

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

**REGULAR COMMISSION MEETING**

**MAY 1, 2023**

**STUDY SESSION**

**10:00 AM**

1. Pledge of Allegiance and Safety/HPI Minute – Nick Winters
2. Approval of the Agenda
3. Quarterly District Performance Plan Status Update
4. Legislative Session Wrap Up
5. Fiber and Telecom Rate Update
6. Public Comment  
*Time reserved for public comments or questions related to matters not covered by the agenda*

**BUSINESS SESSION**

**1:00 PM**

**Consent Agenda**

7. Minutes of the April 17, 2023 Regular Meeting and April 21, 2023 Special Meeting
8. Vouchers: Accounts Payable Summary Report dated April 25, 2023:
  - a. Vouchers totaling \$16,817,676.10;
  - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period April 11, 2023 through April 24, 2023 in the amount of \$70,204.76.
  - c. Approval of the net Payroll, Warrant Nos. 238128 through 238140 and Advice Nos. 754175 through 754998 for the pay period ending April 09, 2023 in the amount of \$2,457,148.92

- d. Approval of Warrant Nos. 29505 through 29555 totaling \$11,349.63 for claim payments from the workers' compensation self-insurance fund for the period ending April 24, 2023
- e. Approval of Parks Reservation System customer refunds for the period April 11, 2023 through April 24, 2023 in the amount of \$1,155.00

**Regular Agenda**

- 9. A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 1, AND APPROVING FIELD WORK ORDER/CHANGE ORDER NO. 2 TO CONTRACT NO. 20-42 WITH PARAMOUNT COMMUNICATIONS, INC. FOR TELE-COMMUNICATIONS FIBER OPTIC DOCK CREW
- 10. A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 1, AND APPROVING FIELD WORK ORDER/CHANGE ORDER NO. 2 TO CONTRACT NO. 22-12101 WITH PALOUSE POWER, LLC FOR UNIT PRICE ELECTRICAL DOCK CREW
- 11. A RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO SERVICES AGREEMENT (SA NO. 21-11392) WITH POWER ENGINEERS, INCORPORATED TO PROVIDE TRANSMISSION AND DISTRIBUTION SUPPORT SERVICES
- 12. A RESOLUTION REJECTING ALL BIDS AND DECLARING THAT NO BIDS WERE RECEIVED FOR THE SUPPLY OF STATION SERVICE VOLTAGE TRANSFORMERS FOR MCKENZIE SWITCHYARD (BID NO. 22-12564) AND AUTHORIZING THE STATION SERVICE VOLTAGE TRANSFORMERS FOR MCKENZIE SWITCHYARD BE OBTAINED BY NEGOTIATION
- 13. A RESOLUTION REJECTING THE BID OF TRANSAMERICAN POWER PRODUCTS, INC. (TAPP INC.) AND ACCEPTING THE BID OF WIRELESS STRUCTURES CONSULTING INC. DBA WESTERN UTILITY TELECOM, INC. OF SALEM, OREGON (BID NO. 22-12591) FOR THE JUMPOFF RIDGE TRANSMISSION - SUPPLY OF STEEL STRUCTURES
- 14. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A SERVICES AGREEMENT (SA NO. 23-12871) WITH FOUR PEAKS ENVIRONMENTAL SCIENCE & DATA SOLUTIONS, LLC. OF WENATCHEE, WASHINGTON FOR CONDUCTING A 2023 ROCK ISLAND SUBYEARLING FISH PASSAGE AND BEHAVIOR STUDY
- 15. A RESOLUTION DECLARING PACIFIC AIR SWITCH CORPORATION OF PORTLAND, OR AS THE SOLE SOURCE SUPPLIER OF TRANSMISSION SWITCHES FOR USE AT THE DISTRICT'S SUBSTATIONS, HYDROELECTRIC FACILITIES, TRANSMISSION AND DISTRIBUTION SYSTEMS
- 16. Manager Items
- 17. Commissioner Travel

REGULAR COMMISSION MEETING AGENDA

May 1, 2023

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18. Commission Items
19. Follow-up on Delegation of Action Items from Previous Board Meeting
20. Delegation of Action Items
21. Additional Public Comment
22. Matters of general business as may necessarily come before the Commission
23. 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 APPROVING FIELD WORK ORDER/CHANGE ORDER NO. 2 TO CONTRACT NO. 20-42 WITH PARAMOUNT COMMUNICATIONS, INC. FOR TELECOMMUNICATIONS FIBER OPTIC DOCK CREW

### 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/change orders under certain circumstances.

On April 22, 2021, the District entered into a contract (Bid No. 20-42) with Paramount Communications, Inc. of Richland, Washington for Telecommunications Fiber Optic Dock Crew in the amount of \$2,447,081.40. The contract term was for an initial three (3) year term from the Effective Date of the contract which was May 3, 2021 with the option for one (1) additional one (1) year extension. This contract was advertised for public bid and was awarded as required by RCW 54.04.070 and .080. The bid by the Contractor was the low bid and met the District's specifications.

Field Work Order No. 1 updated annual pricing as contemplated by 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:

<b>FWO/CO No.</b>	<b>Description</b>	<b>Amount</b>
1	Update Annual Unit Prices	\$0
<b>TOTAL</b>		<b>\$0</b>

Field Work Order No. 1 did not change the not to exceed Contract Price of \$2,447,081.40 (excluding sales tax), which District staff recommend be ratified.

Additionally, District Staff recommends execution of FWO/CO No. 2 to increase the not-to-exceed amount by \$2,400,000 for a revised not-to-exceed Contract Price of \$4,847,081.40.

The General Manager of the District concurs with staff's recommendations that Field Work Order/Change Order No. 1 be ratified, and that Field Work Order/Change Order No. 2 be approved.

**ACTION**

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

Section 1. The Commission finds that Field Work Order/Change Order No. 1 was properly executed pursuant to the authority delegated by Resolution No. 17-14215 and said Field Work Order/Change Order is hereby formally acknowledged and ratified.

Section 2. The General Manager of the District is hereby authorized to execute Field Work Order/Change Order No. 2 resulting in a revised Contract Price of \$4,847,081.40 (excluding sales tax). A copy of the Field Work Order/Change Order shall be on file in the offices of the District.

Section 3. The General Manager of the District is hereby further authorized to adjust the Contract Price via Field Work Order/Change Order in accordance with the provisions of Resolution No. 17-14215. Any such Field Work Order/Change Order shall be in compliance with all laws and policies applicable to the District and shall be filed in the offices of the District

DATED this 1st day of May 2023.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Seal

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 1, AND APPROVING FIELD WORK ORDER/CHANGE ORDER NO. 2 TO CONTRACT NO. 22-12101 WITH PALOUSE POWER, LLC FOR UNIT PRICE ELECTRICAL DOCK CREW

**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/change orders under certain circumstances.

On November 14, 2022, the District entered into a contract (Bid No. 22-12101) with Palouse Power, LLC of Quincy, Washington for Unit Price Electrical Dock Crew in the amount of \$1,100,000. The initial contract is for a one (1) year term from the Effective Date of the contract which was January 3, 2023 with the option for three (3) additional one (1) year extensions. This contract was advertised for public bid and was awarded as required by RCW 54.04.070 and .080. The bid by the Contractor was the low bid and met the District's specifications.

The work in Field Work 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:

<b>FWO/CO No.</b>	<b>Description</b>	<b>Amount</b>
1	Add Unit Price Items	\$0
	<b>TOTAL</b>	<b>\$0</b>

Field Work Order No. 1 did not change the not to exceed Contract Price of \$1,100,000 (excluding sales tax), which District staff recommend be ratified.

Additionally, District Staff recommends execution of FWO/CO No. 2 to increase the not-to-exceed amount by \$1,000,000 for a revised not-to-exceed Contract Price of \$2,100,000 (excluding sales tax).

The General Manager of the District concurs with staff's recommendations that Field Work Order/Change Order No. 1 be ratified, and that Field Work Order/Change Order No. 2 be approved.

**ACTION**

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

Section 1. The Commission finds that Field Work Order/Change Order No. 1 was properly executed pursuant to the authority delegated by Resolution No. 17-14215 and said Field Work Order/Change Order is hereby formally acknowledged and ratified.

Section 2. The General Manager of the District is hereby authorized to execute Field Work Order/Change Order No. 2 resulting in a revised not-to-exceed Contract Price of \$2,100,000 (excluding sales tax). A copy of the Field Work Order/Change Order shall be on file in the offices of the District.

Section 3. The General Manager of the District is hereby further authorized to adjust the Contract Price via Field Work Order/Change Order in accordance with the provisions of Resolution No. 17-14215. Any such Field Work Order/Change Order shall be in compliance with all laws and policies applicable to the District and shall be filed in the offices of the District

DATED this 1<sup>st</sup> day of May 2023.

\_\_\_\_\_  
President

ATTEST:

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Vice President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

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Commissioner

Seal

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING AMENDMENT  
NO. 3 TO SERVICES AGREEMENT (SA NO. 21-  
11392) WITH POWER ENGINEERS,  
INCORPORATED TO PROVIDE TRANSMISSION  
AND DISTRIBUTION SUPPORT SERVICES

## FACTUAL BACKGROUND AND REASONS FOR ACTION

The District entered into a Services Agreement (SA No. 21-11392) on August 11, 2021 with Power Engineers, Incorporated to provide transmission and distribution support services, in an amount not to exceed \$250,000. An amendment was executed on September 7, 2022 which increased the not to exceed amount by \$250,000, for a revised not to exceed amount of \$500,000.

District staff has identified the need for additional and continued services for transmission and distribution support 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 Services Agreement No. 21-11392 with Power Engineers, Incorporated in the amount of \$750,000, for a total revised contract price not to exceed \$1,250,000, through the Contracts current completion date of January 31, 2026, as may be amended.

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. 3 to Services Agreement No. 21-11392 with Power Engineers, Incorporated to provide the additional services identified above. The revised contract price will not exceed \$1,250,000 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.



DATED this 1st day of May 2023.

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President

ATTEST:

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Vice President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

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Commissioner

Seal

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION REJECTING ALL BIDS AND DECLARING THAT NO BIDS WERE RECEIVED FOR THE SUPPLY OF STATION SERVICE VOLTAGE TRANSFORMERS FOR MCKENZIE SWITCHYARD (BID NO. 22-12564) AND AUTHORIZING THE STATION SERVICE VOLTAGE TRANSFORMERS FOR MCKENZIE SWITCHYARD 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 Station Service Voltage Transformers for McKenzie Switchyard. This bid is required to purchase six (6) explosion proof station service transformers for McKenzie Switchyard. The station service transformers are required to replace the existing station service transformers which will be taken out of service with the retirement of the existing McKenzie 230/13.8 kV yard at McKenzie.

Sealed proposals were invited and published in accordance with RCW 54.04.070 and said bids were opened on March 23, 2023 at 2:00P.M. Pacific Time in the offices of the District.

Two bids were received pursuant to that invitation. The bid proposals did not meet all statutory requirements. They did not meet the technical specification and required delivery date.

District staff is of the opinion that 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 Station Service Voltage Transformers for McKenzie Switchyard 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. The bids received to furnish the Station Service Voltage Transformers for McKenzie Switchyard (Bid No. 22-12564) are rejected. District staff is authorized to obtain Station Service Voltage Transformers for McKenzie Switchyard 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 1st day of May 2023.

\_\_\_\_\_  
President

ATTEST:

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Vice President

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Secretary

\_\_\_\_\_  
Commissioner

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Commissioner

Seal

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION REJECTING THE BID OF TRANSAMERICAN POWER PRODUCTS, INC. (TAPP INC.) AND ACCEPTING THE BID OF WIRELESS STRUCTURES CONSULTING INC. DBA WESTERN UTILITY TELECOM, INC. OF SALEM, OREGON (BID NO. 22-12591) FOR THE JUMPOFF RIDGE TRANSMISSION - SUPPLY OF STEEL STRUCTURES

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

On March 7, 2023, an invitation for sealed bids was published in accordance with RCW 54.04.070 and Resolution No. 17-14215 to provide Steel Structures for Jumpoff Ridge Transmission. Bid proposals were opened on April 11, 2023, at 2:00P.M. Pacific Time in the offices of the District. Two bids were received (excluding sales tax) as tabulated on Exhibit A attached.

The bid by TransAmerican Power Products, Inc. (TAPP Inc.) did not meet the minimum requirements specified in the contract documents. It did not meet the specified delivery timeframe and included material exceptions to the District's warranty terms. As such, this bid should be rejected as non-responsive.

District staff has determined that the bid of Wireless Structures Consulting Inc. dba Western Utility Telecom, Inc. of Salem, Oregon in the amount of \$933,614.00 (excluding sales tax) is the lowest responsive and best bid in compliance with the plans and specifications for Bid No. 22-12591. This bid meets all statutory requirements. Resolution No. 17-14215 requires that the rejection of the apparent low dollar bidder must come before the Commission for action.

District staff recommend awarding Bid No. 22-12591 to Wireless Structures Consulting Inc. dba Western Utility Telecom, Inc.

The General Manager of the District concurs with District staff's recommendation.

**ACTION**

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

Section 1. The bid submitted by TransAmerican Power Products, Inc. (TAPP Inc.) of Houston, TX did not meet the minimum requirements specified in the contract documents and is hereby rejected.

Section 2. The bid submitted by Wireless Structures Consulting Inc. dba Western Utility Telecom, Inc. of Salem, Oregon is the lowest responsible and best bid in compliance with the plans and specifications to provide Steel Structures for Jumpoff Ridge Transmission. The General Manager of the District is hereby authorized to enter into a contract with Wireless Structures Consulting Inc. dba Western Utility Telecom, Inc. in the amount of \$933,614.00, excluding sales tax. A copy of the contract will be on file in the offices of the District.

DATED this 1st day of May 2023.

\_\_\_\_\_  
President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

Seal

**EXHIBIT A**  
**Bid Tabulation****22-12591 - Jumpoff Ridge Transmission - Supply of Steel Structures**

<b>Bidder Name City, State</b>	<b>Bid Bond/ Cashier's Check</b>	<b>Bid Amount</b>
TransAmerican Power Products, Inc. (TAPP Inc) Houston, TX	Bid Bond	\$896,247.00
Wireless Structures Consulting, Inc. dba Western Utility Telecom, Inc. Salem, OR	Bid Bond	\$933,614.00

## RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A SERVICES AGREEMENT (SA NO. 23-12871) WITH FOUR PEAKS ENVIRONMENTAL SCIENCE & DATA SOLUTIONS, LLC. OF WENATCHEE, WASHINGTON FOR CONDUCTING A 2023 ROCK ISLAND SUBYEARLING FISH PASSAGE AND BEHAVIOR STUDY

**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) requires subyearling Chinook salmon passage and behavioral data to make decisions regarding Habitat Conservation Plan (“HCP”) compliance studies and to optimize future project operations at the Rock Island Hydroelectric Project to meet project survival standards.

In 2021 and 2022, the District entered into a similar Service Agreement with Four Peaks Environmental Science & Data Solutions, LLC to conduct two initial years of Rock Island subyearling passage and behavior studies. Four Peaks Environmental Science & Data Solutions, LLC successfully completed the previous behavioral studies to the satisfaction of the District. At the District’s request, Four Peaks Environmental Science & Data Solutions, LLC has prepared a proposed scope to perform the 2023 Rock Island subyearling passage and behavior study for an estimated cost of \$978,188.

It is District staff’s recommendation that it is in the best interest of the District to enter into a Services Agreement with Four Peaks Environmental Science & Data Solutions, 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 Four Peaks Environmental Science & Data Solutions, LLC for the 2023 Rock Island subyearling fish passage and behavior study in an amount not to exceed \$978,188 without prior Commission approval. A copy of the Agreement is on file in the offices of the District.

DATED this 1<sup>st</sup> day of May 2023.

\_\_\_\_\_  
President

ATTEST:

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Vice President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

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Commissioner

Seal



## RESOLUTION NO. \_\_\_\_\_

## A RESOLUTION DECLARING PACIFIC AIR SWITCH CORPORATION OF PORTLAND, OR AS THE SOLE SOURCE SUPPLIER OF TRANSMISSION SWITCHES FOR USE AT THE DISTRICT'S SUBSTATIONS, HYDROELECTRIC FACILITIES, TRANSMISSION AND DISTRIBUTION SYSTEMS

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

At this time the District has over 100 transmission switches on its system and more are added with line reconfigurations and new substations. These switches consist of 12 brands and 20 different models, and include transmission switches, interrupting devices, operating mechanisms, motor operators and associated accessory equipment (hereafter called "Transmission Switches"). Most of the different models require different parts, repair and maintenance procedures. District staff has started creating an inventory of frequently used parts in our warehouse, but some parts are obsolete, not readily available, or take months to obtain.

District staff has determined it would be in the best interest of the District to standardize to one make of switch to improve reliability, operations and availability of maintenance parts. Currently, we have 3 models of switches from Pacific Air Switch Corporation ("PASCOR") on our system comprising approximately 35% of the total number of Transmission Switches. A sole source agreement with PASCOR will increase operational efficiency as our crews are familiar with their switches and maintenance procedures, and a sole source contract will help minimize additional training required for other manufacturer's equipment. Additionally, PASCOR is located in close proximity to the District's service area and stocks most parts which means we receive parts in days instead of weeks or months thus helping with expeditious repairs when parts not stocked at the District are needed.

Pursuant to RCW 54.04.070 and 39.04.280, the District may, when there is clearly and legitimately a sole source of supply, waive the statutory competitive bidding requirements otherwise applicable to the purchase of equipment. Resolution No. 17-14215 requires that a declaration for sole source purchases over the statutory limits (\$60,000 per month) must come before the Commission for action.

District staff recommends that it would be in the best interest of the District to designate PASCOR as the sole source supplier for Transmission Switches, and to enter into a contract with PASCOR for the purchase of the Transmission Switches in an amount not to exceed \$1,300,000. The term of the contract will not exceed five years, exclusive of District options to extend and/or renew. Staff also recommend that the competitive bidding requirements of RCW 54.04.070 be waived.

The General Manager has reviewed the staff's recommendations 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 Commission agrees that the District should standardize using PASCOR switches for the reasons listed above and declares PASCOR to be the sole source supplier for Transmission Switches.

Section 2. The competitive bidding requirements of RCW 54.04.070 are hereby waived due to the designation of PASCOR as the sole source supplier for Transmission Switches.

Section 3. The General Manager or his designee is authorized to enter into a contract with PASCOR for the purchase of Transmission Switches at a cost not to exceed \$1,300,000.00 without prior Commission approval. The term shall not exceed five years with District options to extend annually for a total of up to three additional years. A copy of the contract will be on file in the offices of the District.

DATED this 1st day of May 2023.

\_\_\_\_\_  
President

ATTEST:

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Vice President

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Secretary

\_\_\_\_\_  
Commissioner

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Commissioner

Seal