

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

REGULAR COMMISSION MEETING

APRIL 17, 2023

STUDY SESSION

10:00 AM

1. Pledge of Allegiance and Safety/HPI Minute – Dave Parkhill
2. Approval of the Agenda
3. Quarterly Board Balanced Scorecard Status Update
4. Public Power Benefit Projects 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 April 3, 2023 Regular Meeting
7. Vouchers: Accounts Payable Summary Report dated April 11, 2023:
 - a. Vouchers totaling \$7,595,507.65;
 - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period March 29, 2023 through April 10, 2023 in the amount of \$76,832.34.
 - c. Approval of the net Payroll, Warrant Nos. 238113 through 238127 and Advice Nos. 753369 through 754174 for the pay period ending March 26, 2023 in the amount of \$2,420,163.78.
 - d. Approval of Warrant Nos. 29423 through 29504 totaling \$13,663.70 for claim payments from the workers' compensation self-insurance fund for the period ending April 10, 2023.

- e. Approval of Parks Reservation System customer refunds for the period March 25, 2023 through April 10, 2023 in the amount of \$910.00.

Regular Agenda

8. A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 25 AND FURTHER APPROVING FIELD WORK ORDER/CHANGE ORDER NO. 26 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
9. A RESOLUTION DECLARING THAT NO BIDS WERE RECEIVED FOR ROCKY REACH UNITS C1 THROUGH C7 THRUST BEARING OIL COOLERS (BID NO. 22-12576) AND AUTHORIZING THE ROCKY REACH UNITS C1 THROUGH C7 THRUST BEARING OIL COOLERS BE OBTAINED BY NEGOTIATION
10. A RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR SERVICE AGREEMENTS 04-03 AND 17-134 WITH OPEN ACCESS TECHNOLOGY INTERNATIONAL, INC. (OATI) OF MINNEAPOLIS, MINNESOTA FOR WEBTRADER AND WEBACCOUNTING SERVICES
11. Capital Budget Revision
Proposed motion: To establish a Total Project Budget and 2023 current year budget in the amount of \$701,000 for Water System AMR Replacement capital project; and to decrease the 2023 budget for the Water Meters project (WRXX0006) by \$414,000, the Upper Skyline Tank Replacement project (WR230002) by \$75,000, and the Maple Water Main Tie (WR220002) by \$212,000 to result in no net change to the overall 2023 Water System approved capital budget
12. Manager Items
13. Commission Items
 - a. Special Meetings
Proposed motion:
To set the following special meetings:
 - On Friday, April 28 @ 9:00am at Confluence Technology Center, 285 Technology Center Way, Wenatchee, for the purpose of holding a Board Governance Workshop
 - On Tuesday, May 16, 2023 @ 1:00pm at Confluence Technology Center, 285 Technology Center Way, Wenatchee, for the purpose of holding a Tri-Commission meeting
14. Follow-up on Delegation of Action Items from Previous Board Meeting

REGULAR COMMISSION MEETING AGENDA

April 17, 2023

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15. Delegation of Action Items
16. Additional Public Comment
17. Matters of general business as may necessarily come before the Commission
18. Executive Session: 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) and to review the performance of a public employee, as authorized by RCW 42.30.110(1)(g) 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. 25 AND FURTHER APPROVING FIELD WORK ORDER/CHANGE ORDER NO. 26 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.

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 under certain circumstances.

The work in FWO/CO No. 25 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. 25, which is on file in the offices of the District and summarized as follows:

FWO/CO No.	Description	Amount
25	Bid Package 8 Addendum Reconciliation, Building C Water Service Revision, Building C Transformer Tester Feeder, Building B Shotcrete Wainscot, Modify Clips at Beam Deflection, and other changes	\$430,027
Total		\$430,027

*Note: Attachment "A" to this Resolution contains additional details of Change Order No. 25.

Field Work Order/Change Order No. 25 results in a net increase in the contract price of \$430,027 for a revised total price of \$115,503,355, (excluding sales tax), which the District's Engineers recommend be ratified.

Additionally, District Staff recommends execution of Field Work Order/Change Order No. 26 to increase the contract price by \$3,778,359 for a revised total price of \$119,281,714 (excluding sales tax). Field Work Order/Change Order No. 26 increases Contract Time for Phase 1 Substantial Completion due to weather delays and addresses delay impacts, resulting from District direction to stop work, for the Structural Steel trade package and partially addresses these impacts for the Electrical trade package.

The General Manager of the District concurs with staff’s recommendation that Field Work Order No. 25 be ratified and further approve Field Work Order/Change Order No. 26.

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 No. 25 was properly executed pursuant to the authority delegated by Resolution No. 17-14215 and 21-14576 and said Field Work 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. 26. A copy of the Field Work Order/Change Order shall be on file in the offices of the District.

DATED this 17th day of April 2023.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

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

Description	Amount
Change Order 25	
Modify clips at beam deflection	\$49,222
UPS Revisions	\$15,263
Ops Tech and Electrical Changes	\$40,494
Relocate J5 Light Fixtures	\$1,945
Building B Shotcrete Wainscot	\$50,467
Building C Transformer Tester Electrical Feed	\$50,041
Bid Package 8 - Addendum 05 Reconciliation	\$110,320
Steel Leg Detail	\$4,024
Linear Slot Diffusers at Wood Ceilings	\$16,155
Water Vault Retaining Wall	\$22,911
Level 3 Office Transfer Grilles	\$3,118
Add Flashing at Gap at Brick Wall	\$827
Building C Water Service Change	\$55,026
Add Insulation at Partitions Intersecting Exterior Walls	\$2,437
Beam Supports and Brace Removal	\$7,777
Change Order 25 Total	\$430,027
Change Order 26	
Phase 1 Substantial Completion - Time Extension	\$0
Cultural Delay - BPK 07 - Steel Supply and Erection	\$1,493,698
Cultural Delay - BPK 26 - Electrical (Partial)	\$2,284,661
Change Order 26 Total	\$3,778,359

RESOLUTION NO. _____

A RESOLUTION DECLARING THAT NO BIDS WERE RECEIVED FOR ROCKY REACH UNITS C1 THROUGH C7 THRUST BEARING OIL COOLERS (BID NO. 22-12576) AND AUTHORIZING THE ROCKY REACH UNITS C1 THROUGH C7 THRUST BEARING OIL 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 the supply of Rocky Reach Units C1 through C7 Thrust Bearing Oil Coolers. This bid is required to purchase sixty – four (64) new thrust bearing oil coolers to replace all existing coolers for the small Rocky Reach units on a schedule that aligns with unit overhauls or as individual coolers fail.

Sealed proposals were invited and published in accordance with RCW 54.04.070 and no bids were received on the closing date, March 28, 2023 at 2:00P.M. Pacific Time in the offices of the District.

Resolution No. 17-14215 requires that declaration that no bids were received 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 Units C1 through C7 Thrust Bearing Oil Coolers be procured by negotiation, rather than re-advertising for bids.

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. No bids were received to furnish Rocky Reach Units C1 through C7 Thrust Bearing Oil Coolers (Bid No. 22-12576). District staff is authorized to

obtain Rocky Reach Units C1 through C7 Thrust Bearing Oil 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 17th day of April 2023.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR SERVICE AGREEMENTS 04-03 AND 17-134 WITH OPEN ACCESS TECHNOLOGY INTERNATIONAL, INC. (OATI) OF MINNEAPOLIS, MINNESOTA FOR WEBTRADER AND WEBACCOUNTING SERVICES

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District has a requirement for a comprehensive energy trading and scheduling system that is fully integrated with the NERC mandated electronic tagging (e-tagging) system. In addition, the District has a requirement to fulfill its data processing contractual obligations to its power purchasers.

webTrader (04-03)

The District used the competitive negotiation procedures set forth in RCW 39.04.270 and issued a Request for Proposal (RFP 04-03) in April 2004 for an automated Power Transaction Management System that would integrate e-tagging with the District's trading, scheduling and interchange accounting.

On September 7, 2004, the Commission approved Resolution No. 04-12595 authorizing a three (3) year contract with OATI, Inc. in an amount not to exceed \$800,000.

The Commission approved Resolution No. 08-13264 on February 25, 2008, authorizing additional funding in the amount not to exceed \$850,000, and a five (5) year term extension through May 2, 2008.

The Commission approved Resolution No. 11-13651 on May 2, 2011, authorizing additional funding in the amount of \$250,000, for a total not to exceed price of \$1,100,000 for the five (5) year term set to expire May 2, 2013.

The Commission approved Resolution 13-13797 on April 15, 2013, authorizing additional funding in the amount not to exceed an additional \$3,000,000, and a ten (10) year term extension through May 2, 2023.

webAccounting (17-134)

On September 5, 2017, the Commission approved Resolution 17-14174 authorizing a contract with OATI, Inc. in an amount not to exceed \$635,000 for energy accounting software.

The Commission approved Resolution 21-14552 on April 19, 2021, authorizing additional funding in the amount of \$600,000.

Staff has determined that OATI continues to be the best provider of these services and recommends that it is in the best interest of the District to authorize a change order extending both Agreements for a term of ten (10) years, and approving the expenditure of \$6,500,000 for both Agreements during that time period (May 2, 2023 – December 31, 2033).

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 a change order with Open Access Technology International, Inc. to extend the referenced Agreements for a term of ten (10) years, through May 2, 2033, and to approve the expenditure of \$6,500,000 for both Agreements during that time period (May 2, 2023 – December 31, 2033).

DATED this 17th day of APRIL 2023.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal