

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

**REGULAR COMMISSION MEETING**

**JULY 10, 2023**

**STUDY SESSION**

**10:00 AM**

1. Pledge of Allegiance and Safety/HPI Minute – Eddie Amezcua
2. Approval of the Agenda
3. CPO Winner Recognition
4. Fish and Wildlife 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 June 26, 2023 Regular Meeting
7. Vouchers: Accounts Payable Summary Report dated July 05, 2023:
  - a. Vouchers totaling \$34,918,839.37;
  - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period June 20, 2023 through July 04, 2023 in the amount of \$70,218.56.
  - c. Approval of the net Payroll, Warrant Nos. 238197 through 238207 and Advice Nos. 758291 through 759112 for the pay period ending June 18, 2023 in the amount of \$2,693,806.16.
  - d. Approval of Warrant Nos. 29750 through 29817 totaling \$11,218.97 for claim payments from the workers' compensation self-insurance fund for the period ending July 03, 2023.
  - e. Approval of Parks Reservation System customer refunds for the period June 17, 2023 through July 04, 2023 in the amount of \$455.00.

**Regular Agenda**

8. A RESOLUTION AUTHORIZING AN AMENDMENT TO SERVICES AGREEMENT (SA NO. 21-11980) WITH APFS, LLC TO PROVIDE TECHNICAL PROJECT MANAGEMENT RESOURCES
9. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A SERVICES AGREEMENT (SA NO. 22-12670) WITH HORROCKS ENGINEERS, INC. OF SPOKANE, WASHINGTON FOR CONSULTING SERVICES NEEDED IN THE PREPARATION OF FRANCHISE CONSOLIDATION APPLICATIONS TO RENEW DISTRICT FRANCHISES WITH THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
10. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A TASK AUTHORIZATION SERVICES AGREEMENT (SA NO. 23-13046) WITH HDR ENGINEERING, INC. OF BELLEVUE, WASHINGTON FOR ENGINEERING CONSULTING SERVICES
11. A RESOLUTION DECLARING WHITNEY EQUIPMENT COMPANY, INC. OF BOTHELL, WASHINGTON AS THE SOLE SOURCE SUPPLIER OF FLYGT PUMPS FOR ROCKY REACH DAM (CONTRACT NO. 23-13061)
12. Manager Items
13. Commission 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
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 AUTHORIZING AN  
AMENDMENT TO SERVICES AGREEMENT (SA  
NO. 21-11980) WITH APFS, LLC TO PROVIDE  
TECHNICAL PROJECT MANAGEMENT  
RESOURCES

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District entered into a Services Agreement (SA No. 21-11980) on March 22, 2022, with APFS, LLC to provide Technical Project Management Resources, in an amount not to exceed \$250,000. Amendment 1 increased the not to exceed amount to \$499,000.

Resolution No. 22-14726 dated December 19, 2022, authorized an amendment to increase the not to exceed amount to \$1,999,000.

District staff has identified the need for additional services for new and ongoing supplemental technical program management resources. Ongoing program management support for the District's Field Workforce Management and Customer Self Service initiatives are expected to continue through 2023. District staff also expects to utilize these services to supplement additional technology specific program management efforts through 2024. 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 SA No. 21-11980 with APFS, LLC in the amount of \$231,000, for a total revised contract price not to exceed \$2,230,000.

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 SA No. 21-11980 with APFS, LLC to provide the additional services identified above. The revised contract price will not exceed \$2,230,000 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.

DATED this 10th day of July 2023.

\_\_\_\_\_  
President

ATTEST:

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

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Seal

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

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A SERVICES AGREEMENT (SA NO. 22-12670) WITH HORROCKS ENGINEERS, INC. OF SPOKANE, WASHINGTON FOR CONSULTING SERVICES NEEDED IN THE PREPARATION OF FRANCHISE CONSOLIDATION APPLICATIONS TO RENEW DISTRICT FRANCHISES WITH THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

The District needs consulting services to assist the District with the preparation of franchise consolidation applications. The applications are needed in order to renew District franchises which allow District infrastructure to be located within Washington State Department of Transportation (WSDOT) right-of-way. Resolution No. 17-14215 requires that the Commission, by resolution, authorize Service Agreements that exceed \$500,000.

Horrocks Engineers, Inc. of Spokane Washington performs consulting services that are consistent with District needs.

District staff has determined that Horrocks Engineers, Inc. is the best qualified firm to provide the required services and that the proposed price(s) for the services are fair and reasonable. The total costs for the services to be provided by Horrocks Engineers, Inc shall not exceed \$775,000 for services through December 31, 2025.

It is District staff's recommendation that it is in the best interest of the District to enter into a Services Agreement with Horrocks Engineers, Inc. for the above-described services.

The General Manager of the District has reviewed staff's recommendation and concurs with 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 Horrocks Engineers, Inc. for consulting services in an amount not to exceed \$775,000 without prior Commission approval. A copy of the Agreement is on file in the offices of the District.

DATED this 10th day of July 2023.

\_\_\_\_\_  
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 NO. 23-13046) WITH HDR ENGINEERING, INC. OF BELLEVUE, WASHINGTON FOR ENGINEERING CONSULTING SERVICES

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

The District has identified a need for additional services including project engineering, project controls and monitoring, general engineering, organizational and other assessments and evaluations. Resolution No. 17-14215 requires that the Commission, by resolution, authorize Service Agreements that exceed \$500,000.

HDR Engineering Inc. of Bellevue, Washington performs engineering consulting services that are consistent with the District's needs.

District staff has determined that HDR Engineering, Inc. is the best qualified firm to provide the required services and that the proposed price(s) for the services are fair and reasonable. The total costs for the services to be provided by HDR Engineering, Inc shall not exceed \$3,000,000 for services through August 31, 2026.

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

The General Manager of the District has reviewed staff's recommendation and concurs with 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 HDR Engineering, Inc. for engineering consulting services in an amount not to exceed \$3,000,000 without prior Commission approval. A copy of the Agreement is on file in the offices of the District.

DATED this 10th day of July 2023.

\_\_\_\_\_  
President

ATTEST:

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

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Seal



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

A RESOLUTION DECLARING WHITNEY EQUIPMENT COMPANY, INC. OF BOTHELL, WASHINGTON AS THE SOLE SOURCE SUPPLIER OF FLYGT PUMPS FOR ROCKY REACH DAM (CONTRACT NO. 23-13061)

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

Currently at Rocky Reach Dam, twenty-nine (29) Flygt PP-7900 pumps are installed in the attraction water system for the Juvenile Fish Bypass system. The existing Flygt PP-7900 pumps were manufactured by Flygt and have been in service for roughly twenty (20) years. The District's Central Maintenance crews have completed annual maintenance on the existing Flygt PP-7900 pumps. The designed Flygt PP-7900 pump fits into the District's existing attraction water frames of the Juvenile Fish Bypass system. The Flygt PP-7900 pump design and dimensions are not available from other manufacturers.

Whitney Equipment Company, Inc. is Flygt's sole source supplier of Flygt PP-7900 pumps for the State of Washington. Flygt has provided certification that they are the sole source manufacturer and that Whitney Equipment Company, Inc. is the sole source supplier of Flygt PP-7900 pumps. Whitney Equipment Company, Inc. provided certification that the District is receiving the lowest price available for the Flygt PP-7900 pumps.

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 (\$120,000 per month) must come before the Commission for action.

District staff has determined that it would be in the best interest of the District to designate Flygt as the sole source manufacturer and Whitney Equipment Company, Inc. as the sole source supplier for Flygt PP-7900 pumps, and to enter into a contract with Whitney Equipment Company, Inc. for the purchase of the Flygt pumps in an amount not to exceed \$12,017,896.00 through 2028 (excluding WA State sales tax and shipping). This will allow Staff to purchase additional pumps as they fail and are not repairable. Staff also recommends that the competitive bidding requirements of RCW 54.04.070 be waived.

The General Manager has reviewed 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 declares Flygt to be the sole source manufacturer and Whitney Equipment Company, Inc. to be the sole source supplier for Flygt PP-7900 pumps.

Section 2. The competitive bidding requirements of RCW 54.04.070 are hereby waived due to the designation of Whitney Equipment Company, Inc. as the sole source supplier for Flygt PP-7900 pumps.

Section 3. The General Manager or his designee is authorized to enter into purchase contracts with Whitney Equipment Company, Inc. for the purchase of Flygt PP-7900 pumps at a cost not to exceed \$12,017,896.00 (excluding WA State sales tax and shipping) without prior Commission approval. A copy of the contract will be on file in the offices of the District.

Dated this 10th day of July 2023.

\_\_\_\_\_  
President

ATTEST:

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

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Seal