

COMMISSION MEETING AGENDA
PUBLIC UTILITY DISTRICT NO. 1 OF DOUGLAS COUNTY
EAST WENATCHEE, WASHINGTON
(changed location due to weather)

NOVEMBER 28, 2022 – 1:30 P.M.

1. Flag Salute
2. Consent Agenda
 - a. Meeting Minutes of November 14, 2022
 - b. Vouchers
 - c. Bid Opening Results – November 21, 2022
 - Bid Document 22-43-D-BID, Rapids to Valhalla Rebuild
 - Bid Document 22-57-W-BID, Spillway and Spillway Gate Maintenance at the Wells Hydroelectric Project
 - Bid Document 22-61-D-BID, Supply and Deliver Compact 1100 kcmil EPR Primary Underground Cable
 - d. 22-206 – Resolution Authorizing Award of Contract 22-43-D-BID to International Line Builders for the Rapids to Valhalla Rebuild
 - e. 22-207 – Resolution Authorizing Award of Contract 22-61-D-BID to Anixter, Inc. to Supply and Deliver Compact 1100 kcmil EPR Primary Underground Cable
 - f. 22-208 – Resolution Authorizing a Call for Bids Under Bid Document 22-62-D-BID, Construct the Douglas to Urban Industrial 230kV Tie
 - g. 22-209 – Resolution Authorizing Change Order No. 1 to Contract 20-27-W, 2021-2022 Forebay Debris Removal Services for the Wells Hydroelectric Project
3. Public Comment
4. Hearing on the Electric Distribution System and Wells Hydroelectric Project Calendar Year 2023 Budget
5. 20-Year Service Award – Jason Watson
6. New Employees : Ashley Carden, Journeyman Electrician; Cody Amsden, Apprentice Power Plant Operator; Kevin Scott, Apprentice Power Plant Operator, Tim McCamey, Journeyman Powerplant Operator; Leland Heidt, Journeyman Electrician; Jason Smith, GIS Specialist
7. Regular Agenda
 - 22-210 – Resolution Authorizing Award of Contract 22-54-W-BID to Syblon Reid for Fire Protection System Upgrades and Miscellaneous Piping at the Wells Hydroelectric Project
 - 22-211 – Resolution Authorizing Award of Contract 22-57-W-BID to Garco Construction for Spillway and Spillway Gate Maintenance at the Wells Hydroelectric Project
 - 22-212 – Resolution Approving Amended Facility Use Agreement with The Confederated Tribes of the Colville Reservation

22-213 – Resolution Authorizing Professional Service Agreement 23-02-W-PS, 2023 HCP Hatchery M&E Implementation Program with Washington Department of Fish and Wildlife

22-214 – Resolution Pertaining to Use of the Voluntary Employees' Beneficiary Association Health Reimbursement Arrangement (VEBA-HRA) for Employees Retiring in 2023

22-215 – Resolution Authorizing a Professional Service Agreement with Donnor Inc. DBA Badger Mountain Productions

8. Write-off to the Reserve for Uncollectible Accounts – November 2022: \$533
9. Internal Audit Report – August 2022
10. Financial and Statistical Report – Wells Project – September 2022
11. Budget Report – Wells Project – September 2022
12. Treasurer's Report – Distribution System – October 2022
13. Treasurer's Report – Wells Project – October 2022
14. Preliminary Disturbance Reports
15. Other
16. Trips
17. Minutes
18. Executive Session: To Discuss with Legal Counsel Agency Enforcement Actions, Current or Potential Litigation and/or Legal Risks as Authorized by RCW 42.30.110(1)(i)

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING AWARD OF
CONTRACT 22-43-D-BID TO INTERNATIONAL LINE BUILDERS
FOR THE RAPIDS TO VALHALLA REBUILD**

RECITALS:

1) By Resolution No. 22-172 dated October 10, 2022, the District called for bids under Bid Document 22-43-D-BID, Rapids to Valhalla Rebuild.

2) On November 21, 2022, the District opened four bid as follows:

<u>Bidder</u>	<u>Total for Bid Comparison</u>
Sturgeon Electric LLC. Troutdale, OR	\$1,450,990.84
International Line Builders Portland, OR	\$991,502.60
Magnum Power LLC. Ridgefield, WA	\$2,634,924.00
Michels Pacific Energy LLC. Tumwater, WA	\$2,064,482.92
Engineer's Estimate	\$1,385,750.00

3) District staff have reviewed the bids received and found that the bid from International Line Builders, Inc. meets all terms and conditions of Bid Document 22-43-D-BID. A review of the bidder's experience, qualifications, financial and work references verified that this company fulfills all necessary requirements and staff recommends award of Contract 22-43-D-BID to International Line Builders, Inc.

4) It is in the best interests of the District to award Contract 22-43-D-BID to the lowest responsive bidder, International Line Builders, Inc., with an authorized expenditure of \$991,502.60 (Nine hundred ninety-one thousand, five hundred two dollars and sixty cents).

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that Contract 22-43-D-BID is awarded to International Line Builders, Inc. The General Manager is authorized to issue a Contract with International Line Builders, Inc. subject to the filing of the Contract and a

Performance and Payment Bond in accordance with the District's specifications and which contract and bond are to be in a form that is satisfactory to the District.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

Draft Pre-decisional Document

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING AWARD OF
CONTRACT 22-61-D-BID TO ANIXTER, INC. TO SUPPLY AND
DELIVER COMPACT 1100 KCMIL EPR PRIMARY
UNDERGROUND CABLE**

RECITALS:

1) By Resolution No. 22-185 dated October 24, 2022, the District called for bids under Bid Document 22-61-D-BID, Supply and Deliver Compact 1100 kcmil EPR Primary Underground Cable.

2) On November 21, 2022, the District opened two bids as follows:

<u>Bidder</u>	<u>Total for Bid Comparison</u>
General Pacific, Inc. Fairview, OR	\$1,055,700.00
Anixter, Inc. Portland, OR	\$1,070,550.00
Engineer's Estimate	\$1,150,000.00

3) District staff have reviewed the bids received and found that the bid from General Pacific, Inc. does not meet all terms and conditions of Bid Document 22-61-D-BID.

4) A review of the second lowest bidder found that the bid from Anixter, Inc. meets all terms and conditions of Bid Document 22-61-D-BID. A review of the bidder's experience, qualifications, financial and work references verified that this company fulfills all necessary requirements and staff recommends award of Contract 22-61-D-BID to Anixter, Inc.

5) It is in the best interests of the District to award Contract 22-61-D-BID to the lowest responsive bidder, Anixter, Inc., with an authorized expenditure of \$1,070,550.00 (One million, seventy thousand five hundred fifty dollars).

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that Contract 22-61-D-BID is awarded to Anixter, Inc. The General Manager is authorized to issue a Contract with Anixter, Inc.

subject to the filing of the Contract and a Performance and Payment Bond in accordance with the District's specifications and which contract and bond are to be in a form that is satisfactory to the District.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

Draft Pre-decisional Document

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING A CALL FOR BIDS UNDER
BID DOCUMENT 22-62-D-BID, CONSTRUCT THE DOUGLAS TO
URBAN INDUSTRIAL 230KV TIE**

RECITALS:

1) The District has a need to tie Urban Industrial Substation to the Douglas to Rapids 230 kV transmission line. For this connection a new transmission line is necessary.

2) Staff recommends that the District solicit bids in compliance with RCW 54.040.070 to provide labor and material in accordance with the specification terms and conditions of Bid Document 22-62-D-BID. Sealed bids will be accepted until January 9, 2023 at 1:30 p.m. Pacific Time in the District's East Wenatchee headquarters office.

3) It is in the best interests of the District to issue a call for bids under Bid Document 22-62-D-BID, Construct the Douglas to Urban Industrial 230kV Tie.

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that Bid Document 22-62-D-BID is hereby approved, and the District's General Manager is hereby authorized and directed to issue a call for bids to construct the Douglas to Urban Industrial 230kV Tie.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO
CONTRACT 20-27-W, 2021-2022 FOREBAY DEBRIS REMOVAL
SERVICES FOR THE WELLS HYDROELECTRIC PROJECT**

RECITALS:

1) Resolution No. 21-036 dated February 22, 2021, authorized the award of Contract 20-27-W, 2021-2022 Forebay Debris Removal Services for the Wells Hydroelectric Project to KRCI for an authorized total expenditure of \$500,000.00 and a completion date of December 31, 2022.

2) Change Order 1 has been prepared to add a D8 Dozer to the Equipment Schedule to allow for moving and compressing the debris in the new laydown area in the orchard as it is removed from the river. Change Order No. 1 does not increase the Contract not-to-exceed total or extend the contract completion date.

3) It is in the best interest of the District to authorize Change Order No. 1 to Contract 20-27-W.

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that Change Order No. 1 to Contract 20-27-W is authorized by the Commission.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING AWARD OF
CONTRACT 22-54-W-BID TO SYBLON REID FOR FIRE
PROTECTION SYSTEM UPGRADES AND MISCELLANEOUS
PIPING AT THE WELLS HYDROELECTRIC PROJECT**

RECITALS:

1) Resolution No. 22-159, dated September 12, 2022, authorized a Call for Bids for Bid Document 22-54-W-BID, Fire Protection System Upgrades and Miscellaneous Piping at the Wells Hydroelectric Project.

2) Bids were accepted until October 24, 2022 at 1:30 pm PST. The following bids were received:

<u>Bidder</u>	<u>Total for Bid Comparison</u>
Halme Builders	\$5,078,299.60
Syblon Reid	\$4,821,090.00
Engineer's Estimate	\$4,820,000.00

3) District staff has reviewed the bids and found that the bid from Syblon Reid meets all terms and conditions of Bid Document 22-54-W-BID and all addendums. A review of Syblon Reid's experience, qualifications, financial and work references verified that this company fulfills all necessary requirements and staff recommends award of Contract 22-54-W-BID to Syblon Reid.

4) It is in the best interests of the District to award Contract 22-54-W-BID to the lowest responsive bidder, Syblon Reid with an authorized expenditure of four million, eight hundred twenty-one thousand, ninety dollars (\$4,821,090.00), plus sales tax.

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that Contract 22-54-W-BID is awarded to Syblon Reid. The General Manager is authorized to enter into a Contract with Syblon Reid, subject to the filing of the Contract and a Performance and Payment Bond in accordance with the District's specifications and which contract and bond are to be in a form that is satisfactory to the District.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

Draft Pre-decisional Document

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING AWARD OF
CONTRACT 22-57-W-BID TO GARCO CONSTRUCTION FOR
SPILLWAY AND SPILLWAY GATE MAINTENANCE AT THE
WELLS HYDROELECTRIC PROJECT**

RECITALS:

1) Resolution No. 22-181, dated October 10, 2022, authorized a Call for Bids for Bid Document 22-57-W-BID, Spillway and Spillway Gate Maintenance at the Wells Hydroelectric Project.

2) Bids were accepted until November 21, 2022 at 1:30 pm PST. The following bids were received:

<u>Bidder</u>	<u>Total for Bid Comparison</u>
Garco Construction	\$7,140,648.00
Syblon Reid	\$9,800,800.00
Engineer's Estimate	\$13,050,000.00

3) District staff has reviewed the bids and found that the bid from Garco meets all terms and conditions of Bid Document 22-57-W-BID and all addendums. A review of Garco's experience, qualifications, financial and work references verified that this company fulfills all necessary requirements and staff recommends award of Contract 22-57-W-BID to Garco Construction.

4) It is in the best interest of the District to award Contract 22-57-W-BID to the lowest responsive bidder, Garco Construction, with an authorized expenditure of seven million, one hundred forty thousand, six hundred forty-eight dollars (\$7,140,648.00), plus sales tax.

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that Contract 22-57-W-BID is awarded to Garco Construction. The General Manager is authorized to enter into a Contract with Garco Construction, subject to the filing of the Contract and a Performance and Payment Bond in accordance with the District's specifications and which contract and bond are to be in a form that is satisfactory to the District.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

Draft Pre-decisional Document

RESOLUTION NO. _____

**A RESOLUTION APPROVING AMENDED FACILITY USE
AGREEMENT WITH THE CONFEDERATED TRIBES OF THE
COLVILLE RESERVATION**

RECITALS:

1) By Resolution No. 18-226, the District approved a Facility Use Agreement (FUA) with the Confederated Tribes of the Colville Reservation (Colville Tribes). The terms of the 2018 FUA included access of District hatchery facilities for the collection of adult fish for study and harvest-related purposes.

2) The proposed amended 2018 Facility Use Agreement is modified for the inclusion of Exhibit E for the rearing up to 160,000 juvenile summer Chinook at the District's Wells Fish Hatchery and Exhibit F to provide holding and transfer of surplus adult fish into the blocked areas upstream of Chief Joseph and Grand Coulee dams. The costs associated of these efforts will be directly reimbursed by the Colville Tribes.

3) Toward ensuring that this project is consistent with regional anadromous fish recovery planning efforts, District staff discussed and obtained support for the proposed rearing program with all interested federal and state agencies.

4) The proposed amendment of the Facility Use Agreement provides cost savings to both entities by allowing the District to defray some of its operating costs while also providing the Colville Tribes with a reliable source of fish for their passage studies. This program includes providing up to \$344,000 in 2023 for the rearing and tagging of juvenile summer Chinook at the Wells Fish Hatchery and up to \$30 per adult fish held.

5) Staff recommends approval of this Agreement, stating that it is in the best interest of the District to enter into the amended Facility Use Agreement with the Colville Tribes.

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that the amended Facility Use Agreement between the District and Colville Tribes is hereby approved and the District's General

Manager is hereby authorized and directed to execute said Agreement on behalf of the District.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

Draft Pre-decisional Document

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING PROFESSIONAL SERVICE AGREEMENT
23-02-W-PS, 2023 HCP HATCHERY M&E IMPLEMENTATION PROGRAM
WITH WASHINGTON DEPARTMENT OF FISH AND WILDLIFE**

RECITALS:

1) The Wells Habitat Conservation Plan (HCP) requires the annual implementation of a monitoring and evaluation (M&E) plan for the District's hatchery programs. Currently, the Washington Department of Fish and Wildlife (WDFW) is the District's contractor responsible for implementing the District's hatchery M&E program.

2) The 2023 M&E budget has been finalized following negotiations between District staff and WDFW. The negotiated final budget for calendar year 2023 represents a 3.17% increase in anticipated costs compared to the 2022 budget and follows two years of flat funding.

3) Continued implementation of the District's M&E program is critical to maintaining compliance with the terms of the Wells HCP and the conditions of the various permits to operate the hatchery programs.

4) District staff believes that it is in the best interest of the District to approve this Professional Service Agreement with WDFW to satisfy the requirement of the Wells HCP, with a not-to-exceed cost of \$1,104,194 and an expiration date of December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that the District's General Manager is hereby authorized and directed to enter into Professional Service Agreement 23-02-W-PS with WDFW to implement the HCP Hatchery M&E Implementation Program.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

Draft Pre-decisional Document

RESOLUTION NO. _____

**A RESOLUTION PERTAINING TO USE OF THE VOLUNTARY
EMPLOYEES' BENEFICIARY ASSOCIATION HEALTH
REIMBURSEMENT ARRANGEMENT (VEBA-HRA) FOR
EMPLOYEES RETIRING IN 2023**

RECITALS:

1) Eligible employees have voted their preference regarding the contribution of accrued personal leave into a VEBA-HRA account at retirement for 2023.

2) The results of the vote are nonbinding to the District; however, the results are taken into consideration in determining the District's policy. Staff recommends approval of the VEBA contributions in accordance with the results of the employee vote.

Group	Ballots Sent	Yes Votes	No Votes	Recommended percentage of PL to VEBA at retirement - 2023
Union Distribution	7	4	0	1%
Union Wells	18	4	1	100%
Management Distribution	11	4	1	100%
Management Wells	9	4	0	90%

**100% is the default in case of no feedback or tie*

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that for all employees retiring during 2023, the District will deposit a percentage of the employee's accrued personal leave, as specified above, upon retirement into a VEBA-HRA account in the employee's name.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH DONNOR INC. DBA BADGER MOUNTAIN PRODUCTIONS

RECITALS

1) The District has need for video photography documentation of District facilities and activities on an ongoing basis.

2) Donnor Inc. DBA Badger Mountain Productions has provided these services for the District for several years and has developed considerable knowledge of the District's operations. The current Agreement expires December 31, 2022.

3) Staff recommends approval of a Professional Service Agreement with Donnor Inc. DBA Badger Mountain Productions through December 31, 2023 with a maximum of 50 hours billed per month. There are no changes to rates this year.

4) It is in the best interest of the District to enter into a new Professional Service Agreement with Donnor Inc. DBA Badger Mountain Productions.

NOW, THEREFORE, BE IT RESOLVED by the Commission of Public Utility District No. 1 of Douglas County, Washington, that the District's General Manager is hereby authorized to enter into a Professional Service Agreement with Donnor Inc. DBA Badger Mountain Productions, the total cost of which shall not exceed \$100,000.

ADOPTED this 28th day of November, 2022.

Aaron J. Viebrock, President

Molly Simpson, Vice President

ATTEST:

Ronald E. Skagen, Secretary