

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

REGULAR COMMISSION MEETING

MAY 6, 2024

STUDY SESSION

10:00 AM

1. Pledge of Allegiance and Safety/H&OP Minute – Mitch Reister
2. Approval of the Agenda
3. Customer Satisfaction Survey Kick-Off
4. Quarterly District Performance Plan Status Update
5. 5th Street Redevelopment Update
6. Quarterly Financial Review and Investment Report
7. Quarterly Energy Resources Update
8. Strategic Vision, Business, and Budget Planning
9. Public Comment
Time reserved for public comments or questions related to matters not covered by the agenda

BUSINESS SESSION

1:00PM

Consent Agenda

10. Minutes of the April 15, 2024 Regular Meeting and April 23, 2024 Special Meeting
11. Vouchers: Accounts Payable Summary Report dated April 20, 2024:
 - a. Vouchers totaling \$28,595,866.12;
 - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period April 09, 2024 through April 29, 2024 in the amount of \$77,223.14.

- c. Approval of the net Payroll, Warrant Nos. 238427 through 238438 and Advice Nos. 775618 through 776466 for the pay period ending April 07, 2024 in the amount of \$2,692,070.02.
- d. Approval of the net Payroll, Warrant Nos. 238439 through 238452 and Advice Nos. 776467 through 777309 for the pay period ending April 21, 2024 in the amount of \$2,736,814.94.
- e. Approval of Warrant Nos. 31155 through 31282 totaling \$25,091.90 for claim payments from the workers' compensation self-insurance fund for the period ending April 29, 2024.
- f. Approval of Parks Reservation System customer refunds for the period April 09, 2024 through April 29, 2024 in the amount of \$1,890.00.

Regular Agenda

- 12. A RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO ENABLING AGREEMENT (PSA NO. 20-10977) WITH EXPRESS SERVICES, INC. DBA EXPRESS EMPLOYMENT PROFESSIONALS TO PROVIDE TEMPORARY EMPLOYMENT SERVICES
- 13. A RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO ENABLING AGREEMENT (PSA NO. 20-10980) WITH STAFFMARK INVESTMENT LLC DBA STAFFMARK TO PROVIDE TEMPORARY EMPLOYMENT SERVICES
- 14. A RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO SERVICES AGREEMENT (SA NO. 22-12309) WITH HDR ENGINEERING, INC. TO PROVIDE ASSET MANAGEMENT SUPPORT SERVICES
- 15. A RESOLUTION REJECTING ALL BIDS AND DECLARING THAT NO BIDS WERE RECEIVED FOR ROCKY REACH UNWATERING PUMP (BID NO. 23-12769) AND AUTHORIZING THE MATERIAL BE OBTAINED BY NEGOTIATION
- 16. A RESOLUTION DECLARING CLIMAX PORTABLE MACHINE TOOLS, INC OF NEWBERG, OREGON AS THE SOLE SOURCE SUPPLIER OF SPECIALTY PORTABLE MACHINE TOOLS AND SUPPORTING EQUIPMENT (CONTRACT NO. 24-13573)
- 17. Capital Budget Revision – Riverfront Park Project – Justin Erickson
To increase the total project budget for DS220008 - Riverfront Park Improvements (Phase 1) by \$4,700,000 for a revised total project budget of approximately \$11.7M.
- 18. Manager Items
- 19. Commissioner Travel – Lisa Sanders

REGULAR COMMISSION MEETING AGENDA

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20. Commission Items

21. Follow-up on Delegation of Action Items from Previous Board Meeting

22. Delegation of Action Items

23. Additional Public Comment

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

25. 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 AUTHORIZING AMENDMENT
NO. 4 TO ENABLING AGREEMENT (PSA NO. 20-
10977) WITH EXPRESS SERVICES, INC.
DBA EXPRESS EMPLOYMENT PROFESSIONALS
TO PROVIDE TEMPORARY EMPLOYMENT
SERVICES

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District entered into an Enabling Agreement (PSA No. 20-10977) on October 30, 2020, with Express Services, Inc. dba Express Employment Professionals to provide temporary employment services in an amount not to exceed \$500,000. The Agreement is perpetual and will only end upon termination by either party.

Resolution No. 20-14499 dated November 16, 2020 authorized Amendment No. 1 in the amount of \$1,000,000, for a revised not to exceed contract price of \$1,500,000.

Resolution No. 21-14579 dated September 7, 2021 authorized Amendment No. 2 in the amount of \$1,500,000, for a revised not to exceed contract price of \$3,000,000.

Resolution No. 22-14716 dated December 5, 2022 authorized Amendment No. 3 in the amount of \$2,000,000, for a revised not to exceed contract price of \$5,000,000.

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 Enabling Agreement PSA No. 20-10977 with Express Employment Professionals to increase the not to exceed amount by \$2,000,000 to assist with temporary employment services, for a total revised contract price not to exceed \$7,000,000.

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 Amendment No. 4 to Enabling Agreement (PSA No. 20-10977) with Express Employment Professionals to provide temporary employment services. The revised contract price will not exceed \$7,000,000 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.

DATED this 6th day of May, 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AMENDMENT
NO. 2 TO ENABLING AGREEMENT (PSA NO. 20-
10980) WITH STAFFMARK INVESTMENT LLC
DBA STAFFMARK TO PROVIDE TEMPORARY
EMPLOYMENT SERVICES

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District entered into an Enabling Agreement (PSA No. 20-10980) on September 28, 2020, with Staffmark Investment LLC dba Staffmark to provide temporary employment services in an amount not to exceed \$500,000. This Agreement is perpetual and will only end upon termination by either party.

Resolution No. 20-14500 dated November 16, 2020 authorized Amendment No. 1 to increase the contract amount by \$1,000,000, for a revised not to exceed contract price of \$1,500,000.

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 Enabling Agreement PSA No. 20-10980 with Staffmark to increase the not to exceed amount by \$1,000,000 to assist with temporary employment services, for a total revised contract amount not to exceed \$2,500,000.

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 Amendment No. 2 to Enabling Agreement (PSA No. 20-10980) with Staffmark to provide temporary employment services. The revised contract price will not exceed \$2,500,000 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.

DATED this 6th day of May, 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AMENDMENT
NO. 2 TO SERVICES AGREEMENT (SA NO. 22-
12309) WITH HDR ENGINEERING, INC. TO
PROVIDE ASSET MANAGEMENT SUPPORT
SERVICES

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District entered into a Services Agreement (SA No. 22-12309) on November 9, 2022 with HDR Engineering, Inc. to provide joint development of a five-year roadmap for Generation Asset Management, in an amount not to exceed \$50,000. The Services Agreement was amended on March 6, 2023 to cover additional services and increase the not to exceed amount by \$199,000 for a revised contract price not to exceed \$249,000.

District staff has identified the need for additional services for supporting the development of the Generation Asset Management program. 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. 22-12309 with HDR Engineering, Inc. to provide the additional services in the amount of \$494,610, for a total revised contract price not to exceed \$743,610.

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. 22-12309) with HDR Engineering, Inc. to provide the additional services identified above. The revised contract price will not exceed \$743,610 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.

DATED this 6th day of May 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION REJECTING ALL BIDS AND DECLARING THAT NO BIDS WERE RECEIVED FOR ROCKY REACH UNWATERING PUMP (BID NO. 23-12769) AND AUTHORIZING THE MATERIAL 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 Rocky Reach Unwatering Pump (Bid 23-12769).

Sealed proposals were invited and published in accordance with RCW 54.04.070 and said bids were opened on April 25, 2024, at 2:00 pm Pacific Time in the offices of the District.

Two (2) bids were received pursuant to that invitation. All bids exceeded the engineer's estimate by over fifteen percent (15%).

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 materials 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 Unwatering Pump 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 Rocky Reach Unwatering Pump (Bid No. 23-12769) are rejected. District staff is authorized to obtain Rocky Reach Unwatering Pump 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 6th day of May 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION DECLARING CLIMAX PORTABLE MACHINE TOOLS, INC. OF NEWBERG, OREGON AS THE SOLE SOURCE SUPPLIER OF SPECIALTY PORTABLE MACHINE TOOLS AND SUPPORTING EQUIPMENT (CONTRACT NO. 24-13573)

FACTUAL BACKGROUND AND REASONS FOR ACTION

Climax Portable Machine Tools, Inc. (“Climax”) produces the BB line of portable line boring tools and the FF line of portable flange facing tools and components unique to those lines of equipment (“Specialty Portable Machine Tools”) that are unique in the industry. The District currently owns and utilizes several portable machining tools from Climax. These tools use tooling and parts that are interchangeable, whereby similar tooling from other manufacturers are not, furthering the streamlining of the District’s tooling inventory. Any specification for interchangeable or compatible parts could not be satisfied by other vendors.

Climax has provided certification that it is the sole source supplier of Specialty Portable Machine Tools and that the District is receiving the lowest price that is provided to all similarly situated category of purchasers for said equipment.

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 must come before the Commission for action.

District staff has determined that it would be in the best interest of the District to designate Climax as the sole source supplier for Specialty Portable Machine Tools, and to enter into a contract with Climax in an amount not to exceed \$1,000,000.00 (excluding WA State sales tax). Staff also recommend that the competitive bidding requirements of RCW 54.04.070 be waived.

The General Manager has reviewed staff’s recommendations and concurs with 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 declares Climax Portable Machine Tools, Inc. to be the sole source supplier for Specialty Portable Machine Tools.

Section 2. In accordance with RCW 39.04.280 the competitive bidding requirements of RCW 54.04.070 are hereby waived, due to the designation of Climax Portable Machine Tools, Inc. as the sole source supplier for Specialty Portable Machine Tools.

Section 3. The General Manager or his designee is authorized to enter into a purchase contract with Climax Portable Machine Tools, Inc. for Specialty Portable Machine Tools at a cost not to exceed \$1,000,000.00 (excluding WA State sales tax) without prior Commission approval. A copy of the contract will be on file in the offices of the District.

Dated this 6th day of May 2024.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal