TAX RECEIPTS	ACTUAL TAX RECEIPTS	ACTUAL TAX RECEIPTS	BUDGETED TAX RECEIPTS	ACTUAL TAX RECEIPTS	BUDGET TO ACTUAL VARIANCE	
July	\$ 1,436,673	1,493,025	2,124,574	\$ 2,188,311	\$ 2,050,253	\$ (138,058)	-6.31%
August	1,123,640	1,669,386	1,637,692		-	0	
September	1,367,439	1,417,789	1,638,799		-	0	
October	1,571,111	1,609,453	1,919,542		-	0	
November	1,073,344	1,437,716	1,649,471		-	0	
December	1,194,027	1,302,722	1,573,898		-	0	
January	1,263,406	1,388,858	1,555,927		-	0	
February	1,707,967	1,728,158	2,256,736		-	0	
March	1,063,584	1,292,553	1,529,499		-	0	
April	1,031,402	1,513,199	1,542,639		-	0	
May	989,444	1,632,214	1,972,403		-	-	
June	1,105,857	1,682,042	1,712,649		-	-	
Total	\$ 14,927,894	18,167,115	21,113,829	\$ 2,188,311	\$ 2,050,253	\$ (138,058)	-6.31%

TOTAL MEASURE Z PROCEEDS FROM INCEPTION \$ 224,557,164



Fresno County Zoo Authority
Treasurer's Report
Unaudited Cash Basis
For the Month Ended July 31, 2022

Summary of Quarterly Interest Receipts											
Fund	Subclass	Description	1st Quarter		2nd Quarter		3rd Quarter		4th Quarter		Total Interest
			1st Alloc.	2nd Alloc.	1st Alloc.	2nd Alloc.	1st Alloc.	2nd Alloc.	1st Alloc.	2nd Alloc.	
Date Received			7/19/2022								
4845	10000	Zoo Authority	665.80	-	-				-		\$ 665.80
4850	10000	FCZC - Operations	1,964.27	-	-				-		\$ 1,964.27
4850	42700	FCZC - CP	6,972.61	-	-				-		\$ 6,972.61
Total			\$ 9,602.68	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,602.68
For Fiscal Year Ending June 30, 2023											



**Fresno County Zoo Authority
Capital Projects Fund Cash Flow
For the Month Ended July 31, 2022**

Cash Balance as of 07/31/2022 **\$ 27,458,476**

DEDUCTIONS (earmarked projects, FY22-23 expenditures paid through July 31, 2022):

Zooplex Construction - June 2020	911,343
Ambassador Animal Building Construction - June 2020	102,060
Asia Construction - July 2020	5,806,522
South Corridor Infrastructure - February 2018	153,170
Asia Design - December 2017	588,222
Zooplex Design- August 2017	182,697
Ambassador Animal Building Design - August 2017	25,330
African River - June 2016	2,830,350
Mixed Species Exhibit Design - June 2021	73,803
SLC Biotank Design	9,200

Total Deductions:	<u><u>\$ (10,682,697)</u></u>
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TOTAL:	<u><u>\$ 16,775,779</u></u>
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**Fresno County Zoo Authority
Operations Fund Cash Flow
For the Month Ended July 31, 2022**

Cash Balance as of 07/31/2022 **\$ 7,689,161**

DEDUCTIONS (Remaining budgets, paid through July 31, 2022):

Marketing	440
Animal	2,130,701
Veterinary	322,882
Utilities	515,939
Animal Feed	213,046
Interest/Bank Charges	(20)
Maintenance-General Equipment	24,468
Maint.-Water/Water Standby	42,768
Visitor Services	55,050
Commissary	107,422
Maintenance	180,860
Medical, Dental & Lab Supplies	31,398
Total Deductions:	<u><u>\$ (3,624,954)</u></u>
TOTAL:	<u><u>\$ 4,064,207</u></u>



**Fresno County Zoo Authority
Administration Fund Cash Flow
For the Month Ended July 31, 2022**

Cash Balance as of 07/31/2022 \$ 2,710,307

DEDUCTIONS

(FY 22-23 Remaining budgets, paid through ZA Claim July 31, 2022):

Telephone Charges	250
Memberships	500
Office Expense	6,000
Postage	1,000
PeopleSoft Financials Charges	800
Professional & Specialized Ser	160,482
Data Processing Services	1,500
Publications & Legal Notices	500
Trans, Travel & Education	2,500

Total Deductions:	<u>\$ (173,532)</u>
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TOTAL:	<u><u>\$ 2,536,775</u></u>
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**Fresno County Zoo Authority
Treasurer's Report
Unaudited Cash Basis
For the Month Ended August 31, 2022**

Summary of Measure Z Proceeds			
Tax Proceeds Received:			
-	Measure Z - Sales Tax Proceeds		\$ 1,848,761.10
	Total Proceeds Received:		\$ 1,848,761.10
Tax Proceeds Allocated:			
-	Allocation to Zoo Authority Fund (2%)		36,975.22
-	Allocation to Trust Fund for Operations and Capital Projects (98%)		1,811,785.88
	Total Proceed Allocations		\$ 1,848,761.10
Cash Balance by Fund			
Zoo Authority Fund			
>> Administrative Fund		2%	
	Beginning Cash Balance		\$ 2,710,307.06
Receipts:	- Measure Z Sales Tax Proceeds		36,975.22
Disbursements:	- PeopleSoft Financial Charges		(69.49)
	Net Increase/(Decrease) to Cash		36,905.73
	Ending Cash Balance - Zoo Authority Administrative Fund		\$ 2,747,212.79
Trust Fund for FCZC Operations and Capital Projects			
		98%	
	Beginning Cash Balance		\$ 35,147,637.50
>>> Operations Fund			
	Beginning Cash Balance		7,689,161.30
Receipts:	- Measure Z Sales Tax Proceeds		603,928.63
Disbursements:	- FCZC Operations Claim #2022-06		(607,036.60)
	- Wire Fees		(20.00)
	Net Increase/(Decrease) to Cash		(3,127.97)
	Ending Cash Balance - Available for Operations		\$ 7,686,033.33
>>> Capital Facilities Project Fund			
	Beginning Cash Balance		\$ 27,458,476.20
Receipts:	- Measure Z Sales Tax Proceeds		1,207,857.25
Disbursements:	- FCZC Capital Claim #2022-06C		(995,699.81)
	Net Increase/(Decrease) to Cash		212,157.44
	Ending Cash Balance - Available for Capital Projects		27,670,633.64
	Ending Balance Available for Operations and Capital Projects		\$ 35,356,666.97

By Staff _____

Date _____

Accepted _____

Date _____

* Interest receipts are recorded in the month received rather than in the month earned and were calculated on an annual percent of 1.358 as of June 30, 2022.



Fresno County Zoo Authority

SUMMARY OF MEASURE Z SALES TAX PROCEEDS

	PRIOR FISCAL YEARS			CURRENT FISCAL YEAR			
	2019-2020	2020-21	2021-22	2022-23			
	ACTUAL TAX RECEIPTS	ACTUAL TAX RECEIPTS	ACTUAL TAX RECEIPTS	BUDGETED TAX RECEIPTS	ACTUAL TAX RECEIPTS	BUDGET TO ACTUAL VARIANCE	
July	\$ 1,436,673	1,493,025	2,124,574	\$ 2,188,311	\$ 2,050,253	\$ (138,058)	-6.31%
August	1,123,640	1,669,386	1,637,692	1,588,561	1,848,761	260,200	16.38%
September	1,367,439	1,417,789	1,638,799		-	0	
October	1,571,111	1,609,453	1,919,542		-	0	
November	1,073,344	1,437,716	1,649,471		-	0	
December	1,194,027	1,302,722	1,573,898		-	0	
January	1,263,406	1,388,858	1,555,927		-	0	
February	1,707,967	1,728,158	2,256,736		-	0	
March	1,063,584	1,292,553	1,529,499		-	0	
April	1,031,402	1,513,199	1,542,639		-	0	
May	989,444	1,632,214	1,972,403		-	-	
June	1,105,857	1,682,042	1,712,649		-	-	
Total	\$ 14,927,894	18,167,115	21,113,829	\$ 3,776,872	\$ 3,899,014	\$ 122,142	3.23%

TOTAL MEASURE Z PROCEEDS FROM INCEPTION \$ 226,666,125



Fresno County Zoo Authority
Treasurer's Report
Unaudited Cash Basis
For the Month Ended August 31, 2022

Summary of Quarterly Interest Receipts											
Fund	Subclass	Description	1st Quarter		2nd Quarter		3rd Quarter		4th Quarter		Total Interest
			1st Alloc.	2nd Alloc.	1st Alloc.	2nd Alloc.	1st Alloc.	2nd Alloc.	1st Alloc.	2nd Alloc.	
Date Received			7/19/2022								
4845	10000	Zoo Authority	665.80	-	-				-		\$ 665.80
4850	10000	FCZC - Operations	1,964.27	-	-				-		\$ 1,964.27
4850	42700	FCZC - CP	6,972.61	-	-				-		\$ 6,972.61
Total			\$ 9,602.68	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,602.68
For Fiscal Year Ending June 30, 2023											



**Fresno County Zoo Authority
Capital Projects Fund Cash Flow
For the Month Ended August 31, 2022**

Cash Balance as of 08/31/2022 **\$ 27,670,634**

DEDUCTIONS (earmarked projects, FY22-23 expenditures paid through claim 2022-06C):

Zooplex Construction - June 2020	856,394
Ambassador Animal Building Construction - June 2020	102,060
Asia Construction - July 2020	4,911,470
South Corridor Infrastructure - February 2018	153,170
Asia Design - December 2017	573,516
Zooplex Design- August 2017	181,161
Ambassador Animal Building Design - August 2017	25,330
African River - June 2016	2,830,350
Mixed Species Exhibit Design - June 2021	71,463
SLC Biotank Design	6,535
Mixed Species Exhibit Construction - July 2022	29,340

Total Deductions:	<u><u>\$ (9,740,789)</u></u>
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TOTAL:	<u><u>\$ 17,929,845</u></u>
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**Fresno County Zoo Authority
Operations Fund Cash Flow
For the Month Ended August 31, 2022**

Cash Balance as of 08/31/2022 **\$ 7,686,033**

DEDUCTIONS (Remaining budgets, paid through claim 2022-06):

Marketing	440
Animal	1,797,438
Veterinary	278,277
Utilities	428,092
Animal Feed	190,390
Interest/Bank Charges	(40)
Maintenance-General Equipment	23,568
Maint.-Water/Water Standby	39,074
Visitor Services	55,050
Commissary	92,631
Maintenance	88,332
Medical, Dental & Lab Supplies	24,647
Total Deductions:	<u><u>\$ (3,017,899)</u></u>
TOTAL:	<u><u>\$ 4,668,134</u></u>



**Fresno County Zoo Authority
Administration Fund Cash Flow
For the Month Ended August 31, 2022**

Cash Balance as of 08/31/2022 **\$ 2,747,213**

DEDUCTIONS

(FY 22-23 Remaining budgets, paid through August 31, 2022):

Telephone Charges	250
Memberships	500
Office Expense	6,000
Postage	1,000
PeopleSoft Financials Charges	731
Professional & Specialized Ser	160,482
Data Processing Services	1,500
Publications & Legal Notices	500
Trans, Travel & Education	2,500

Total Deductions:	\$ (173,463)
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TOTAL:	\$ 2,573,750
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IN APPRECIATION

AGENDA ITEM 6



FRESNO COUNTY
ZOO
AUTHORITY

KENT L. STRATFORD

With gratitude for 17 years of exemplary and dedicated service as a member of the Zoo Authority Board, providing oversight of Measure Z funds on behalf of the citizens of Fresno County in support of Fresno Chaffee Zoo.

September 28, 2022

DATE

Michelle Roman

MICHELLE ROMAN, 2022 CHAIRMAN



AGENDA ITEM 7

DATE: September 28, 2022

TO: Fresno County Zoo Authority Board

FROM: Jon Forrest Dohlin, Chief Executive Officer
Fresno Chaffee Zoo Corporation

SUBJECT: Zoo Director's Report

RECOMMENDED ACTION:

Receive Fresno Chaffee Zoo Director's report.

Business Planning
September 2022

Fresno Zoo

The background is a dark blue map of a city grid. The streets are represented by a network of white and light blue lines. A semi-transparent white rectangular box is centered on the map, containing the text "Today's Agenda" in a bold, black, sans-serif font.

Today's Agenda



Today's Agenda

- 1. Review of Preliminary Observations**
- 2. Key Business Plan Drivers**
- 3. Modeling Approach & Outcomes**



Preliminary Observations



Preliminary Observations

- This is a well-operated, financially-sound organization.
- The Zoo performs comparably to its peers across a broad range of metrics.
- The community supports and loves you, and they've proved it with Measure Z.
- You've loved them back by keeping the Zoo accessible.
- By 2032, the market will support a *sustainable attendance ceiling* of ~1.3 million.



Key Drivers



Key Drivers

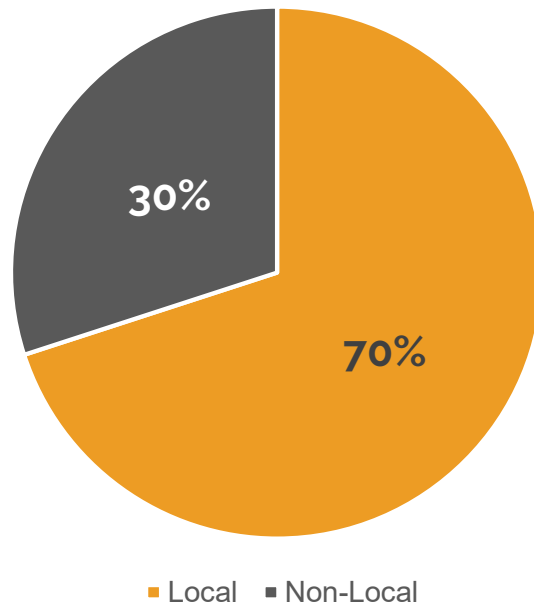
- Site improvements (the master plan)
- New admissions structure in 2024 (in-market vs. out-of-market pricing)
- Phased increase in marketing spending to support growth
- On-going support via Measure Z
- Robust increase in staff compensation
- Operational phases (investment phase versus growth phase)

Admissions Structure

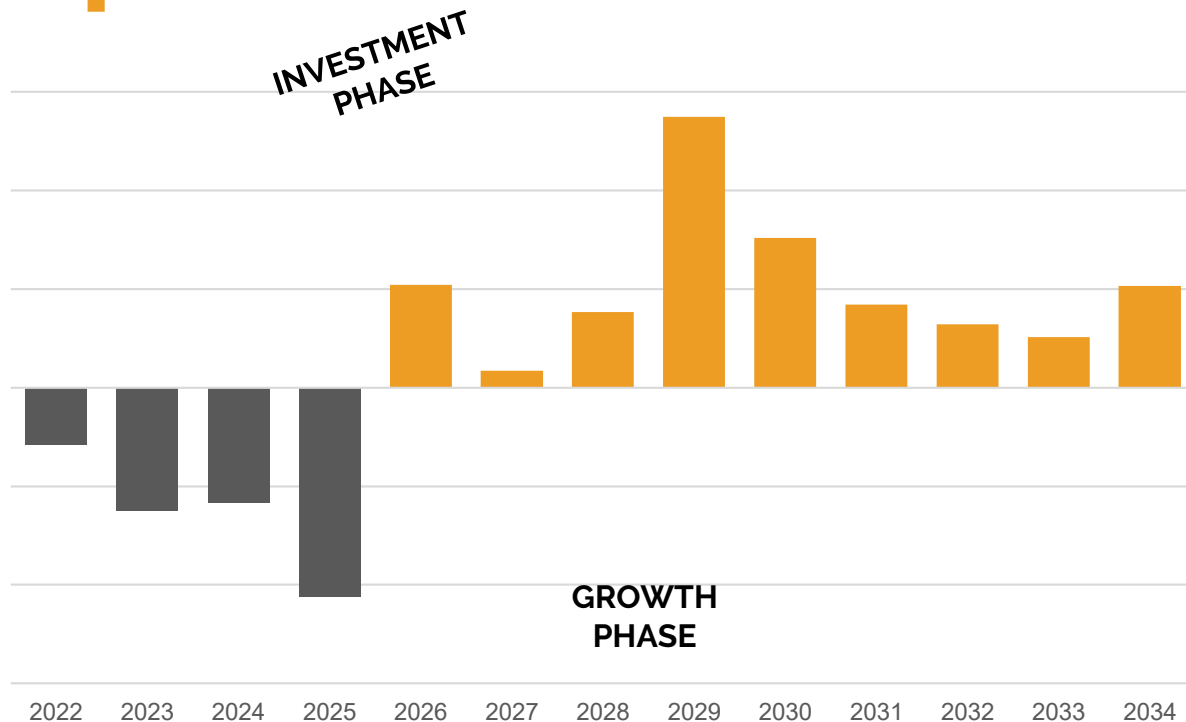


As show of gratitude to community for public support, the Zoo will limit price increases for local constituents as much as is reasonably possible. In order to balance this commitment with growing expense obligations, the Zoo plans to implement a tiered admissions pricing structure, wherein non-local residents will pay a marginally higher admissions fee.

"Non-local" visitation is calculated at almost exactly 30% of total on an annual basis, and the implementation of this structure is projected to create about \$1.3 million in incremental revenue.



Operational Phases



We are viewing the near-term as the "investment" phase for the Zoo, during which masterplan projects will be designed, funded, and constructed, and the Zoo will capture little immediate return.

The "growth" phase will begin in approximately 2026, during which time those projects will begin to come online, and the organization will reap what it has sewn.



Modeling Approach



Modeling Approach

- Wait, what's a model?
- Key modeling components
- Static modeling versus dynamic modeling



Modeling Outcomes

Downside Risk:

Moderate:

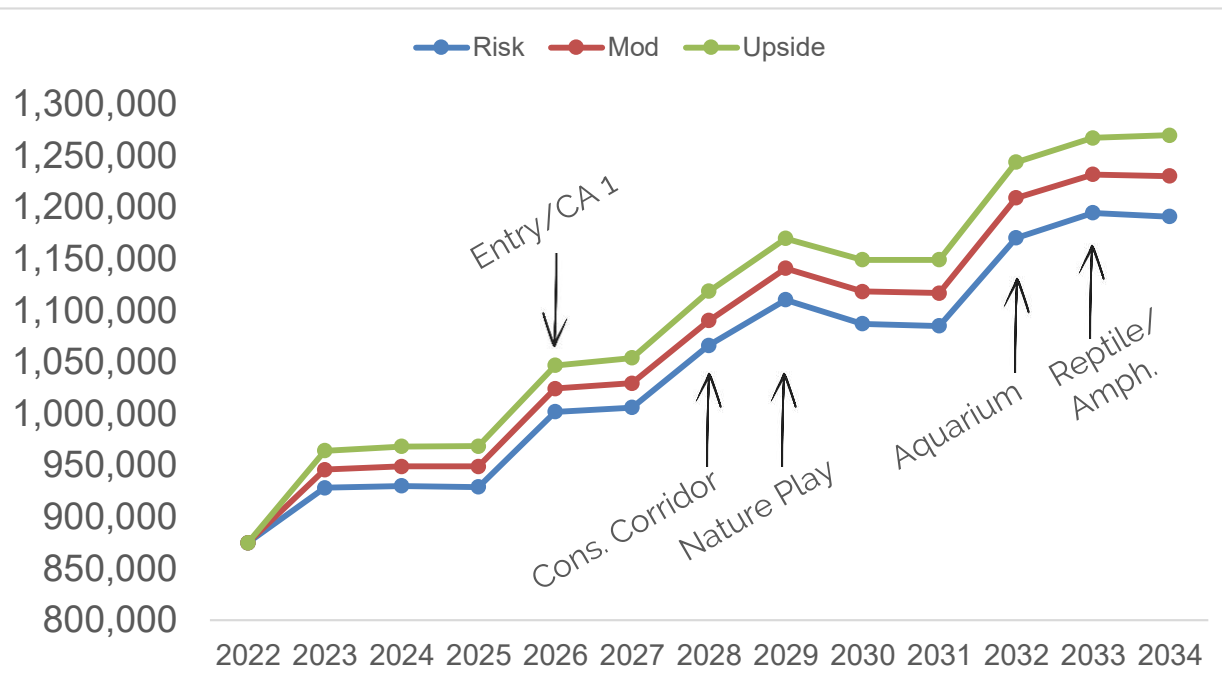
Upside Potential:

25th Percentile Outcome

50th Percentile Outcome

75th Percentile Outcome

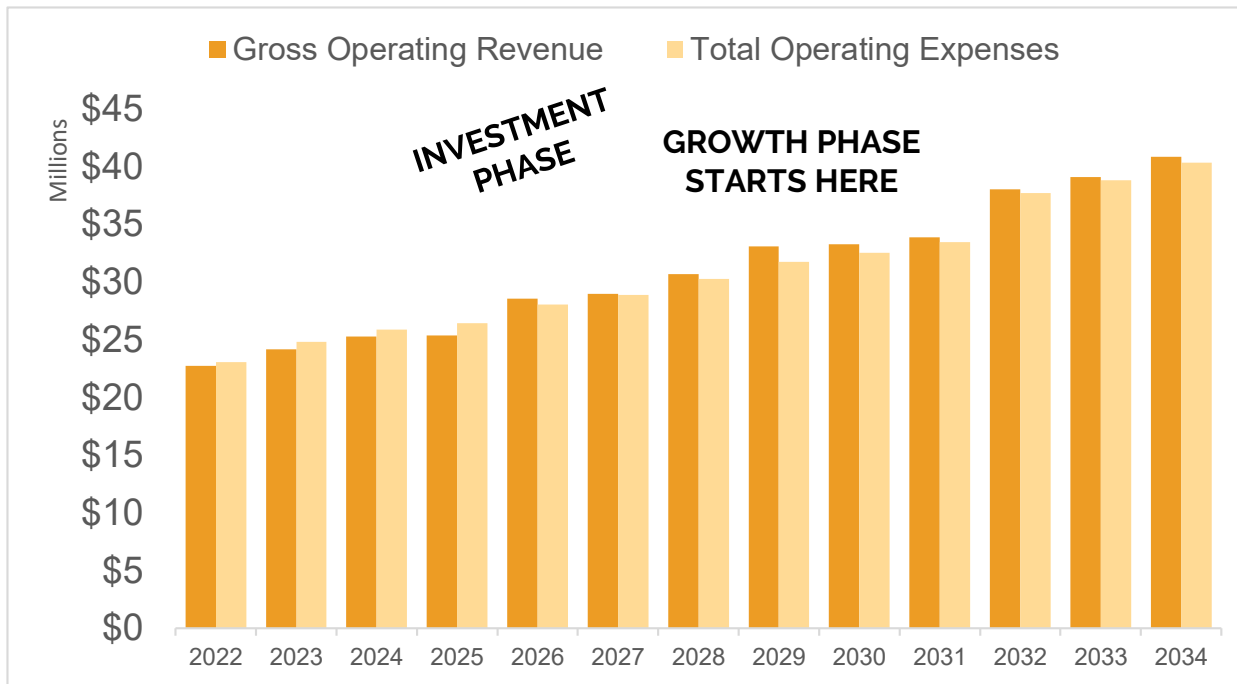
Total Attendance



We assess that the most likely outcome for peak attendance to the Zoo is **1.23 million visitors** in 2033. This would indicate that the Zoo has captured about 94% of its sustainable attendance ceiling. This would represent **growth of about 40%** over today's attendance annual attendance numbers.

The upside and downside cases project at 1.27 and 1.19 million visitors, respectively.

Topline Financials



During the near-term, the Zoo should consider itself in an "investment phase," as it prepares itself for the launch of its bold new masterplan.

We estimate that under the moderate projection outcome, the Zoo will turn a net operating profit of **at least \$4.5 million** during the growth phase, which will take place between 2026 and 2034.

The average annual net income during the growth phase is estimated at about half a million dollars per year.



Takeaways

- The Zoo is well operated and in good health.
- This is an experience-driven business plan.
- Measure Z gives the Zoo rare flexibility to provide a world-class experience accessibly.
- The organization's patience may be tested in the investment phase, but by sticking to the plan, it will be rewarded.



AGENDA ITEM 9

DATE: September 28, 2022

TO: Fresno County Zoo Authority Board

FROM: Nora Crow, Chief Financial Officer
Fresno Chaffee Zoo Corporation

SUBJECT: July 2022 Year-to-Date Financial Report

RECOMMENDED ACTION:

Receive Fresno Chaffee Zoo Corporation's July 2022 Year-to-Date Financial Report and August 2022 Early Insights.

ATTACHMENTS:

July 2022 Financial Report



Financial Report

July 2022 YTD

August 2022 Early Insights

Summary

July 2022

Key Takeaway: Attendance has been above budget each month, PPP2 loan forgiveness was received; attendance was 4,145 for summer camps in June and July

- \$9,868,848 self-generated revenue YTD (19% above budget)
- \$11,983,673 total expenses (10% below budget)
- \$2,114,825 operating deficit (less than budgeted deficit of \$4,982,725)
- \$2,313,227 operating surplus with Measure Z support (budgeted deficit of \$107,630)
- **\$8,065,056 net surplus – MZ Capital Funds, Depreciation, Investment Income/Interest**

August 2022 Key Notes:

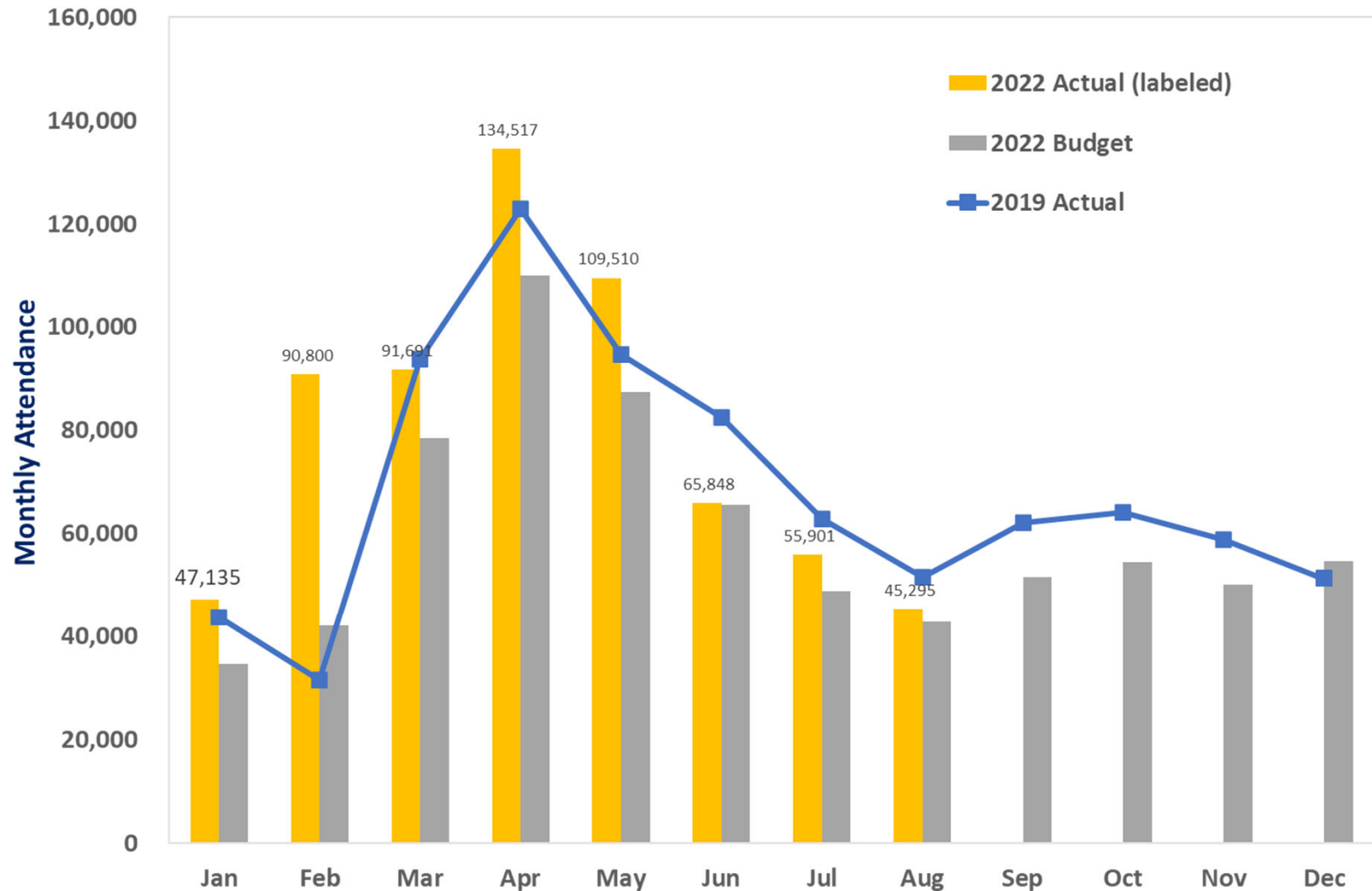
- Very early preliminary self-generated year to date revenue is \$10.4m compared to budget of \$9.2m (not including interfund operational support)
- Final days of summer camps attendance was 789
- Attendance was 4,863 YTD through our partnership with OneFresno and the Housing Authority.
- 21/31 days of 100+ weather hampered attendance figures a bit. Still exceeded approved budget, but not to the extent we have seen throughout most of the year.

2022 – Attendance

July 2022 = 55,901 (89% of 2019, 115% of budget)

July 2022 YTD attendance = 599,671 (113% of 2019, 129% of budget)

August 2022 YTD attendance = 640,697 (110% of 2019, 126% of budget)



July '22 YTD – Variance Analysis vs. Budget

Summary	FY 22 Actual	FY 22 Budgeted	FY 22 Diff.	% Diff.	FY 21 Actual	FY 21 Diff.	% Diff.
Attendance	55,901	48,700	7,201	15%	55,488	413	1%
Revenue	\$9,868,848	\$8,292,741	\$1,576,107	19%	\$9,448,187	\$420,661	4%
Personnel Expenses	\$7,146,005	\$7,924,372	(\$778,367)	(10%)	\$5,816,457	\$1,329,548	23%
Other Expenses	\$4,837,668	\$5,351,094	(\$513,426)	(10%)	\$3,714,116	\$1,123,552	30%
Operations Surplus (Deficit)	(\$2,114,825)	(\$4,982,725)	\$2,867,900	58%	(\$82,386)	(\$2,032,439)	(2467%)
Measure Z Operating	\$4,428,052	\$4,875,095	(\$447,043)	(9%)	\$1,613,751	\$2,814,301	174%
Operations + MZ Surplus (Deficit)	\$2,313,227	(\$107,630)	\$2,420,857	nm	\$1,531,365	\$781,862	51%
Other Non-Operating	\$5,751,829	\$503,515	\$5,248,314	nm	\$16,880,849	(\$11,129,020)	(66%)
Net Surplus (Deficit)	\$8,065,056	\$395,885	\$7,669,171	1937%	\$18,412,214	(\$10,347,158)	(56%)

Revenue - Selected Detail	FY 22 Actual	FY 22 Budgeted	FY 22 Diff.	% Diff.	FY 21 Actual	FY 21 Diff.	% Diff.
Admissions	\$3,598,425	\$3,354,854	\$243,571	7%	\$3,870,981	(\$272,556)	(7%)
Membership	\$1,599,385	\$1,270,500	\$328,885	26%	\$1,751,441	(\$152,056)	(9%)
Food Services/Gift Shop	\$1,095,705	\$942,532	\$153,173	16%	\$1,105,662	(\$9,957)	(1%)
Dinosaur Exhibit	\$1,052,173	\$1,144,368	(\$92,195)	(8%)	\$1,178,004	(\$125,831)	(11%)
Grants/Fundraising, ex-bequest	\$175,342	\$312,500	(\$137,158)	(44%)	\$120,070	\$55,272	46%
Bequest - unrestricted	-	nm	nm	nm	nm	nm	nm
Other	\$2,347,819	\$1,267,987	\$1,079,832	85%	\$1,422,030	\$925,789	65%
Revenue	\$9,868,848	\$8,292,741	\$1,576,107	19%	\$9,448,187	\$420,661	4%

Expenses - Selected Detail	FY 22 Actual	FY 22 Budgeted	FY 22 Diff.	% Diff.	FY 21 Actual	FY 21 Diff.	% Diff.
Personnel - Animal/Vet.	\$2,679,954	\$3,038,297	(\$358,343)	(12%)	\$2,469,595	\$210,359	9%
Personnel - Education	\$1,033,094	\$813,961	\$219,133	27%	\$772,441	\$260,653	34%
Personnel - Maint./Hort.	\$707,309	\$992,734	(\$285,425)	(29%)	\$535,926	\$171,383	32%
Personnel - Other	\$2,725,647	\$3,079,380	(\$353,733)	(11%)	\$2,038,495	\$687,152	34%
Animal Services	\$313,183	\$396,130	(\$82,947)	(21%)	\$281,781	\$31,403	11%
Dinosaur Exhibit	\$493,406	\$471,487	\$21,919	5%	\$410,546	\$82,860	20%
Utilities	\$514,770	\$547,500	(\$32,730)	(6%)	\$404,785	\$109,985	27%
Repairs & Replacements	\$270,023	\$492,195	(\$222,172)	(45%)	\$410,903	(\$140,880)	(34%)
Contracted/Prof. Services	\$892,898	\$693,990	\$198,908	29%	\$490,880	\$402,018	82%
Conservation	\$35,911	\$155,137	(\$119,226)	(77%)	\$9,060	\$26,851	296%
Accumulated Op Ex - Other	\$2,317,477	\$2,594,655	(\$277,178)	(11%)	\$1,706,161	\$611,316	36%
Operating Expenses	\$11,983,673	\$13,275,466	(\$1,291,793)	(10%)	\$9,530,573	\$2,453,101	26%

Per Capita Spending on Grounds (1 of 3)

Price Reference

Selected Ticket Prices	Non-Member				Member			
	2022	2021	2020	2019	2022	2021	2020	2019
Adult Ticket	\$14.95	\$14.95	\$14.95	\$12.95	-	-	-	-
Child Ticket	\$8.95	\$8.95	\$8.95	\$7.95	-	-	-	-
Giraffe Feeding	\$5.00	\$5.00	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00
Stingray Bay Admission	\$4.00	\$4.00	\$2.00	\$2.00	-	-	-	-
Stingray Bay Feeding	\$2.00	\$2.00	\$2.00	\$1.00	\$2.00	\$2.00	\$2.00	\$1.00
Adult Zoorassic Park	\$6.00	\$6.00	\$5.00	\$4.00	\$5.00	\$5.00	\$5.00	\$4.00
Child Zoorassic Park	\$5.00	\$5.00	\$4.00	\$3.00	\$4.00	\$4.00	\$4.00	\$3.00

Note: Additional prices/discounts offered for seniors, groups, total experience ticketholders, etc. Free attendance includes babies, complimentary ticketholders, etc. Members can purchase Zoorassic Park season passes.

Per Capita Spending on Grounds (2 of 3)

	July 2022	June 2022	May 2022	July 2021
Attendance	55,901	65,848	109,092	55,488
General Admission	29,672	33,613	52,783	34,829
Total Experience GA	12,559	13,581	20,508	9,486
Members	19,648	21,797	27,924	19,087
Programs & Events (P&E)	6,581	10,438	28,385	1,572
Giraffe Feeding				
Attendance	18,179	19,609	39,819	17,827
Total Experience	12,559	13,581	20,508	9,486
Revenue	\$62,605	\$74,761	\$121,930	\$83,078
Capture Rate	33%	30%	37%	32%
Capture Rate, ex. P&E	29%	28%	39%	28%
Average Revenue	\$3.44	\$3.81	\$3.06	\$4.66
Stingray Bay				
Attendance	18,758	22,121	44,395	17,569
Total Experience	12,559	13,581	20,508	9,486
Revenue	\$37,456	\$43,454	\$86,728	\$45,154
Capture Rate	34%	34%	41%	32%
Capture Rate, ex. P&E	38%	40%	55%	33%
Average Revenue	\$2.00	\$1.96	\$1.95	\$2.57
Zoorassic Park				
Attendance	19,900	22,022	37,026	26445
Total Experience	12,559	13,581	20,508	9,486
Revenue	\$88,237	\$102,198	\$188,675	\$119,519
Capture Rate	36%	33%	34%	48%
Capture Rate, ex. P&E	40%	40%	46%	49%
Average Revenue	\$4.43	\$4.64	\$5.10	\$4.52

Per Capita Spending on Grounds (3 of 3)

	July 2022	June 2022	May 2022	July 2021
General Admission	29,672	33,613	52,783	34,829
Total Experience GA	12,559	13,581	20,508	9,486
	42%	40%	39%	27%
Members	19,648	21,797	27,924	19,087
Attendance ex P&E	49,320	55,410	80,707	53,916
Giraffe	18,179	19,609	39,819	17,827
Stingray	18,758	22,121	44,395	17,569
Zoorassic	19,900	22,022	37,026	26,445
P&E attendance	6,581	10,438	28,385	1,572
Total attendance	55,901	65,848	109,092	55,488
Admissions	\$281,759	\$358,014	\$642,376	\$398,329
Food	\$60,468	\$86,481	\$142,126	\$82,800
Gift Shop	\$41,929	\$46,307	\$89,910	\$46,857
Giraffe	\$62,605	\$74,761	\$121,930	\$83,078
Stingray	\$37,456	\$43,454	\$86,728	\$45,154
Zoorassic	\$88,237	\$102,198	\$188,675	\$119,519
Revenue sub-total	\$572,454	\$711,216	\$1,271,745	\$775,737
Admissions	\$5.71	\$6.46	\$7.96	\$7.39
Food	\$1.23	\$1.56	\$1.76	\$1.54
Gift	\$0.85	\$0.84	\$1.11	\$0.87
Giraffe	\$1.27	\$1.35	\$1.51	\$1.54
Stingray	\$0.76	\$0.78	\$1.07	\$0.84
Zoorassic	\$1.79	\$1.84	\$2.34	\$2.22
Per capita (GA & members)	\$11.61	\$12.84	\$15.76	\$14.39
Admissions	\$5.04	\$5.44	\$5.89	\$7.18
Food	\$1.08	\$1.31	\$1.30	\$1.49
Gift	\$0.75	\$0.70	\$0.82	\$0.84
Giraffe	\$1.12	\$1.14	\$1.12	\$1.50
Stingray	\$0.67	\$0.66	\$0.79	\$0.81
Zoorassic	\$1.58	\$1.55	\$1.73	\$2.15
Per capita (all attendance)	\$10.24	\$10.80	\$11.66	\$13.98

FCZC Balance Sheet – July 2022

	July 2022	July 2021
ASSETS		
Current Assets		
Cash	\$3,662,436	\$6,710,043
Short Term Investments-Retention	\$2,522,141	\$1,442,780
Accounts Receivable	\$4,755,115	\$5,180,048
Prepaid Expenses	\$196,360	\$161,932
Total Current Assets	\$11,136,052	\$13,494,803
Other Assets		
Long Term Investments	\$17,687,328	\$15,060,820
Buildings, Equipment, Vehicles, and Furniture (net)	\$3,887,526	\$3,836,545
Exhibits	\$56,229,894	\$57,109,540
Construction in Progress	\$48,387,942	\$29,912,645
Goodwill	\$74,026	\$85,562
Total Other Assets	\$126,266,716	\$106,005,112
TOTAL ASSETS	\$137,402,768	\$119,499,915
LIABILITIES AND NET ASSETS		
Liabilities		
Accounts Payable and Accrued Liabilities	\$3,327,703	\$5,006,117
Deferred Revenue	\$1,283,954	\$1,189,866
Loan Account PPP	\$0	\$1,853,770
Retention Payable	\$2,558,042	\$1,620,774
Long-Term Liabilities	\$91,376	\$243,779
Total Liabilities	\$7,261,075	\$9,914,306
Net Assets		
Fund Balance-Without donor restriction	\$119,037,244	\$108,537,694
Fund Balance-With donor restriction	\$965,645	\$958,510
Fund Balance-Permanently Restricted	\$78,736	\$89,405
Fund Balance-Board Designated	\$10,060,068	\$0
Total Net Assets	\$130,141,693	\$109,585,609
TOTAL LIABILITIES AND NET ASSETS	\$137,402,768	\$119,499,915

FCZC Balance Sheet – August 2022

	August 2022	August 2021
ASSETS		
Current Assets		
Cash	\$3,139,249	\$6,452,567
Short Term Investments-Retention	\$2,564,965	\$1,553,002
Accounts Receivable	\$2,865,792	\$6,262,648
Prepaid Expenses	\$216,360	\$88,759
Total Current Assets	\$8,786,366	\$14,356,977
Other Assets		
Long Term Investments	\$17,687,328	\$15,273,479
Buildings, Equipment, Vehicles, and Furniture (net)	\$3,930,726	\$3,803,521
Exhibits	\$56,229,894	\$56,769,211
Construction in Progress	\$48,387,942	\$32,573,292
Goodwill	\$74,026	\$84,601
Total Other Assets	\$126,309,916	\$108,504,105
TOTAL ASSETS	\$135,096,282	\$122,861,082
LIABILITIES AND NET ASSETS		
Liabilities		
Accounts Payable and Accrued Liabilities	\$1,865,748	\$5,749,755
Deferred Revenue	\$1,255,365	\$1,216,062
Loan Account PPP	\$0	\$1,853,770
Retention Payable	\$2,558,042	\$1,774,688
Long-Term Liabilities	\$91,376	\$243,779
Total Liabilities	\$5,770,531	\$10,838,054
Net Assets		
Fund Balance-Without donor restriction	\$118,118,980	\$110,970,632
Fund Balance-With donor restriction	\$966,966	\$961,610
Fund Balance-Permanently Restricted	\$78,736	\$90,785
Fund Balance-Board Designated	\$10,161,068	\$0
Total Net Assets	\$129,325,751	\$112,023,028
TOTAL LIABILITIES AND NET ASSETS	\$135,096,282	\$122,861,082

DRAFT – subject to
final month-end
adjustments



AGENDA ITEM 10

DATE: September 28, 2022

TO: Fresno County Zoo Authority Board

FROM: Nora Crow, Chief Financial Officer
Fresno Chaffee Zoo Corporation

SUBJECT: Measure Z Capital Funds Request

RECOMMENDED ACTION:

Approve Fresno Chaffee Zoo Corporation's request for Measure Z Capital Funds totaling \$1,775,810.79 for the construction of the Conservation Building.

DISCUSSION:

ZooCorp is requesting the approval of \$1,775,810.79 to move forward with the construction of the Conservation Building. The total project budget is \$2,545,105.79, with a total of \$769,295 being funded through grants provided by the Bureau of Reclamation and the Fish & Wildlife Services.

In its initial years, the Conservation Building will house our blunt-nosed leopard lizard project. This project seeks to understand the environmental impacts contributing to the diminishing wild population of the San Joaquin Valley native blunt-nosed leopard lizards, rectify the contributing factors and ultimately restore this native lizard species to its natural habitat. The Conservation Building will provide a working space for the BNLL team to run its captive breeding program, conduct scientific research, and fulfill its objectives.

The Conservation Building will serve as the anchor of our future Conservation Corridor as planned in our updated Master Plan. The Conservation Building will give guests the opportunity to observe the project without having to enter a bio-secure setting and provide the Chaffee Zoo an opportunity to expand our educational programming as it relates to conservation efforts. Upon conclusion of the BNLL program, the Conservation Building will be available for other purposes, including future conservation efforts.

The Fresno Chaffee Zoo Corporation Board of Directors approved this request on September 8, 2022.

ATTACHMENTS:

Conservation Building Bid Results

Conservation Budget Overview
Conservation Building Other Projection Costs



Conservation Building Project Bid Results
Overall Projected Cost

August 30, 2022

Fresno County Zoo Authority

RE: Conservation Building Project Bid Results and Overall Projected Cost

Bids for the Conservation Building project were received August 19, 2022. We requested bids from five qualified bidders and received one qualified bid. The results were as follows:

- Durham Construction Company, Inc. - \$1,143,000.00

After review of the bid results, Durham Construction Company, Inc. has been selected for this project.

The project costs also include M.E.P. design build bids, a fifteen percent (15%) construction contingency and other project costs that are integral to completing, stocking, and staffing the project.

The total request including construction, project costs and project management is \$2,545,105.79. An overall project cost sheet has been attached.

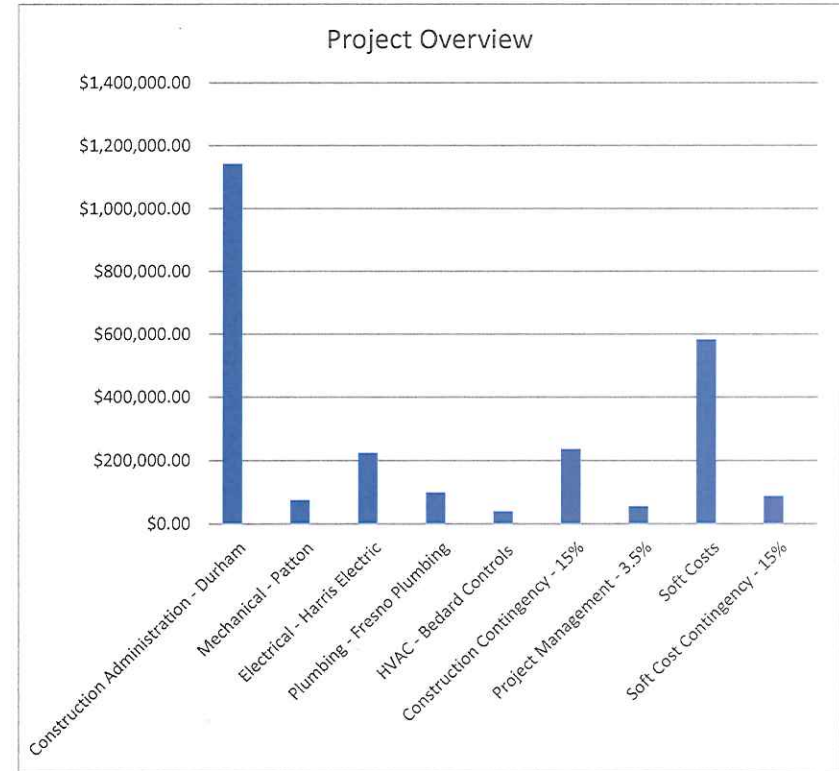
Please contact me if you have any questions.

Respectfully,

Jesse Santiago
Construction Project Manager
JSantiago@fresnochaffeezoo.org

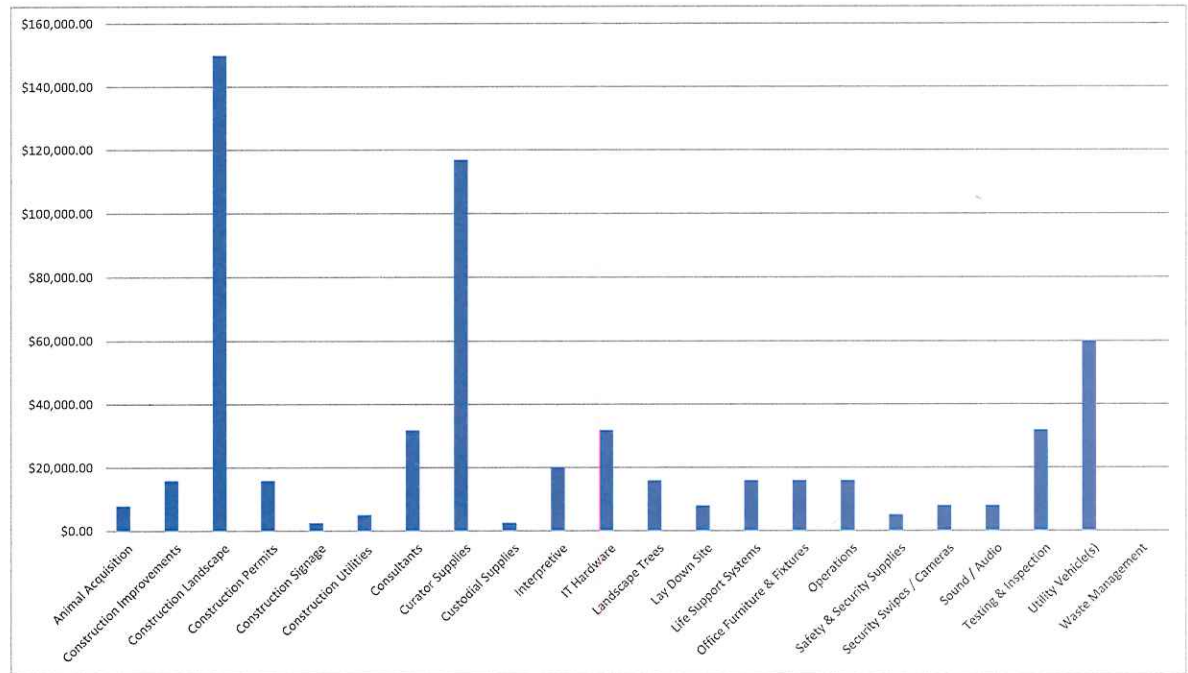
Conservation Building Construction - Project Overview

	Budget:	Expenses:	Balance:
Construction Administration - Durham	\$1,143,000.00	\$0.00	\$1,143,000.00
Mechanical - Patton	\$75,294.00	\$0.00	\$75,294.00
Electrical - Harris Electric	\$225,280.00	\$0.00	\$225,280.00
Plumbing - Fresno Plumbing	\$99,725.00	\$0.00	\$99,725.00
HVAC - Bedard Controls	\$38,400.00	\$0.00	\$38,400.00
Construction Contingency - 15%	\$237,254.85	\$0.00	\$237,254.85
Project Management - 3.5%	\$55,359.47	\$0.00	\$55,359.47
Soft Costs	\$583,297.80	\$0.00	\$583,297.80
Soft Cost Contingency - 15%	\$87,494.67	\$0.00	\$87,494.67
	\$2,545,105.79	\$0.00	\$2,545,105.79



Conservation Building - Soft Cost Overview

	Budget:	Expenses:	Balance:
Animal Acquisition	\$7,908.50	\$0.00	\$7,908.50
Construction Improvements	\$15,816.99	\$0.00	\$15,816.99
Construction Landscape	\$150,000.00	\$0.00	\$150,000.00
Construction Permits	\$15,816.99	\$0.00	\$15,816.99
Construction Signage	\$2,500.00	\$0.00	\$2,500.00
Construction Utilities	\$5,000.00	\$0.00	\$5,000.00
Consultants	\$31,633.98	\$0.00	\$31,633.98
Curator Supplies	\$116,859.92	\$0.00	\$116,859.92
Custodial Supplies	\$2,500.00	\$0.00	\$2,500.00
Interpretive	\$20,000.00	\$0.00	\$20,000.00
IT Hardware	\$31,633.98	\$0.00	\$31,633.98
Landscape Trees	\$15,816.99	\$0.00	\$15,816.99
Lay Down Site	\$7,908.50	\$0.00	\$7,908.50
Life Support Systems	\$15,816.99	\$0.00	\$15,816.99
Office Furniture & Fixtures	\$15,816.99	\$0.00	\$15,816.99
Operations	\$15,816.99	\$0.00	\$15,816.99
Safety & Security Supplies	\$5,000.00	\$0.00	\$5,000.00
Security Swipes / Cameras	\$7,908.50	\$0.00	\$7,908.50
Sound / Audio	\$7,908.50	\$0.00	\$7,908.50
Testing & Inspection	\$31,633.98	\$0.00	\$31,633.98
Utility Vehicle(s)	\$60,000.00	\$0.00	\$60,000.00
Waste Management	\$0.00	\$0.00	\$0.00
	\$583,297.80	\$0.00	\$583,297.80



Durham Construction Co., Inc.

1025 Holland Ave.
Clovis, CA 93612
www.durham-construction.com
Phone (559) 294-9500

Proposal

Client: Fresno Chaffee Zoo
894 W. Belmont Ave
Fresno, CA 93728
Attn: Jesse Santiago

Project: Fresno Chaffee Zoo New Construction Conservation Building Project – 894 W. Belmont Ave., Fresno, CA 93728

Description of work: Construction of a approx. 1,381 S.F. building. (*Prevailing Wage*)

All Demo

Surveying and GPR

Earthwork with over excavation

Concrete slab with footings and rebar

32" High CMU split-face wall with (1) starter course and precast concrete sill

All wood framing with thermal batt insulation, exterior siding and gypsum board

All windows/ doors/ frames /door hardware and skylights

Signage

Asphalt singles

Interior Paint: Walls, ceilings, doors and frames

Exterior Paint: Wood fascia

Epoxy flooring and rubber base

Fencing and gates

Bid Price **\$1,143,000.00**

Exclusions: All Mechanical, Plumbing and Electrical work as outline in sheets P1, M0, M1, E, E2, E3, E4, E5, E6, E7 and E8. All underground utilities and associated earthwork. All sheet metal flashing associated with mechanical, plumbing and electrical work. All Landscaping and Irrigation. Bonds, permit costs and any work associated with hazardous material, Overtime Work. **Terms:** Progress Billings Due Net 30, No Retention

"Notice To Owner" (Section 7018.5 – Contractors License Law) Under the Mechanics Lien Law, any contractor, sub-contractor, laborer, material men or other person who helps to improve your property and is not paid for his labor, services or material, has a right to enforce his claim against your property. Under the law, you may protect yourself against such claims by filing, before commencing such work or improvement, an original contract for the work of improvement or a modification thereof, in the office of the county recorder of the county where the property is situated and requiring that a contractor's payment bond be recorded in such office. Said bond shall be in an amount not less than fifty percent (50%) of the contract price, and shall, in addition to any conditions for the performance of the contract, be conditioned for the payment in full of the claims of all persons furnishing labor, services, equipment or materials for the work described in said contract.

Contractors are required by law to be licensed and regulated by the Contractor's State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractor State License Board [9835 Goethe Road] Sacramento, CA 95827.

Respectfully Submitted by: Julio Marroquin 8/19/2022

This proposal may be withdrawn by us if NOT accepted within THIRTY calendar days.

The above prices, specification and terms of payment are satisfactory and are hereby accepted, Durham Construction Company, or its subcontractors, is authorized to do the work as described above.

Name: _____ Signature: _____ Date: _____

Zoo Conservation Building

HVAC PROPOSAL

8/16/22

TO: Fresno Chaffee Zoo - Jesse Santiago

FROM: Pat Shattuck pshattuck@pattonac.com

SCOPE OF WORK

VALUE

Conservation Building - HVAC

HVAC \$ 75,294

SPECIFIC INCLUSIONS

Installation of (4) fan coil units (located on-site) with the following accessories:

- Matching outdoor remote condensing units, mounted on angle support frame
- Refrigerant piping with insulation and aluminum cladding
- Wall jacks for refrigerant pipe penetrations
- Evacuation of systems in preparation of refrigerant charge
- Ductwork supply / return plenums insulated with filter section and grilles
- OSA hoods with dampers and piping to each fan coil
- Coordinate temperature control installation with Bedard Controls
- Coordinate HVAC installation with other trades
- HVAC submittals, shop drawings as needed and supervisory site visits
- Operation and maintenance manuals, training for HVAC equipment
- System start-up and on-site operational instructions

CLARIFICATIONS

Basis of Labor Estimate:

- Patton will install HVAC above ceiling prior to any other trade work
- Workflow based on straight-time, with two-person average crew size

EXCLUSIONS

Costs associated with split shifts, reduced crew size, etc. caused by COVID-19

- Expediting of equipment or material delivery
- Equipment and material pricing based on current market rates and subject to change. All other pricing is valid for 90 days.
- Labor estimates do not include rough-in after framing of walls has occurred
- Inter-lock of smoke detectors for global shut-down by others.
- Electrical contractor to provide power 120 V to smoke detectors.
- Monitoring of temperatures, humidity levels, and scheduling by (Bedard Controls)
- Remote adjustment capability by (Bedard Controls)
- Temperature controls installation including conduit / wiring by (Bedard Controls)
- Overtime or shift work
- Access panels by others
- Ceiling tile removal and replacement
- Carpentry, hole cutting, hole framing, and patching

TO: Fresno Chaffee Zoo - Jesse Santiago

FROM: Pat Shattuck pshattuck@pattonac.com

Line and low voltage electrical wiring, starters and disconnects
Fire alarm work of any kind
Gas and condensate piping and connections
Building structural supports and calculations for HVAC equipment
Design of supports or structural calculations
Concrete house pad for remote condensing units
Priming or painting
Sheet metal, other than for HVAC
Temporary heating/cooling during construction. Available at additional cost.
Staging or storage of equipment and materials off-site
Carpentry, hole cutting, hole framing, and patching
Roof work of any kind, including infill of former roof deck and patching
Dust controls
HVAC Commissioning
Construction barriers
No assumed warranty on existing equipment (fan coils & remote condensing units)
Permits and fees

From the desk of....

Pat Shattuck, V.P. Construction
Patton Air Conditioning
272 N. Palm
Fresno, CA 93701
Lic. # 256026
DIR. # 1000015202

ph: (559) 486-5222
mobile: (559) 351-0035
fax: (559) 486-1807
pshattuck@pattonac.com
www.pattonac.com

2016519 Chaffee Zoo Conservation/4 Estimate Docs/2 Proposals & Take-offs/2016519 Zoo Conservation.xlsx

Proposal
HARRIS ELECTRIC INC.

4679 N. El Capitan C-10 LIC #505816 DIR # 1000001897
Title 24 Acceptance ATE-0132 / TC-A814238
Fresno, California 93722
(559) 271-0970 FAX (559) 271-0580

Proposal Submitted to:
Chaffee Zoo
Address:
894 W. Belmont Avenue
City, State and Zip Code:
Fresno, CA 93728

Phone/Fax:
(559) 498-5910 / (559) 264-9226
Job Name:
Conservation Building
Job Location:
894 W. Belmont Avenue

Date:
August 19, 2022

Provide and install as per electrical plans to include:

- 1) Provide and install panel H1, panel L1, transformer T2, and panel L2. Provide all sub feeds to panels as per plans.
- 2) Provide and install manual transfer switch and generator tap box as per plans. Generator provided and hooked up by others.
- 3) Provide and install all branch circuit distribution as per plans. Provide all conduit, conduit support, cable, boxes, back boxes, receptacles, and plug mold.
- 4) Provide connection of line voltage for mechanical equipment. Provide and install disconnects and service receptacles for mechanical equipment as per code. Mechanical control wiring by others.
- 5) Provide Title 24 compliant light fixtures and controls. Perform Title 24 testing and documentation for local jurisdiction approval.
- 6) Provide and install 1" data stubs in locations depicted in plans.
- 7) Test all circuits to insure proper operation. Fire seal all electrical fire rated penetrations.

Total for Items 1 to 7: \$ 166,800.00

- 8) Provide trenching, backfill, and compaction to extend fiber and power substructure from vault to building.
- 9) Provide and install fiber from closet MDF to building.
- 10) Provide and install Cat6 cable to TV, wifi, and computer locations as per electrical plans.
- 11) Provide and install HDMI cables to TV locations on the exterior of the building.
- 12) Provide access control Galaxy Access Control System, (1) card reader, and (1) electrical strike at door.
- 13) Provide rack mountable equipment for fiber and data. Actual IT rack to be provided and mounted by the zoo.

Total for Items 8 to 13: \$ 58,480.00

Exclusions:

- 1) Permits and fees.
- 2) Mechanical control wiring by others.
- 3) Haul off of trenching spoils.
- 4) Providing and installing generator.

Grand Total: \$ 225,280.00

Pyment to be made as follows: **Progress Payments**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

Tim Bremer

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. Upon acceptance, this proposal becomes a binding contract. You are authorized to do the work as specified. Payment will be made as outlined above. In the event an action is filed for the purposes of enforcing this Contract or otherwise arising out of this Contract, the prevailing party in such action shall be entitled to attorney fees and court costs.

Signature

Date of Acceptance:



2585 N. LARKIN AVE.
FRESNO, CALIF. 93727

8/19/2022
(559)294-0200
License #424352

SUBMITTED TO:

FRESNO CHAFFEE ZOO
849 W BELMONT AVE
FRESNO, CA 93728

WORK TO BE PERFORMED AT:

FRESNO CHAFFEE ZOO
CONSERVATION BUILDING
FRESNO, CA

PHONE: (559) 294-7101
FAX:
EMAIL: jfarias@fresnochaffeezoo.org

PROPOSAL: AE22345
ESTIMATOR: ALYSSA

ATTN: JODI-ANN FARIAS

We propose to furnish all the materials and labor necessary for the completion of rough, top out and finish plumbing and as follows:

PREVAILING WAGE | DESIGN BUILD

1. PLANS FOR CITY OF FRESNO APPROVAL
2. CONCRETE SAW CUT & REMOVAL AS NEEDED FOR SEWER CONNECTION IN STREET
3. WASTE & VENT – NO HUB CAST IRON PIPING & FITTINGS
 - a. WASTE CONNECTION 5'-0" OUTSIDE OF BUILDING ONLY
4. SITE DOMESTIC WATER – PVC SCH 40 PIPING & FITTINGS
 - a. P.O.C. FROM SITE AT (E)R.P. DEVICE AND RAN IN PVC SCH 40 TO 5'-0" OUTSIDE OF CONSERVATION BUILDING
5. DOMESTIC COLD WATER-TYPE "L" HARD COPPER
 - a. INCLUDES SHUT OFF VALVE IN CHRISTY BOX ON OUTSIDE
6. CONDENSATE – TYPE "L" HARD COPPER
 - a. CONDENSATE FROM (4) AIR HANDLER UNITS (BY MECHANICAL)
 - i. CONDENSATE TERMINATES AT FLOOR SINKS
 - b. PAN DRAIN FROM (4) AIR HANDLER UNITS AND DAYLIGHT OVER SINKS
7. FIXTURES INCLUDED
 - a. (3) 36X24X14 ONE COMPARTMENT SINK W/PRE-RINSE FAUCET
 - b. (1) REGENCY 12X16 WALL MOUNTED HAND SINK WITH GOOSENECK FAUCET
 - c. (3) EEMAX UNDER COUNTER TANKLESS WATER HEATER
 - d. (3) FLOOR SINKS
 - e. (3) TRENCH TRAINS (15' LENGTH EACH) W/GRATE W/ 1/4" HOLES
 - f. (3) HOSE BIBBS
 - g. (1) FLOOR DRAIN W/TRAP PRIMER CONNECTION W/SEDIMENT BUCKET FOR WASHDOWN
 - h. (1) TRAP PRIMER FOR ABOVE
 - i. (3) SPECTRAPURE MAX UHE 100-GPD INDIVIDUAL R.O WATER STATIONS

EXCLUSIONS:

PERMITS
ASBESTOS REMOVAL
HVAC OR SHEETMETAL
DEMO OF ANY KIND
CONCRETE PAD FOR RO SYSTEM AND TANK
PLASTIC STORAGE TANK
WATER METER
RP DEVICE (SHOULDN'T NEED RP, ONE ALREADY THERE)
PUMP FOR RO WATER & RO WASTE WATER
RT-1 – RECLAIM WATER TANK



2585 N. LARKIN AVE.
FRESNO, CALIF. 93727

8/19/2022
(559)294-0200
License #424352

All work to be in accordance with the codes affecting the work. Price is to include all applicable taxes and tools necessary to complete the work in a workmanlike manner. All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of:

NINTY NINE THOUSAND SEVEN HUNDRED TWENTY-FIVE DOLLARS.....\$99,725.00

Any alteration or deviation from above specifications involving extra cost, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner shall carry fire, tornado and other necessary insurance upon above work. Worker's compensation and public liability insurance on above will be taken out by Fresno Plumbing & Heating, Inc.

Respectfully Submitted
Per Fresno Plumbing & Heating, Inc.
State License No. 424352

Note – This proposal may be withdrawn by us if not accepted within 30 days. Client agrees to pay attorney & court fees in the event this bill is referred to an attorney for collection. Contractors are required by law to be licensed and regulated by the Contractor's State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors State License Board, (3132 Bradshaw Rd.; Sacramento, California. (Mailing address P. O. Box 26000, Sacramento, Calif. 95826).



August 17, 2022

Project Name:
Fresno Chaffee Zoo Conservation Building

Project Site:
894 West Belmont Ave., Fresno, CA 93728

Owner:
Fresno Chaffee Zoo

Addenda Reviewed:
None

Bedard Controls, Inc. (BCI) is pleased to provide the following proposal to supply, install and commission the following components used to install a new "Turn-Key" energy management system and temperature controls for the above referenced project, and integrating the new controls into the existing Johnson Controls, Inc. (JCI) Metasys "ADX" server, on site at the zoo, using the JCI "Metasys System Extended Architecture" (MSEA) system for which BCI is directly authorized by JCI to supply, install and service.

This proposal is based on plans/drawings provided by Pat Shattuck, Preconstruction & Estimating, Patton.

Please Note:

- All wiring is in EMT Conduit
- All work to be performed during normal working hours

Our scope of work is as follows:

Supervisory Controller:

(Typical: 1 unit)

Supply, install, terminate and commission the following components:

- Johnson Controls Network Automation Control Engine mounted in a:
 - 16" x 20" NEMA 1 electrical enclosure with:
 - 96 VA, 120/24 VAC power supply with 5 A primary circuit protection
 - Qty. of 2 (two), 120 VAC outlets
 - Qty. of 1 (one), 5 (five)-port ethernet switch
 - Qty. to be supplied: 1 (one)
 - Mounting Location: To be determined in Building

Exclusions or provided by others:

- Power wiring and/or conduit to power the new Supervisory Controller
- Connection point to internal IP network

Bedard Controls, Inc.
1521 Tollhouse Road, Suite D Clovis, CA 93611 (559) 271-8990 Fax (559) 271-2661
Contractor's License #735986

Integration of new Supervisory Controller into Existing Metasys "ADX" Server on site:
(Typical: 1 unit)

User Graphical Interface (UGI):

Develop and Install New Graphics

- Indoor/Outdoor Split Systems
 - 4 units
 - Space temperature
 - Space temperature set-point
 - Space humidity
- Floor Plans
 - 1 floor plan
- Zoo Layout Plan
 - 1 layout plan

User Interface Computer and Peripheral Hardware:

- **No** user interface computers and/or peripheral hardware provided in this scope of work

Exclusions or provided by others:

- Power wiring and conduit to power personal computer, monitor and/or printer
- Power surge protection device
- Uninterruptible Power Supply (UPS)

Indoor/Outdoor Split System Monitoring:

(Typical: 4 units, AH-1/ODU-1, AH-2/ODU-2, AH-3/ODU-3 and AH-3/ODU-3)

Supply, install, terminate, and commission the following components:

- Johnson Controls Network temperature and humidity sensors to monitoring space conditions
 - Qty. to be supplied per Split System Unit: 1 (one)
 - Mounting Location: On wall, per drawing, M1
- Johnson Controls current switch to provide status of Indoor Unit
 - Qty. to be supplied per Indoor Unit: 1 (one)
 - Mounting location: Power conductor of Indoor Unit
- Johnson Controls current switch to provide status of Outdoor Unit
 - Qty. to be supplied per Outdoor Unit: 1 (one)
 - Mounting location: Power conductor of Outdoor Unit
- Relay to interrupt power to Indoor Unit and refrigerant solenoid valve
 - Qty. to be supplied per Split System Unit: 1 (one)
 - Mounting location: On power connection between the Outdoor Unit and Indoor Unit

Provide electrical wiring services for the following components:

- Provide control wiring and/or conduit, as required, to connect the Indoor Unit to Outdoor Unit
 - 4 units

Exclusions or provided by others:

- Indoor Unit and/or Outdoor Unit and/or installation of Indoor Unit and/or Outdoor Unit
- Power wiring to Outdoor Unit
- Supply and/or installation electrical disconnects

End User Training:

Supply:

- Bedard Controls, Inc. to supply end user training
 - Qty. of training hours to be supplied: 8 (eight)
 - Training location: On-site, to be arranged

New IP Addresses:

Number of new IP address required:

- 1 (one)

Miscellaneous:

Providing the following:

- **All Wiring is in EMT Conduit**
- Commissioning of new controllers and devices
- Programming of new controllers and point definition
- Submittals and as-built documentation
- Owner training
- All work to be performed during normal working hours

General Exclusions:

- ***Any work not directly included in this Scope of Work***
- Wiring and/or conduit to connect Combination Smoke and Fire Damper and/or controls
- Duct smoke detectors
- Connection of smoke detectors to fire alarm system
- No BIM and/or Revit modeling
- Expenses related to payment services
- Expenses related to notary services for payment releases
- Electrical wiring and/or conduit specified to be supplied by others
- Demolition of any type not directly included in this Scope of Work

Bedard Controls, Inc.
1521 Tollhouse Road, Suite D Clovis, CA 93611 (559) 271-8990 Fax (559) 271-2661
Contractor's License #735986

- Supply or installation of controller, sensors, relays, actuators, valves or any other controls specified to be supplied by equipment manufacturer and / or supplier
- Electrical wiring and /or conduit when power requirement exceeds 24 volts
- Holidays and weekends
- Digital and analog outputs with H-O-A switches and/or adjustable pot
- Cutting and/or patching and/or painting of walls and/or ceilings
- Supply and installation of access panels
- Supply of dust control equipment
- All permits and fees
- Any PE stamped drawings
- Liquidated damages due to events not under our control

Lump Sum Net Pricing:

- \$38,400.00 including sales tax and freight

Term and Conditions:

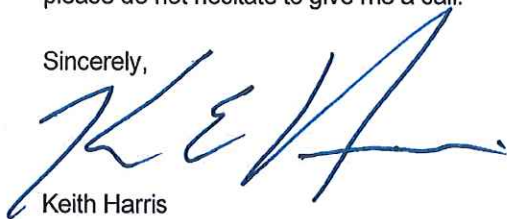
- Standard Bedard Controls, Inc. Terms and Conditions (please see below)

Valid Duration:

- This scope of work and proposal is valid for 90 days from the date indicated above.

Thank you for the opportunity to provide this scope of work and proposal. If you have any questions, please do not hesitate to give me a call.

Sincerely,



Keith Harris
Bedard Controls, Inc.

Cell Phone: 559 270-4093

ACCEPTANCE:

Project Name:
Fresno Chaffee Zoo Conservation Building

Project Site:
894 West Belmont Ave., Fresno, CA 93728

Owner:
Fresno Chaffee Zoo

Lump Sum Net Pricing:
\$38,400.00 including sales tax and freight

Your signature below indicates acceptance of this proposal and the terms and conditions herein.

Company: _____

Signature: _____

Name: _____

Title: _____

Date: _____

BEDARD CONTROLS, INC., STANDARD TERMS AND CONDITIONS

By accepting this proposal, Purchaser agrees to be bound by the following terms and conditions:

1. **SCOPE OF WORK.** This proposal is based upon the use of straight time labor only. Purchaser agrees to provide Bedard Controls, Inc., hereinafter referred to as BCI with required field utilities (electricity, project hoist, etc.) without charge. BCI agrees to keep the job site clean of debris arising out of its own operations. Purchaser shall not back charge BCI for any costs or expenses without BCI's written consent.

Unless specifically noted in the statement of the scope of work or services undertaken by BCI under this agreement, BCI's obligations under this agreement expressly exclude any work or service of any nature associated or connected with the identification, abatement, clean up, control, removal, or disposal of environment Hazards or dangerous substances, to include but not be limited to asbestos or PCBs, discovered in or on the premises. Any language or provision of the agreement elsewhere contained which may authorize or empower the Purchaser to change, modify, or alter the scope of work or services to be performed by BCI shall not operate to compel BCI to perform any work relating to Hazards without BCI's express written consent.

2. **INVOICING & PAYMENTS.** BCI may invoice Purchaser monthly for all materials delivered to the job site or to an off-site storage facility and for all work performed on-site and off-site. Purchaser shall pay BCI at the time purchaser signs this agreement **an advance payment equal to 10% of the contract price**, which advance payment shall be credited against the final payment (but not any progress payment) due hereunder and purchaser agrees to pay BCI additional amounts invoiced upon receipt of the invoice. Waivers of lien will be furnished upon request, as the work progresses, to the extent payments are received. If BCI's invoice is not paid within 30 days of its issuance, it is delinquent.
3. **MATERIALS.** If the materials or equipment included in this proposal become temporarily or permanently unavailable for reasons beyond the control and without the fault of BCI, then in the case of such temporary unavailability, the time for performance of the work shall be extended to the extent thereof, and in the case of permanent unavailability, BCI shall (a) be excused from furnishing said materials or equipment, and (b) be reimbursed for the difference between the cost of the materials or equipment permanently unavailable and the cost of a reasonable available substitute therefor.
4. **WARRANTY.** BCI warrants that the equipment manufactured by it shall be free from defects in material and workmanship arising from normal usage for a period of one (1) year from delivery of said equipment, or if installed by BCI, for a period of one (1) year from installation. BCI warrants that for equipment furnished and/or installed but not manufactured by BCI, BCI will extend the same warranty terms and conditions which BCI receives from the manufacturer of said equipment. For equipment installed by BCI, if Purchaser provides written notice to BCI of any such defect within thirty (30) Days after the appearance or discovery of such defect, BCI shall, at its option, repair or replace the defective equipment. For equipment not installed by BCI, if Purchaser returns the defective equipment to BCI within thirty (30) days after appearance or discovery of such defect, BCI shall, at its option, repair or replace the defective equipment and return said equipment to Purchaser. All transportation charges incurred in connection with the warranty for equipment not installed by BCI shall be borne by Purchaser. These warranties do not extend to any equipment

which has been repaired by others, abused, altered or misused, or which has not been properly and reasonably maintained. THESE WARRANTIES ARE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THOSE OF MERCHANTABILITY AND FITNESS FOR A SPECIFIC PURPOSE.

5. **LIABILITY.** BCI shall not be liable for any special, indirect or consequential damages arising in any manner from the equipment or material furnished or the work performed pursuant to this agreement.
6. **TAXES.** The price of this proposal does not include duties, sales, use, excise, or other similar taxes, **unless** required by federal, state or local law. Purchaser shall pay, in addition to the stated price, all taxes not legally required to be paid by BCI or, alternatively, shall provide BCI with acceptable tax exemption certificates. BCI shall provide Purchaser with any tax payment certificate upon request and after completion and acceptance of the work.
7. **DELAYS.** BCI shall not be liable for any delay in the performance of the work resulting from or attributed to acts or circumstances beyond BCI's control, including, but not limited to, acts or God, fire, riots, labor disputes, conditions of the premises, acts or omissions of the Purchaser, Owner, or other Contractors or delays caused suppliers or subcontractors of BCI, etc.
8. **COMPLIANCE WITH LAWS.** BCI shall comply with all applicable federal, state and local laws and regulations and shall obtain all temporary licenses and permits required for the prosecution of the work. Licenses and permits of a permanent nature shall be procured and paid for by the Purchaser.
9. **DISPUTES.** All disputes involving more than \$15,000 shall be resolved by arbitration in accordance with the rules of the American Arbitration Association. The prevailing party shall recover all legal costs and attorney's fees incurred as a result. Nothing here shall limit any rights under construction lien laws.
10. **INSURANCE.** Insurance coverage in excess of BCI's standard limits will be furnished when requested and required. No credit will be given or premium paid by BCI for insurance afforded by others.
11. **INDEMNITY.** The Parties hereto agree to indemnify each other from any and all liabilities, claims, expenses, losses or damages, including attorney's fees, which may arise in connection with the execution of the work herein specified and which are caused, in whole or in part, by the negligent act or omission of the Indemnifying Party.
12. **OCCUPATIONAL SAFETY AND HEALTH.** The Parties hereto agree to notify each other immediately upon becoming aware of an inspection under, or any alleged violation of, the Occupational Safety and Health Act relating in any way to the project or project site.
13. **ENTIRE AGREEMENT.** This proposal, upon acceptance, shall constitute the entire agreement between the parties and supersedes any prior representations or understandings.

CHANGES. No change or modification of any of the terms and conditions stated herein shall be binding upon BCI unless accepted by BCI in writing.