

**PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY
327 N. WENATCHEE AVENUE
WENATCHEE, WA 98801**

REGULAR COMMISSION MEETING

JUNE 4, 2018

AGENDA

BOARD WORKSHOP

9:15 A.M.

1. Strategic Plan

STUDY SESSION

10:00 A.M.

2. Pledge of Allegiance and Safety Minute – Sergio Sanchez
3. Approval of the Agenda - Any item on the Regular Agenda shall be subject to transfer to the Consent Agenda upon request of any Commission member
4. Brad Sawatzke, CEO, and Mike Paoli, Chief Communications Officer, Energy Northwest
5. Orondo River Park Operations Report
6. 2018 Integrated Resource Plan Progress Report
7. Resiliency Comments
8. Public Power Benefit Update
9. 2018-2019 Insurance Program Renewal
10. 2018 Substation Effort Update

BUSINESS SESSION

1:00 P.M.

Consent Agenda

11. Minutes of the May 14, 2018 Regular Meeting

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12. Vouchers: Accounts Payable Summary Report dated May 30, 2018:

- a. Vouchers totaling \$41,686,823.86;
- b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period May 9, 2018 through May 29, 2018 in the amount of \$13,861.43;
- c. Approval of the net Payrolls, Warrant Nos. 235969 through 235993 and Advice Nos. 653352 through 654131 for the pay period ending 05/13/2018 in the amount of \$2,031,660.33; and
- d. Approval of Warrant Nos. 24456 through 24515 totaling \$16,271.35 for claim payments from the workers' compensation self-insurance fund for the period ending May 25, 2018.

13. A RESOLUTION AUTHORIZING FINAL ACCEPTANCE OF PERFORMANCE UNDER BID NO. 16-83 WITH MOE ASPHALT PATCHING & SEALCOATING, INC. OF WENATCHEE, WASHINGTON AND AUTHORIZING PAYMENT OF RETAINAGE

Regular Agenda

14. A RESOLUTION REJECTING THE BID OF TURBINEPROS, LLC. OF CHATTANOOGA, TN AND ACCEPTING THE BID OF BRIVO CORPORATION OF CHENEY, WA (BID 18-30) FOR ROCK ISLAND POWERHOUSE 2 U1, U4 AND U6 DRAFT TUBE GATE REFURBISHMENTS

15. Manager Items

16. Commission Items

17. Commission Travel

18. Follow-up on Delegation of Action Items from Previous Board Meeting

19. Delegation of Action Items

20. Additional Public Comment*

21. Matters of general business as may necessarily come before the Commission

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22. Executive Session: To discuss with legal counsel agency enforcement actions, litigation, potential litigation to which the District or its board is, or is likely to become, a party, and/or legal risks, as authorized by RCW 42.30.110(1)(i), to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price, as authorized by RCW 42.30.110(1)(b), and to consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause the likelihood of decreased price, as authorized by RCW 42.30.110(1)(c).

* Members of the public are encouraged to ask specific questions after each item presented. This agenda item is for additional comments/questions related to matters not on the agenda.

This agenda and resolutions (if any) may be revised by the Commission as appropriate.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING FINAL ACCEPTANCE OF PERFORMANCE UNDER BID NO. 16-83 WITH MOE ASPHALT PATCHING & SEALCOATING, INC. OF WENATCHEE, WASHINGTON AND AUTHORIZING PAYMENT OF RETAINAGE

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District Commission by Resolution No. 08-13325 delegated authority to the General Manager to advertise, award and execute contracts when the total contract price is \$3,000,000 or less.

On March 31, 2017, the District entered into a contract (Bid No. 16-83) with Moe Asphalt Patching & Sealcoating, Inc. (Contractor) of Wenatchee, Washington for 2017 Unit Price District Parks Pavement Maintenance . This contract was advertised for public bid and was awarded as required by RCW 54.04.070 and .080.

District staff has determined that the work required under the contract has been performed in accordance with the terms of the contract and recommends that the District accept the work.

District staff has determined that the completion of all contract work occurred on May 08, 2018. At the completion of the Work, the total contract spend was \$538,542.53. In accordance with the terms of the contract, retainage in an amount not exceeding 5% of the contract price has been withheld from the Contractor.

The General Manager of the District concurs with staff's recommendations that the District accept the work performed by the Contractor and recommends the District authorize the payment of retainage due the Contractor, subject to the requirements of the contract and state law.

ACTION

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON, as follows:

Section 1. All the contract work required under Bid No. 16-83 was completed on May 08, 2018, and the same is hereby accepted, subject to Section 2 hereof. Payment of retainage to the Contractor in the amount determined by the District's auditor to be due is authorized to be paid to the Contractor subject to Section 2 and Section 3 hereof, and subject to the provisions and limitations of Chapter 39.12 RCW (Prevailing Wages on Public Works) and 60.28 (Liens for Labor, Materials and Taxes on Public Works).

Section 2. This resolution shall not constitute an acceptance by the District of any work performed or goods supplied pursuant to the aforementioned contract, which are not in strict compliance with the contract terms and conditions.

Section 3. After the expiration of the forty-five (45) day period for giving the District notice of lien and after receipt of the Department of Revenue's certification of the Contractor's payment of taxes, the Employment Security Department's Certificate of Payment of Contributions, Penalties and Interest on Public Works Contracts, and the Department of Labor & Industries' Certificate of Release of the State's Lien on Public Works Contracts and the District being satisfied that taxes certified as due or to become due are discharged and the filed claims of materialmen and laborers, if any, together with a sum sufficient to pay costs of foreclosing the liens and attorney's fees, have been paid, the District's General Manager is authorized and directed to withhold from the remaining retained amounts for claims the District may have against the Contractor, and the balance shall be paid to the Contractor. In the event said taxes, claims, expenses and fees have not been paid, the General Manager is authorized and directed to withhold an amount equal to unpaid taxes and unpaid claims, together with a sum sufficient to defray the costs and attorney fees incurred in foreclosing the lien of such claims, and the balance shall be paid to the Contractor.

DATED this 4th day of June 2018.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION REJECTING THE BID OF
TURBINEPROS, LLC. OF CHATTANOOGA, TN
AND ACCEPTING THE BID OF BRIVO
CORPORATION OF CHENEY, WA (BID 18-30)
FOR ROCK ISLAND POWERHOUSE 2 U1, U4
AND U6 DRAFT TUBE GATE
REFURBISHMENTS

FACTUAL BACKGROUND AND REASONS FOR ACTION

On May 3, 2018, an invitation for sealed bids was published in accordance with RCW 54.04.070 and Resolution No. 17-14215 to provide/construct Rock Island Powerhouse 2 U1, U4 and U6 Draft Tube Gate Refurbishments. Bid proposals were opened on May 25, 2018, at 2:30 p.m. in the offices of the District. Four bids were received (excluding sales tax) as tabulated on Exhibit A attached.

The bid by TurbinePros, LLC did not meet the minimum requirements specified in the contract documents. TurbinePros, LLC did not submit the Bid Bond with the bid proposal. They also submitted exceptions and clarifications/limitations to the District's commercial terms. This bid should be rejected as non-responsive.

District staff has determined that the bid of BriVo Corporation of Cheney, WA in the amount of \$721,400 (excluding sales tax) is the lowest responsive and best bid in compliance with the plans and specifications for Bid No. 18-30. This bid meets all statutory requirements. Resolution No. 17-14215 requires that the rejection of the apparent low dollar bidder must come before the Commission for action.

District staff recommends awarding Bid No. 18-30 to BriVo Corporation.

The General Manager of the District concurs with District staff's recommendation.

ACTION

IT IS RESOLVED BY THE COMMISSION OF PUBLIC UTILITY
DISTRICT NO. 1 OF CHELAN COUNTY, WASHINGTON, as follows:

Section 1. The bid submitted by TurbinePros, LLC. of Chattanooga, TN did not meet the minimum requirements specified in the contract documents and is hereby rejected.

Section 2. The bid submitted by BriVo Corporation of Cheney, WA is the lowest responsible and best bid in compliance with the plans and specifications to provide Rock Island Powerhouse 2 U1, U4 and U6 Draft Tube Gate Refurbishments. The General Manager of the District is hereby authorized to enter into a contract with BriVo Corporation in the amount of \$721,400, excluding sales tax. A copy of the contract will be on file in the offices of the District

Dated this 4th day of June 2018.

ATTEST:

President

Vice President

Secretary

Commissioner

Commissioner

Seal

Bid Tabulation

Bid No. 18-30

Rock Island Powerhouse 2 U1, U4 and U6 Draft Tube Gate Refurbishments

Bidder Name City, State	Bid Bond/ Cashier's Check	Bid Amount
TurbinePROs, LLC Chattanooga, TN	No	\$615,686.18
BriVo Corporation Cheney, WA	Yes	\$721,400.00
Northbank Civil and Marine, Inc. Vancouver, WA	Yes	\$726,155.00
Knight Const. & Supply, Inc. Deer Park, WA	Yes	\$777,353.00