

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

REGULAR COMMISSION MEETING

APRIL 3, 2023

STUDY SESSION

10:00 AM

1. Pledge of Allegiance and Safety/HPI Minute – Annika Kallstrom
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. Quarterly Electrical Load Growth
4. Design/Build Overview for Power Delivery Projects
5. PPB Fiber Program Update
6. Public Comment

BUSINESS SESSION

1:00 PM

Consent Agenda

7. Minutes of the March 20, 2023 Regular Meeting, March 23, 2023 Special Meeting, and March 24, 2023 Special Meeting
8. Vouchers: Accounts Payable Summary Report dated March 29, 2023:
 - a. Vouchers totaling \$22,056,597.23;
 - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period March 15, 2023 through March 28, 2023 in the amount of \$77,857.78.
 - c. Approval of the net Payroll, Warrant Nos. 238100 through 238112 and Advice Nos. 752565 through 753368 for the pay period ending March 12, 2023 in the amount of \$2,404,047.56.

REGULAR COMMISSION MEETING AGENDA

April 3, 2023

Page 2

- d. Approval of Warrant Nos. 29378 through 29422 totaling \$4,612.81 for claim payments from the workers' compensation self-insurance fund for the period ending March 27, 2023.
 - e. Approval of Parks Reservation System customer refunds for the period March 10, 2023 through March 24, 2023 in the amount of \$280.00.
9. A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 1 AND AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 20-22 WITH HOLT SERVICES, INC. OF MILTON, WA AND AUTHORIZING PAYMENT OF RETAINAGE

Regular Agenda

10. A RESOLUTION AUTHORIZING AMENDMENT NO. 5 TO SERVICE AGREEMENT NO. 21-11984 WITH MCMILLEN, INC. OF BOISE, IDAHO FOR PROFESSIONAL ENGINEERING SERVICES FOR THE ROCK ISLAND SPILLWAY GATE HANDLING IMPROVEMENTS
11. A RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO SERVICES AGREEMENT (SA NO. 22-12481) WITH UTILICAST, LLC TO PROVIDE ENTERPRISE AND SOLUTIONS ARCHITECTURE CONSULTING
12. Manager Items
13. Commissioner Travel
14. Commission Items
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) for ___ minutes

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

RESOLUTION NO. _____

A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 1 AND AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 20-22 WITH HOLT SERVICES, INC. OF MILTON, WA AND AUTHORIZING PAYMENT 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 November 9, 2020, the District entered into a contract (Bid No. 20-22) with Holt Services, Inc. (Contractor) of Milton, WA for Water Well Development and Rehabilitation, in the amount of \$626,750.00. 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:

Field Work Order/Change Order No.	Description	Amount
1	Repair to Well F Motor	\$0.00

The contract price remains unchanged after executing Field Work Order/Change Order No. 1, 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 March 6, 2023. 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, ratify Field Work Order No. 1 and 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. Field Work Order/Change Order No. 1 to Bid No. 20-22 with Holt Services, Inc. for the work specified above is hereby ratified.

Section 2. All the contract work required under Bid No. 20-22 was completed on March 6, 2023 and the same is hereby accepted, subject to Section 3 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 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 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 3rd day of April 2023.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AMENDMENT
NO. 5 TO SERVICE AGREEMENT NO. 21-11984
WITH MCMILLEN, INC. OF BOISE, IDAHO FOR
PROFESSIONAL ENGINEERING SERVICES FOR
THE ROCK ISLAND SPILLWAY GATE HANDLING
IMPROVEMENTS

FACTUAL BACKGROUND AND REASONS FOR ACTION

Resolution No. 22-14629 dated February 7, 2022 authorized Service Agreement No. 21-11984 with McMillen, Inc. of Boise, Idaho to provide concept development and 30% design engineering services for Rock Island Spillway Gate Handling Improvements, in an amount not to exceed \$600,000. Previously executed Amendment Nos. 1-3 were issued to extend the completion dates and Amendment No. 4 was issued to record the Contractor name change to McMillen, Inc.

The District's engineers have identified the need for additional final design, bidding and construction professional engineering services for the Rock Island Spillway Gate Handling Improvements. Resolution No. 17-14215 requires that the Commission, by resolution, authorize Service Agreements that exceed \$500,000.

District staff recommends that it is in the District's best interest to amend Services Agreement No. 21-11984 with McMillen, Inc. to add final design, bidding and construction engineering services, extend the contract term through December 31, 2024 and increase the contract amount by \$1,200,000, for a total revised contract price not to exceed \$1,800,000.

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 District's General Manager is hereby authorized to execute Amendment No. 5 to Service Agreement No. 21-11984 with McMillan, Inc. of Boise, Idaho to provide services identified above. The revised contract price will not exceed \$1,800,000 without prior Commission approval. A copy of the amendment is on file at the District.

DATED this 3rd day of April 2023.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AMENDMENT
NO. 1 TO SERVICES AGREEMENT (SA NO. 22-
12481) WITH UTILICAST, LLC TO PROVIDE
ENTERPRISE AND SOLUTIONS ARCHITECTURE
CONSULTING

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District entered into a Services Agreement (SA No. 22-12481) on November 22, 2022, with Utilicast, LLC to provide Enterprise and Solutions Architecture Consulting, in an amount not to exceed \$480,000.

District staff has identified the need for additional services for ongoing maintenance and development of enterprise architecture and associated services. Enterprise architecture provides a framework for operational and change activity at the enterprise technology level and allows for direction setting at an executive level. It includes analyses such as risk management and technology architecture impact assessments of strategic options, effecting technology roadmaps and realizing business capability increments. Utilicast has proven beneficial in this work, and other departments have shown interest in drafting their own task authorizations under this contract. 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 Services Agreement No. 1 with Utilicast, LLC in the amount of \$385,000, for a total revised contract price not to exceed \$865,000.

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 Services Agreement (SA No. 22-12481) with Utilicast, LLC to provide the additional services identified above. The revised contract price will not exceed \$865,000 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.

DATED this 3rd day of April 2023.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal