

**PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY
203 OLDS STATION ROAD
WENATCHEE WA 98801**

REGULAR COMMISSION MEETING

JANUARY 22, 2024

STUDY SESSION

10:00 AM

1. Pledge of Allegiance and Safety/H&OP Minute – Lance Keller
2. Approval of the Agenda
3. CPO Winner Recognition
4. Quarterly Board Balanced Scorecard Status Update
5. Public Comment
Time reserved for public comments or questions related to matters not covered by the agenda

BUSINESS SESSION

Consent Agenda

6. Minutes of the January 8, 2024 Regular Meeting
7. Vouchers: Accounts Payable Summary Report dated January 16, 2024:
 - a. Vouchers totaling \$14,404,998.96;
 - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period January 02, 2024 through January 15, 2024 in the amount of \$8,278.38.
 - c. Approval of the net Payroll, Warrant Nos. 238344 through 238355 and Advice Nos. 769924 through 770720 for the pay period ending December 31, 2023 in the amount of \$2,448,054.77.
 - d. Approval of Warrant Nos. 30541 through 30613 totaling \$17,956.29 for claim payments from the workers' compensation self-insurance fund for the period ending January 15, 2024.

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8. A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 1, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 21-29 WITH SE, INC., DBA SMITH EXCAVATION OF CASHMERE, WASHINGTON FOR CONSTRUCTION OF TECHNOLOGY CENTER WAY EXTENSION AND AUTHORIZING RELEASE OF THE BOND IN LIEU OF RETAINAGE

Regular Agenda

9. A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NOS. 33-39 AND FURTHER APPROVING FIELD WORK ORDER/CHANGE ORDER NO. 40 FOR THE SERVICE CENTER PROJECT WITH ABSHER CONSTRUCTION COMPANY OF PUYALLUP, WA FOR CONSTRUCTION OF THE SERVICE CENTER PROJECT PURSUANT TO GENERAL CONTRACTOR/CONSTRUCTION MANAGER (GC/CM) CONTRACT NO. 18-91
10. A RESOLUTION AUTHORIZING AMENDMENT NO. 5 TO SERVICES AGREEMENT (SA-TA NO. 21-11370) WITH GREENWORKS, P.C. FOR RIVERFRONT PARK ENHANCEMENTS
11. A RESOLUTION AUTHORIZING AN AMENDMENT NO. 3 TO SERVICES AGREEMENT (SA NO. 21-11980) WITH APFS, LLC TO PROVIDE TECHNICAL PROJECT MANAGEMENT RESOURCES
12. A RESOLUTION REJECTING ALL BIDS AND DECLARING THAT NO BIDS WERE RECEIVED FOR THE ROCKY REACH LARGE UNIT GENERATOR COOLERS (BID NO. 23-12920) AND AUTHORIZING THE SUPPLY OF THE ROCKY REACH LARGE UNIT GENERATOR COOLERS BE OBTAINED BY NEGOTIATION
13. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A SERVICES AGREEMENT (SA NO. 23-13225) WITH COLUMBIA RESEARCH SPECIALISTS, LLC. OF CHELAN, WASHINGTON FOR ROCKY REACH AND ROCK ISLAND PIKEMINNOW PREDATOR CONTROL
14. A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT WITH RAVENWING RANCH, LLC FOR REAL PROPERTY LOCATED IN CHELAN COUNTY AND AUTHORIZING THE 2024 CAPITAL BUDGET ITEM
15. Manager Items
16. Commission Items
 - a. 2024 Association Representation
 - b. Board Governance Policy Revisions
Proposed motion: To approve the proposed revisions to the Governance Policies and adopt the Policies as revised
17. Follow-up on Delegation of Action Items from Previous Board Meeting
18. Delegation of Action Items

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19. Additional Public Comment

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

21. 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) for ___ minutes

1:00 PM

22. Public Hearing: Peshastin Water District

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

RESOLUTION NOS. _____

A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 1, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 21-29 WITH SE, INC., DBA SMITH EXCAVATION OF CASHMERE, WASHINGTON FOR CONSTRUCTION OF TECHNOLOGY CENTER WAY EXTENSION AND AUTHORIZING RELEASE OF THE BOND IN LIEU OF RETAINAGE

FACTUAL BACKGROUND AND REASONS FOR ACTION

The 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. Bids were received in accordance with RCW 54.04.070 and there was one bid in which the bidder took exception to the District's terms and conditions.

On August 22, 2022, the District entered into a contract (Bid No.21-29) with SE, Inc., dba Smith Excavation (Contractor) of Cashmere, Washington for Technology Center Way Extension, in the amount of \$719,100.00. 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/Change Order No. 1 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/Change Order No. 1, which is on file in the offices of the District and summarized as follows:

FWO/ CO No.	Amount
1. Reconcile Quantities	-\$9,724.58
Total	-\$9,724.58

Field Work Order/Change Order No. 1 results in a net decrease in the contract price for a new revised total price of \$709,375.42 (excluding sales tax) and District staff recommend it be ratified. Resolution Nos. 17-14215 provides that this type of field work order/change 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 January 4, 2024. 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 No. 1 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 NOS. 1 OF CHELAN COUNTY, WASHINGTON, as follows:

Section 1. Field Work Order/Change Order No. 1 to Bid No. 21-29 with SE, Inc., dba Smith Excavation for the work specified above, which will result in a net decrease in the contract price of \$719,100, for a total revised contract price of \$709,375.42, plus Washington State sales tax, is hereby ratified.

Section 2. All the contract work required under Bid No. 21-29 was completed on January 4, 2024 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 22nd day of January 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NOS. 33-39 AND FURTHER APPROVING FIELD WORK ORDER/CHANGE ORDER NO. 40 FOR THE SERVICE CENTER PROJECT WITH ABSHER CONSTRUCTION COMPANY OF PUYALLUP, WA FOR CONSTRUCTION OF THE SERVICE CENTER PROJECT PURSUANT TO GENERAL CONTRACTOR/CONSTRUCTION MANAGER (GC/CM) CONTRACT NO. 18-91

FACTUAL BACKGROUND AND REASONS FOR ACTION

On March 4, 2019, by Resolution No. 19-14327, the Commission of the District authorized the General Manager to invite sealed proposals to provide General Contractor Construction Manager (GC/CM) services to the District in support of the planned Service Center Project.

On April 15, 2019, by Resolution No. 19-14334, the Commission of the District approved the Service Center Project and adopted the project capital budget.

On July 1, 2019, by Resolution No. 19-14356, the Commission of the District authorized the General Manager to enter into Service Center Contract No. 18-91 with Absher Construction Company. In addition to the general terms and conditions, the Contract authorized \$500,000 for preconstruction services.

On August 3, 2020, by Resolution No. 20-14477, the Commission of the District authorized the General Manager to enter into Guaranteed Maximum Price (GMP) Amendment No. 1 to Contract No. 18-91 with Absher Construction Company for site work construction in the amount of \$8,960,518, for a total revised contract amount of \$9,460,518, excluding sales tax.

On February 1, 2021, by Resolution No. 21-14524, the Commission of the District authorized the General Manager to enter into GMP Amendment No. 2 for construction of the Service Center in the amount of \$95,132,983, in addition to ratifying Field Work Order/Change Order Nos. 1-2 in the amount of \$206,005, for a total revised contract amount of \$104,799,506, excluding sales tax.

On July 19, 2021, by Resolution 21-14576, the Commission of the District ratified Field Work Order/Change Order Nos. 3-6 for construction of the Service Center in the amount of \$343,619, for a total revised contract amount of \$105,143,125, excluding sales tax. In addition, Resolution 21-14576 authorized the General Manager to execute Field Work Order/Change Orders (FWO/CO) up to a cumulative value of

\$1,000,000 and further authorized the General Manager to re-delegate project specific authority pursuant to Section 8 of Attachment No. 1 of Resolution 17-14215.

On June 6, 2022, by Resolution 22-14667, the Commission of the District ratified Field Work Order/Change Order Nos. 7-12 for construction of the Service Center in the amount of \$821,355, for a total revised contract amount of \$105,964,480, excluding sales tax.

On November 7, 2022, by Resolution 22-14709, the Commission of the District ratified Field Work Order/Change Order Nos. 13-17 for construction of the Service Center in the amount of \$930,729 for a total revised contract amount of \$106,895,209, excluding sales tax.

On February 21, 2023, by Resolution 23-14739, the Commission of the District ratified Field Work Order/Change Order Nos. 18-21 and further approved Field Work Order/Change Order No. 22 for construction of the Service Center in the amount of \$2,945,587 for a total revised contract amount of \$109,840,796, excluding sales tax.

On March 20, 2023, by Resolution 23-14747, the Commission of the District ratified Field Work Order/Change Order No. 23 and further approved Field Work Order/Change Order No. 24 for construction of the Service Center in the amount of \$5,232,532 for a total revised contract amount of \$115,073,328, excluding sales tax.

On April 17, 2023, by Resolution 23-14756, the Commission of the District ratified Field Work Order/Change Order No. 25 and further approved Field Work Order/Change Order No. 26 for construction of the Service Center in the amount of \$4,208,386 for a total revised contract amount of \$119,281,714, excluding sales tax.

On June 26, 2023, by Resolution 23-14779, the Commission of the District ratified Field Work Order/Change Order Nos. 27-29 and further approved Field Work Order/Change Order No. 30 for construction of the Service Center in the amount of \$2,176,333 for a total revised contract amount of \$121,458,047, excluding sales tax.

On August 7, 2023, by Resolution 23-14792, the Commission of the District ratified Field Work Order/Change Order No. 31 and further approved Field Work Order/Change Order No. 32 for construction of the Service Center in the amount of \$1,690,433 for a total revised contract amount of \$123,148,480, excluding sales tax.

The District Commission by Resolution Nos. 17-14215 and 21-14576 delegated limited authority to the General Manager and the staff to execute field work orders/change orders under certain circumstances.

The work in Field Work Order/Change Order Nos. 33-39 consist 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/Change Order Nos. 33-39, which are on file in the offices of the District and summarized as follows:

FWO/CO No.	Description	Amount
33	Phase 1A and Phase 1B Substantial Completion	\$0
34	Mobile Storage Revisions, Loading Dock Modifications, Crane Rail Tiebacks, Security Turnstile Finish, and other various changes	\$186,104
35	Contract Time Extension Due to Adverse Air Quality	\$0
36	Stair Landing Repairs, Asphalt slope transitions, Exterior wall framing revisions, Building F unit heaters, Fountain water service, Landscape quantity changes, and other various revisions	\$127,093
37	Revise Phase 2 and Phase 3 Boundary	\$0
38	Grading Revisions South of Building A, OWS Venting and Conduit, Bldg G Riser Room Expansion, Olds Station Road Utility Adjustment, Board Room Stone, Overhead Door Tracks, and Other Various Changes	\$404,300
39	Building H Drive Aisle Revisions, Water Feature Vault Revisions, North Parking Lot Drainage, Relocation of soil piles, and other various changes	\$248,044
Total		\$965,541

*Note: Attachment "A" to this Resolution contains additional details of Change Order Nos. 33-39.

Field Work Order/Change Order Nos. 33-39 result in a net increase in the contract price of \$965,541 for a revised total price of \$124,114,021, (excluding sales tax), which the District's Engineers recommend be ratified.

Additionally, District Staff recommends execution of Field Work Order/Change Order No. 40 to increase the contract price by \$527,718 for a revised total price of \$124,641,739 (excluding sales tax). Field Work Order/Change Order No. 40 increases Contractor Contingency funding associated with the cultural delay, and includes cost for 2023 asphalt pricing and grading revisions to utilize surplus soils.

The General Manager of the District concurs with staff's recommendation that Field Work Order/Change Order Nos. 33-39 be ratified and further approve Field Work Order/Change Order No. 40.

ACTION

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

Section 1. The Commission finds that Field Work Order/Change Order Nos. 33-39 were properly executed pursuant to the authority delegated by Resolution No. 17-14215 and 21-14576 and said Field Work Order/Change Orders are hereby formally acknowledged and ratified.

Section 2. The General Manager of the District is hereby authorized to execute Field Work Order/Change Order No. 40. A copy of the Field Work Order/Change Order shall be on file in the offices of the District.

DATED this 22nd day of January 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

Attachment "A"
Field Work Order/Change Order Detailed Descriptions

Description	Amount
Phase 1A and Phase 1B Substantial Completion Definition	\$0
Change Order 33 Total	\$0
PR 101 Loading Dock Modifications	\$22,480
RFI 917/917.1 Lighting a A 409	\$1,839
RFI 1098 Bldg A Handrail Returns at Stair Landings	\$1,609
Building A Mobile Shelving Upgrades	\$99,981
CCD 4 hardware	\$9,884
RFI 1152 Bldg A Threshold Discrepancy	\$1,845
PR-134 Privacy Film	\$1,015
Credit for Fully Welded Frames	-\$15,196
RFI 1049.1 Gap at Brick Wall at Café	\$1,869
PR 122.1 Water Vault Coverage	\$9,078
RFI 1199 A131A Lockset Change	\$4,069
RFI 1219 Access Controls at A146B A146C A247A	\$829
RFI 1209 Roller Shade Drive-End ROM	\$1,855
RFI 1224 Steel Plate at Deli Counter ROM	\$379
RFI 1234 Bldg B Frame SG-1 Wall Termination Misalignment	\$3,762
RFI 1238 Signage at A425 and A476	\$2,122
RFI 1239 Gantrax Tie Backs	\$17,356
PR 131 Building H Camera	\$784
Turnstile Finish	\$15,754
RFI 1261 Bevel Landscape Edges	\$2,282
RFI 1267 Ops Building Canopy Gutter Bracket	\$2,508
Change Order 34 Total	\$186,104
Adverse Air Quality - Time Extension	\$0
Change Order 35 Total	\$0
PR 88 Fountain Water Service	\$9,160
RFI 1046 Fire Sprinklers Under Lowest Stair Landings	\$3,819
PR 111 Flashing at Shotcrete wall	\$1,405
Bldg A Stair Landing Repairs	\$17,358
RFI 1062.2 Bldg E Exterior Wall Framing	\$11,660
RFI 1120 Building C and D Asphalt Slope Transitions	\$21,298
PR 96.2 Landscape Quantity Changes	\$9,864

Description	Amount
RFI 1220 Bike Shelter Column Baseplate and Gabion Conflict	\$10,475
Knox Locks for FDC connection	\$6,569
RFI 1266 Phase 2 Missing Signage	\$680
PR 137/137.1 HMA Ramp at Olds Station Rd	\$3,948
RFI 1278 Building D VRFD-1 and HDP-1 Defrost	\$5,031
RFI 1283 Tire Carousel Specifications	\$4,445
CCD 15 Control Room Casework	\$2,403
RFI 1186 Plaza Grated Walkway	\$1,144
Site Bench Revisions per Submittal Review Comments	\$1,932
RFI 1281 Bldg F PVC Paneling	\$2,166
RFI 1298 Striping at Olds Station and Chester Kimm	\$2,934
RFI 1308 Building F Unit Heaters	\$10,802
Change Order 36 Total	\$127,093
Revise Phase 2 and Phase 3 Boundary	\$0
Change Order 37 Total	\$0
PR 127 Olds Station Utilities	\$37,543
PR 128 Ramps at Olds Station Rd	\$8,912
RFI 1091.1 Operations Buildings Concrete Stair Landings	\$3,467
RFI 1021.1 Bike Shelter Roof Edge Detailing	\$7,156
RFI 1162 OHD Tracks	\$30,895
RFI 1165 Interior Reconstituted Stone Substrate	\$5,651
PR 133 Markerboards	\$1,248
PR 135 Board Room Stone	\$32,287
RFI 1232 Bldg C IT/Electrical Room Wall Finish	\$6,667
RFI 1242 Room D105 Ceiling Height Conflict	\$2,211
BMS UPS Power Feed	\$3,479
CCD 14 OWS Venting and Conduit	\$50,107
PR 140 South of Building A Grading	\$87,432
Concrete Rework at Fiber Vault	\$6,980
PR 142 Building E FDC and Hydrant	\$22,051
PR 138 Camera Cost	\$3,574
RFI 1301 Steel Wainscot Attachment	\$8,975
RFI 1322 Auger Pit Diameter	\$3,151
CCD 21 Bldg G Riser Room Expansion	\$39,655
Previous PCO Underpayment	\$3,429
RFI 1337 Oil Transformer Tank Pump	\$5,421
RFI 1344 Bldg D Low Volt Pathway to ELEC/IT Room D107	\$11,886

Description	Amount
RFI 1335 Bldg B, C, D ERV Condensate Drains	\$13,930
PR 38.1 Fencing Revision	\$8,193
Change Order 38 Total	\$404,300
Water Feature Vault Revisions	\$50,550
ASI 56 North Lot Drainage	\$18,388
Phase 2 Dirt Mound South of Building G	\$18,435
CCD 16 Building H Drive Aisle	\$81,710
CCD 17 Bldg E Card Reader	\$489
PR 117 Bollards at Trash and Recycling	\$10,003
RFI 1316 Building C Loading Dock Fire Hydrant Elevation	\$5,536
PR 138 Outlets at Bike Shelter	\$3,409
RFI 1320 EV Charging Stations Confirmation	\$7,049
CCD 18 Dimmable Lights at Signage	\$8,063
CCD 19 Control Room Casework	\$1,347
CCD 20 Fuel Island Water Connection	\$12,951
RFI-1329 Grading North of Bldg F	\$8,988
RFI 1369 Building F Hardware Revisions	\$1,882
RFI 1373 Sign Type EB at C123 and C125	\$2,715
RFI 1120.1 Building C Handrail at East and West Stairs	\$9,045
PR 16 Pipkin Costs	\$7,484
Change Order 39 Total	\$248,044
Asphalt Price Adjustment 2023	\$157,299
Revised HD HMA Subgrade	\$75,419
Cultural Delay - Contingency Adjustment	\$295,000
Change Order 40 Total	\$527,718

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AMENDMENT
NO. 5 TO SERVICES AGREEMENT (SA-TA NO. 21-
11370) WITH GREENWORKS, P.C. FOR
RIVERFRONT PARK ENHANCEMENTS**FACTUAL BACKGROUND AND REASONS FOR ACTION**

After an extensive community planning effort, the Riverfront Park Development Plan was approved by the District Board of Commissioners and the Wenatchee City Council on December 6, 2021 and January 13, 2022 respectively. Wenatchee Riverfront Park is a defining feature of the community and the most urban segment of the Apple Capital Loop Trail. The park includes approximately 31 acres and a majority of the land in the park is owned by the City of Wenatchee (City) and has been leased to the District since 1983 to support park development as part of the District's responsibilities under its federal license for the Rock Island Project (FERC Project #943).

The District entered into a Services Agreement (SA-TA No. 21-11370) on March 18, 2021, with GreenWorks, P.C. to provide professional services associated with Riverfront Park Enhancements in an amount not to exceed \$400,000. Subsequently, Amendment Nos. 1 and 3 were executed to amend Exhibit B which revised hourly billing rates to the Agreement.

On May 6, 2022, by Resolution 22-14665, the Commission of the District approved Amendment No. 2 which increased the not to exceed contract price to \$1,400,000.

On February 21, 2023, by Resolution 23-14740, the Commission of the District approved Amendment No. 4 which increased the contract amount by \$100,000, for a revised contract price not to exceed \$1,500,000.

District staff has identified the need for additional mechanical, electrical and plumbing services for the train depot restroom, revisions to plans to accommodate the mechanical room supporting the splash pad, tasks related to exploring splash pad surfacing and trail materials selection, Department of Health permit resubmittal for splash pad, permit set plan submittal for the City of Wenatchee, stormwater management report for the City of Wenatchee shoreline permit, geotechnical and environmental subgrade mitigation, security camera system design, train depot power and fiber design, increase in meeting time and quantity, coordination due to extended project schedule, and construction management services. Resolution No. 17-14215 requires that the Commission, by resolution, authorize Amendments to Service Agreements when the Amendment increases the total contract price to over \$500,000.

District staff recommends that it is in the best interest of the District to amend SA-TA No. 21-11370 with GreenWorks, P.C. to increase the contract amount by \$500,000 for a total revised contract price not to exceed \$2,000,000 and extend the contract term to March 31, 2026.

The General Manager has reviewed District staff's recommendation and concurs in the same.

ACTION

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

Section 1. The General Manager is hereby authorized to execute Amendment No. 5 to Services Agreement (SA-TA No. 21-11370) with GreenWorks, P.C., to increase amount by \$500,000, for a revised not to exceed contract price of \$2,000,000 and extend the contract term to March 31, 2026. A copy of the Amendment is on file in the offices of the District.

DATED this 22nd day of January 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AMENDMENT
NO. 5 TO SERVICES AGREEMENT (SA NO. 21-
11980) WITH APFS, LLC TO PROVIDE TECHNICAL
PROJECT MANAGEMENT RESOURCES

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District entered into a Services Agreement (SA No. 21-11980) on March 22, 2022, with APFS, LLC to provide Technical Project Management Resources, in an amount not to exceed \$250,000. Amendment 1 increased the not to exceed amount to \$499,000.

Resolution No. 22-14726 dated December 19, 2022, authorized an amendment to increase the not to exceed amount by \$1,500,000 to \$1,999,000. Resolution No. 23-14781 dated July 10, 2023, authorized an amendment to increase the not to exceed amount by \$231,000 to \$2,230,000.

District staff has identified the need for additional services for new and ongoing supplemental technical program management resources. District staff has acknowledged the significant benefits of leveraging this resource for technical program management, notably in broadening our capacity to efficiently manage an array of technology projects. This strategy has been instrumental in handling our expanding project portfolio without necessitating an increase in our internal headcount. The support and expertise provided by this resource are expected to continue as a vital supplement to our program management efforts through 2024, with plans to further utilize these services for a range of technology-specific initiatives through 2025. This approach underlines our dedication to operational efficiency and agility. Resolution No. 17-14215 requires that the Commission, by resolution, authorize Amendments to Service Agreements when the Amendment increases the total contract price to over \$500,000.

District staff recommends that it is in the best interest of the District to amend SA No. 21-11980 with APFS, LLC in the amount of \$3,000,000, for a total revised contract price not to exceed \$5,230,000.

The General Manager has reviewed District staff's recommendation and concurs in the same.

ACTION

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

Section 1. The General Manager is hereby authorized to execute an Amendment to SA No. 21-11980 with APFS, LLC to provide the additional services identified above. The revised contract price will not exceed \$5,230,000 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.

DATED this 22nd day of January 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION REJECTING ALL BIDS AND DECLARING THAT NO BIDS WERE RECEIVED FOR THE ROCKY REACH LARGE UNIT GENERATOR COOLERS (BID NO. 23-12920) AND AUTHORIZING THE SUPPLY OF THE ROCKY REACH LARGE UNIT GENERATOR COOLERS BE OBTAINED BY NEGOTIATION

FACTUAL BACKGROUND AND REASONS FOR ACTION

The 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.

District staff prepared bidding documents for Bid 23-12920, Rocky Reach Large Unit Generator Coolers.

Sealed proposals were invited and published in accordance with RCW 54.04.070 and said bids were opened on December 28, 2023 at 2:00 P.M. Pacific Time in the offices of the District.

One (1) bid was received pursuant to that invitation. The bid exceeded the engineer's estimate by more than fifteen percent (15%).

RCW 54.04.080 precludes the District from awarding contracts for more than 15% in excess of the engineer's estimate. As a result, the bids were non-responsive and should be rejected. Resolution No. 17-14215 requires that the rejection of bids must come before the Commission for action when staff is recommending an action other than rebidding.

Pursuant to RCW 54.04.080, the District may procure the work on the open market and negotiate a contract rather than re-advertising if no bids are received. District staff recommends that, due to time constraints and project requirements, the Rocky Reach Large Unit Generator Coolers be procured by negotiation.

The General Manager of the District has reviewed District 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 bids received to furnish the Rocky Reach Large Unit Generator Coolers (Bid No. 23-12920) are rejected. District staff is authorized to obtain the Rocky Reach Large Unit Generator Coolers by negotiation and the General Manager (or his designee) is authorized to execute a contract for the same with acceptable terms and conditions.

DATED this 22nd day of January, 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A SERVICES AGREEMENT (SA NO. 23-13225) WITH COLUMBIA RESEARCH SPECIALISTS, LLC. OF CHELAN, WASHINGTON FOR ROCKY REACH AND ROCK ISLAND PIKEMINNOW PREDATOR CONTROL

FACTUAL BACKGROUND AND REASONS FOR ACTION

Resolution No. 17-14215 requires that the Commission, by resolution, authorize Service Agreements that exceed \$500,000.

Public Utility District No. 1 of Chelan County, Washington (District) owns and operates the Rocky Reach, Rock Island, and Lake Chelan Hydroelectric Projects. The District's operation of these projects is governed by the licenses granted by the Federal Energy Regulatory Commission (FERC) through the license articles and the District's Rocky Reach, Rock Island and Chelan Habitat Conservation Plans (HCPs).

Public Utility District No. 1 of Chelan County, Washington (District) has asked Columbia Research Specialists, LLC to conduct Northern Pikeminnow predator control using long-line fishing techniques which directly supports the Rocky Reach and Rock Island Habitat Conservation Plans (HCP). This program was a key contributing element to successfully meeting the HCP survival standards and more recently the 10-year check in survival studies at Rock Island and Rocky Reach Hydroelectric Projects.

Columbia Research Specialists, LLC of Chelan, WA has prepared a proposal to perform Rocky Reach and Rock Island Pikeminnow Predator Control for an estimated cost of \$200,000 a year for five (5) years, for a not to exceed amount of \$1,000,000.

Columbia Research Specialists, LLC has successfully performed these services on a yearly basis since 2005. It is District staff's recommendation that it is in the best interest of the District to enter into a five (5) year Services Agreement with Columbia Research Specialists, LLC for the above-described services.

The General Manager of the District 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 General Manager of the District is hereby authorized to enter into a Services Agreement with Columbia Research Specialists, LLC for Rocky Reach and Rock Island Pikeminnow Predator Control in an amount not to exceed \$1,000,000 without prior Commission approval. A copy of the Agreement is on file in the offices of the District.

DATED this 22nd day of January 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT WITH RAVENWING RANCH, LLC FOR REAL PROPERTY LOCATED IN CHELAN COUNTY AND AUTHORIZING THE 2024 CAPITAL BUDGET ITEM

FACTUAL BACKGROUND AND REASONS FOR ACTION

The Public Utility District No. 1 of Chelan County (District) is authorized by RCW 54.16.020 to acquire real property for a number of purposes related to its mission of providing utility services to the public.

Ravenwing Ranch, LLC (Ravenwing), owns approximately 4,910 acres of real property located in Chelan County, Washington (Property), generally in the Colockum area. The District is interested in purchasing the Property consistent with its statutory authority and long term strategic planning.

District and Ravenwing have negotiated a Purchase and Sale Agreement (PSA), which forms the basis for District staff recommendation. The PSA legally describes the Property and contains standard terms and contingencies for the purchase of real property. The General Manager has signed the PSA subject to Commission approval.

As provided in the PSA, the District will purchase the Property from Ravenwing for Five Million Three Hundred and Twenty-five Thousand Dollars (\$5,325,000.00), subject to, among other things, a feasibility study period during which time the District may study the Property's suitability for possible uses consistent with the District's goals.

To execute the purchase, a new 2024 capital budget item will be required for \$5,325,000 to cover the purchase of the property plus the additional amount of \$71,000 needed for the District's share of closing costs, insurance, taxes, and any studies as provided for in the PSA for a total project budget of \$5,396,000.

Staff recommends the Commission approve the proposed Purchase and Sale Agreement with Ravenwing and establish the corresponding 2024 capital budget item for the purchase. 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 Ravenwing Ranch, LLC to purchase approximately 4,910 acres of real property in Chelan County, Washington, as described therein, for the purchase price of Five Million Three Hundred and Twenty-

five Thousand Dollars (\$5,325,000.00), subject to the terms and contingencies therein, is hereby approved and the General Manager or his designee’s signature on the Purchase and Sale Agreement is ratified and such person is hereby authorized to take such further steps as may be required to complete the transaction.

Section 2. The 2024 capital budget item is authorized in the amount of \$5,325,000 for the purchase of the property plus an estimated \$71,000 for the related closing costs, insurance, taxes, and any studies as provided in the PSA for a total project budget of \$5,396,000.

DATED this 22nd day of January, 2024.

President

ATTEST:

Vice President

Secretary

Commissioner
Seal

Commissioner