

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

REGULAR COMMISSION MEETING

JULY 15, 2019

STUDY SESSION

10:00 AM

1. Pledge of Allegiance and Safety Presentation – Jeremy Jordan
2. Approval of the Agenda
Any item on the Consent Agenda shall be subject to transfer to the Regular Agenda upon request of any Commission member
3. CPO Winner Recognition
4. Quarterly Board Balanced Scorecard Status Update
5. Real Estate Delegated Authority
6. Surplus Property Proposal
7. Regional Transmission Planning Organization Contracts

BUSINESS SESSION

1:00 PM

Consent Agenda

8. Minutes of the July 1, 2019 Regular Meeting
9. Vouchers: Accounts Payable Summary Report dated July 10, 2019:
 - a. Vouchers totaling \$6,418,038.85;
 - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period June 26, 2019 through July 09, 2019 in the amount of \$17,405.77;
 - c. Approval of the net Payroll, Warrant Nos. 236568 through 236586 and Advice Nos. 675974 through 676821 for the pay period ending 06/23/2019 in the amount of \$2,157,151.60;

- d. Approval of Warrant Nos. 25808 through 25831 totaling \$5,650.79 for claim payments from the workers' compensation self-insurance fund for the period ending July 08, 2019.

10. A RESOLUTION AUTHORIZING FINAL ACCEPTANCE OF PERFORMANCE UNDER SOLE SOURCE CONTRACT NO. 18-82 WITH BIOMARK, INC. OF BOISE, IDAHO

11. A RESOLUTION RATIFYING FIELD WORK ORDER NOS. 1 AND 2, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 18-79 WITH HANCOCK SANDBLAST & PAINTING, LLC OF PASCO. WA. AND AUTHORIZING RELEASE OF THE BOND IN LIEU OF RETAINAGE

Regular Agenda

12. A RESOLUTION APPROVING THE PURCHASE AND SALE AGREEMENT WITH THE NEVIO AND ELIZABETH TONTINI LIVING TRUST FOR THE PURCHASE OF REAL PROPERTY AND AUTHORIZING THE GENERAL MANAGER OR HIS DESIGNEE TO COMPLETE THE TRANSACTION

13. Manager Items

14. Commission Items

Proposed motion: To set a special meeting on September 30, 2019 at 10:30 am at Confluence Technology Center, 285 Technology Center Way, Wenatchee for the purpose of holding a Board Workshop

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

16. Delegation of Action Items

17. Additional Public Comment

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.

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

19. 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)

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING FINAL
ACCEPTANCE OF PERFORMANCE UNDER SOLE
SOURCE CONTRACT NO. 18-82 WITH BIOMARK,
INC. OF BOISE, IDAHO

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District Commission by Resolution No. 17-14215 delegated authority to the General Manager to advertise, award and execute contracts when the total contract price is \$3,000,000 or less.

On January 4, 2019, the District entered into a sole source contract (No. 18-82) with Biomark, Inc. (Contractor) of Boise, ID for Rock Island PIT Tag Supply and Installation, in the amount of \$212,992.00 excluding sales tax. Resolution 18-14276 was approved by the Board on October 15, 2018, to award the sole source contract to Biomark, Inc.

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 June 13, 2019.

The General Manager of the District concurs with staff's recommendations that the District accept the work performed by the Contractor.

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 Sole source Contract No. 18-82 was completed on June 13, 2019, and the same is hereby accepted, subject to Section 2 hereof.

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.

DATED this 15th day of July 2019.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION RATIFYING FIELD WORK ORDER NOS. 1 AND 2, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 18-79 WITH HANCOCK SANDBLAST & PAINTING, LLC OF PASCO. WA. AND AUTHORIZING RELEASE OF THE BOND IN LIEU OF RETAINAGE

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District Commission by Resolution No. 17-14215 delegated authority to the General Manager to advertise, award and execute contracts when the total contract price is \$3,000,000 or less. Authority was also granted to the General Manager and the staff to execute field work orders under certain circumstances.

On January 4, 2019, the District entered into a contract (Bid No. 18-79) with Hancock Sandblast & Painting, LLC (Contractor) of Pasco, WA for Rock Island Powerhouse 1 B-4 and B-7 Trash Rack Refurbishment, in the amount of \$493,082.00. This contract was advertised for public bid and was awarded as required by RCW 54.04.070 and .080.

The work in Field Work Order Nos. 1 and 2 consists of conditions and work not anticipated or included in the original contract but within the scope of the contract. The District's staff has executed Field Work Order Nos. 1 and 2, which are on file in the offices of the District and summarized as follows:

Field Work Order No.	Amount
1 Completion Date Extension	\$0.00
2 Increase Line Items for Additional Work	\$13,862.06
Total	\$13,862.06

Field Work Order No. 1 and 2 results in a net increase in the contract price of \$13,862.06 for a new revised total price of \$506,944.06 (excluding sales tax), which the District's Engineers recommend be ratified. Resolution No. 17-14215 provides that this type of field work order shall be presented to the Commission for approval as part of the final acceptance resolution.

District staff has determined that the completion of all contract work occurred on June 28, 2019. In accordance with the terms of the contract, the Contractor has provided a bond in lieu of retainage equal to 5% of the contract price.

The General Manager of the District concurs with staff's recommendations that the District accept the work performed by the Contractor, ratify Field Work

Order Nos. 1 and 2 and authorize the release of the related bond in lieu of retainage, 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. Field Work Order Nos. 1 and 2 to Bid No. 18-79 with Hancock Sandblast & Painting, LLC for the work specified above, which will result in a net increase in the purchase price of \$13,862.06, for a total revised contract price of \$506,944.06, plus Washington State sales tax, are hereby ratified.

Section 2. All the contract work required under Bid No. 18-79 was completed on June 28, 2019 and the same is hereby accepted, subject to Section 3 hereof. Release of the Contractor's bond in lieu of retainage is authorized subject to Section 3 and Section 4 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 3. 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 4. 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 release the bond in lieu of retainage. In the event said taxes, claims, expenses and fees have not been paid, the General Manager is authorized and directed to file a claim against the bond in lieu of retainage in 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 following payment of such claim, release the bond in lieu of retainage.

DATED this 15th day of July 2019.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION APPROVING THE PURCHASE AND SALE AGREEMENT WITH THE NEVIO AND ELIZABETH TONTINI LIVING TRUST FOR THE PURCHASE OF REAL PROPERTY AND AUTHORIZING THE GENERAL MANAGER OR HIS DESIGNEE TO COMPLETE THE TRANSACTION

FACTUAL BACKGROUND AND REASONS FOR ACTION

On February 28, 2019 Chelan County PUD (PUD) purchased three parcels of real property in the Olds Station area from the Port of Chelan County for the purpose of constructing a new consolidated Service Center.

The acquisition of additional, adjoining parcels of land has been determined to be beneficial to the eventual development of the previously acquired parcels.

The subject parcel (Chelan County Parcel No. 232028130080), owned by Nevio and Elizabeth Tontini Living Trust (Seller), is real property adjoining the previously acquired parcels, and had been determined to provide benefit to the development of the Service Center Project.

On June 18, 2019 the PUD and the Seller entered into a Purchase and Sale Agreement for the subject parcel in the amount of \$854, 211, contingent on approval of the Chelan County PUD Board of Commissioners.

Staff recommends approval of the Purchase and Sale Agreement with the Seller be approved, and the General Manager directed to take the necessary steps to close the transaction. The General Manager has reviewed staff's recommendation and concurs in the same.

ACTION

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

Section 1. The Purchase and Sale Agreement with the Nevio and Elizabeth Tontini Living Trust for the described real property in this Resolution and as attached to the Tontini Property Purchase and Sale Agreement in the amount of \$854,211, is hereby approved and the General Manager or his designee is hereby authorized take such further steps as may be required to complete the transaction.

Section 2. The Purchase and Sale Agreement will be on file in the offices of the PUD.

DATED this 15th day of July, 2019.

ATTEST:

President

Vice President

Secretary

Commissioner

Commissioner

Seal