

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

REGULAR COMMISSION MEETING

April 17, 2017

AGENDA

STUDY SESSION

10:00 A.M.

1. Pledge of Allegiance and Safety Minute – Pat O’Hara
2. 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
3. Alcoa Update
4. 1st Quarter 2017 Board Balanced Scorecard
5. Advancing Hydropower Policy to Ensure “Credit for Early Action”
6. West Coast Energy Oversupply Discussion
7. Report on 2017 Strategic Planning Retreat

BUSINESS SESSION

1:00 P.M.

Consent Agenda

8. Minutes:

March 30, 2017 workshop
April 3, 2017

9. Vouchers:

Accounts Payable Summary Report dated April 12, 2017:

- a) Vouchers totaling \$9,209,752.90;
- b) Approval of Customer Deposit Returns and Conservation Incentive payments for the period March 29, 2017 through April 11, 2017 in the amount of \$11,856.30;
- c) Approval of the net Payrolls, Warrant Nos. 235135 through 235159 and Advice Nos. 631421 through 632165 for the pay period ending 4/02/2017 in the amount of \$1,774,365.68; and
- d) Approval of Warrant Nos. 23304 through 23339 totaling \$17,317.89 for claim payments from the workers' compensation self-insurance fund for the period ending April 10, 2017.

Regular Agenda

Resolutions

10. A RESOLUTION RATIFYING FIELD WORK ORDER NUMBERS 1-7, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 16-27 WITH RAYFIELD BROS EXCAVATING, INC. OF LEAVENWORTH, WA AND AUTHORIZING PAYMENT OF RETAINAGE

11. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A TASK AUTHORIZATION SERVICES AGREEMENT (SA-TA NO. 17-064) WITH RH2 ENGINEERING, INC. OF WENATCHEE, WASHINGTON FOR CONSULTANT SERVICES AS IT RELATES TO THE DISTRICT'S DESIGN AND ENGINEERING OF THE PESHASTIN WASTEWATER TREATMENT FACILITY IMPROVEMENTS

12. Proposed Motion

Memorandum of Understanding – Chelan County Port District/Chelan County PUD

13. Proposed Motion

To set a special meeting on Tuesday, May 2, 2017, at 7:30 a.m., for the purpose of an update to the Strategy Partners. The meeting is to be held at the Confluence Technology Center, 285 Technology Center Way, Okanogan/Entiat Room Conference Rooms, Wenatchee, WA

14. Manager Items

15. Commission Items
16. Follow-up on Delegation of Action Items from Previous Board Meeting
17. Delegation of Action Items
18. Additional Public Comment*
19. Matters of general business as may necessarily come before the Commission
20. 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).

* 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 RATIFYING FIELD WORK ORDER NUMBERS 1-7, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 16-27 WITH RAYFIELD BROS EXCAVATING, INC. OF LEAVENWORTH, WA 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. Authority was also granted to the General Manager and the staff to execute field work orders under certain circumstances.

On June 7, 2016, the District entered into a unit price contract (Bid No. 16-27) with Rayfield Bros. Excavating, Inc. (Contractor) of Leavenworth, WA for 2016 Power Excavation Services. 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 Numbers 1-7 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. 1-7, which are on file in the offices of the District and summarized as follows:

Field Work Order No.	Description	Amount
1	Adds subcontractor, and adds Unit Price Items from Unit Price Schedule for Changed Work (Exhibit B).	-0-
2	Adds Unit Price Items from Unit Price Schedule for Changed Work (Exhibit B).	-0-
3	Adds Unit Price Items from Unit Price Schedule for Changed Work (Exhibit B).	-0-
4	Reconciles Bid Price Schedule for Merry Canyon and Blue Star Feeders from estimates to actuals.	\$80,461.53
5	Reconciles Bid Price Schedule for Derby Canyon and Ollala Canyon from estimates to actuals.	\$40,121.86
6	Reconciles Bid Price Schedule for Chiwawa Loop Road and Chelan Butte from estimates to actuals.	\$81,255.91
7	Reconciles Bid Price Schedule for No-See-Um Road and Totem Pole Road from estimates to actuals.	\$20,822.16
	Total	\$222,661.46

The original bid total using estimated quantities for excavation work to be performed throughout the contract was \$316,935.00. After the FWO's were issued the total contract price was \$539,596.46 (excluding WSST). District's Engineers recommend the Field Work Orders be ratified. Resolution No. 08-13325 provides that these types of field work orders 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 February 27, 2017. 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 Nos. 1-7 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 Nos. 1-7 to Bid No. 16-27 with Rayfield Bros Excavating, Inc. for the work specified above, which resulted in an increase of \$221,661.46 for a revised total contract amount of \$539,596.46, plus Washington State sales tax, are hereby ratified.

Section 2. All the contract work required under Bid No. 16-27 was completed on February 27, 2017, 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 17th day of April 2017.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A TASK AUTHORIZATION SERVICES AGREEMENT (SA-TA NO. 17-064) WITH RH2 ENGINEERING, INC. OF WENATCHEE, WASHINGTON FOR CONSULTANT SERVICES AS IT RELATES TO THE DISTRICT'S DESIGN AND ENGINEERING OF THE PESHASTIN WASTEWATER TREATMENT FACILITY IMPROVEMENTS

FACTUAL BACKGROUND AND REASONS FOR ACTION

Improvements to the Peshastin Wastewater Treatment Facility are necessary to ensure the facility is meeting effluent limits for phosphorus required by State of Washington Department of Ecology. The project is required to be functionally complete by March of 2020 to meet the compliance deadline. The total project cost of \$3,500,000 is expected to be funded from a grant loan from Ecology. Consultant services for the project will include design, engineering, permit coordination, construction support, and process controls integration, concluding in 2020. Resolution No. 08-13325 requires that the Commission, by resolution, authorize Service Agreements that exceed \$200,000.

RH2 Engineering, Inc. has prepared a proposal to perform consultant services as it relates to the District's Peshastin Wastewater Treatment Facility Improvements Project.

District staff has determined that RH2 Engineering, Inc. is the best qualified firm to provide the required services and that the costs proposed for the services is a fair and reasonable price. The total costs for the services to be provided by RH2 Engineering, Inc. shall not exceed \$670,000.

It is District staff's recommendation that it is in the best interest of the District to enter into a Services Agreement with RH2 Engineering, Inc. for the above-described services. Services shall be provided when and as requested by the District, according to written task orders which define the scope, budget and schedule for individual tasks. No work shall be undertaken by RH2 Engineering, Inc. without a written task order.

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 RH2 Engineering, Inc. for consultant services as it relates to the District's Peshastin Wastewater Treatment Facility Improvements Project in an amount not to exceed \$670,000 without prior Commission approval. A copy of the Agreement is on file in the offices of the District.

DATED this 17th day of April 2017.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal