

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

REGULAR COMMISSION MEETING

JULY 20, 2020

Public participation will be by phone only

Dial: 509-661-8872

Conference ID: 8770149#

****Please remember to mute your phone to reduce background noise****

Please contact PUD staff at 509-661-4212 to let us know if you intend to participate by phone

STUDY SESSION

10:00 AM

1. Pledge of Allegiance and HPI Minute – Casey Headlee
2. Approval of the Agenda
Any item on the Consent Agenda shall be subject to transfer to the Regular Agenda upon request of any Commission member
3. CPO Winner Recognition
4. Quarterly Board Balanced Scorecard Status Update
5. Service Center Sitework Construction
6. Employee Recognition

BUSINESS SESSION

1:00 PM

Consent Agenda

7. Minutes of the July 6, 2020 Regular Meeting
8. Vouchers: Accounts Payable Summary Report dated July 15, 2020:
 - a. Vouchers totaling \$7,675,897.32;

REGULAR COMMISSION MEETING AGENDA

July 20, 2020

Page 2

- b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period July 01, 2020 through July 14, 2020 in the amount of \$11,709.59;
 - c. Approval of the net Payroll, Warrant Nos. 237099 through 237115 and Advice Nos. 697188 through 697979 for the pay period ending 07/05/2020 in the amount of \$2,094,670.08;
 - d. Approval of Warrant 26756 through 26783 totaling \$11,665.02 for claim payments from the workers' compensation self-insurance fund for the period ending July 13, 2020.
9. A RESOLUTION RATIFYING FIELD WORK ORDER NO. 1 AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 19-24 WITH PIPKIN INC. DBA PIPKIN CONSTRUCTION OF WENATCHEE, WA AND AUTHORIZING PAYMENT OF RETAINAGE

Regular Agenda

10. A RESOLUTION ACCEPTING THE PROPOSAL OF GE RENEWABLES US LLC OF GREENWOOD VILLAGE, CO TO PROVIDE DESIGN-BUILD SERVICES FOR THE ROCK ISLAND DAM POWERHOUSE #2 – GENERATING UNIT REHABILITATION PROJECT AND TO AUTHORIZE THE GENERAL MANAGER TO ENTER INTO A CONTRACT FOR SAID SERVICES
11. A RESOLUTION REJECTING ALL BIDS AND DECLARING THAT NO BIDS WERE RECEIVED FOR ROCK ISLAND DAM SPILLWAY PIER 1 REPAIRS (BID NO. 19-83) AND AUTHORIZING THE ROCK ISLAND DAM SPILLWAY PIER 1 REPAIRS BE OBTAINED BY NEGOTIATION OR BY RE-ADVERTISING
12. Manager Items
13. Commission Items
14. Follow-up on Delegation of Action Items from Previous Board Meeting
15. Delegation of Action Items
16. Additional Public Comment
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.
17. Matters of general business as may necessarily come before the Commission
18. 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)

REGULAR COMMISSION MEETING AGENDA

July 20, 2020

Page 3

This agenda and resolutions (if any) may be revised by the Commission as appropriate.

RESOLUTION NO. _____

A RESOLUTION RATIFYING FIELD WORK
ORDER NO. 1 AUTHORIZING FINAL
ACCEPTANCE OF WORK PERFORMED UNDER
BID NO. 19-24 WITH PIPKIN INC. DBA PIPKIN
CONSTRUCTION OF WENATCHEE, WA AND
AUTHORIZING PAYMENT OF RETAINAGE

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 under certain circumstances.

On August 16, 2019, the District entered into a contract (Bid No. 19-24) with Pipkin Inc. DBA Pipkin Construction (Contractor) of Wenatchee, WA for Rock Island Dam Barge Berth Improvement Project, in the amount of \$585,000.00. 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 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 No. 1, which is on file in the offices of the District and summarized as follows:

Field Work Order No.	Amount
1. Increase Contract Price for additional concrete work	\$26,669.17
Total	\$26,669.17

Field Work Order No. 1 results in a net increase in the contract price of \$26,669.17 for a new revised total price of \$611,669.17 (excluding sales tax), which the District's Engineers recommend be ratified. Resolution No. 17-14215 provides that this type of field work order 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 June 2, 2020. 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 No. 1 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 No. 1 to Bid No. 19-24 with Pipkin Inc. DBA Pipkin Construction for the work specified above, which will result in a net increase in the purchase price of \$26,669.17, for a total revised contract price of \$611,669.17, plus Washington State sales tax, is hereby ratified.

Section 2. All the contract work required under Bid No. 19-24 was completed on June 2, 2020 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 20th day of July 2020.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE PROPOSAL OF GE RENEWABLES US LLC OF GREENWOOD VILLAGE, CO TO PROVIDE DESIGN-BUILD SERVICES FOR THE ROCK ISLAND DAM POWERHOUSE #2 – GENERATING UNIT REHABILITATION PROJECT AND TO AUTHORIZE THE GENERAL MANAGER TO ENTER INTO A CONTRACT FOR SAID SERVICES

FACTUAL BACKGROUND AND REASONS FOR ACTION

On October 1, 2018, by Resolution No. 18-14273, the Commission of the District authorized the General Manager to invite sealed proposals to provide Design-Build services to the District in support of planned rehabilitation to Rock Island Dam Powerhouse #2 – Generating Units. Rehabilitation includes refurbishment of most major components, replacement of some due to known poor condition and limited remaining life, and procurement of some new components to mitigate schedule impacts from finding unrepairable items during the construction outage. The rehabilitation work on the first unit could begin as soon as 2021, and the last unit should complete rehabilitation in 2029.

Resolution No. 17-14215 requires that the Commission, by resolution, award Request for Proposals (RFP) that exceed \$3,000,000.

On January 28, 2019, the District solicited Request for Qualifications from Design-Build firms. On April 4, 2019, the District received three (3) Statements of Qualifications (SOQ). The evaluation team reviewed and scored the SOQs provided by the firms, advancing three (3) firms to the interview stage based on qualifications as provided in RCW 39.10. Based on the results of the interview, all three (3) firms were invited to submit proposals in response to the District's Request for Proposals (RFP). The RFP was used to evaluate project specific criteria, technical design and cost factors. On January 24, 2020, the District received and publically opened three (3) proposals. The evaluation team reviewed the proposals and selected GE Renewables US LLC based on the combined scores for proposals, interviews and pricing.

District's staff has determined that GE Renewables US LLC is the firm best qualified to provide the anticipated work and that the proposal provided by GE Renewables US LLC for said work is fair, reasonable and meets all statutory requirements.

District's staff recommends awarding RFP No. 18-10 to GE Renewables US LLC. GE will assist the District with Preconstruction Services. When design is complete, GE and the District will negotiate a Guaranteed Maximum Price (GMP) for each of the units in Powerhouse #2 and other work associated with the Rock Island Dam Powerhouse #2 – Generating Units Rehabilitation Project. Throughout the duration of

the project the awarded contract shall be amended, by Board resolution, to include construction work to be completed for the guaranteed maximum price. 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, as follows:

Section 1. GE Renewables US LLC of Greenwood Village, CO has been identified as the most qualified proposer for Design-Build Services for the Rock Island Dam Powerhouse #2 – Generating Unit Rehabilitation project based on their qualifications and final proposal. The General Manager of the District is hereby authorized to enter into a contract with GE Renewables US LLC. The contract amount shall not exceed \$4,500,000.00 without prior Board approval. A copy of the contract will be on file in the offices of the District.

DATED this 20th day of July 2020.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

RESOLUTION NO. _____

A RESOLUTION REJECTING ALL BIDS AND DECLARING THAT NO BIDS WERE RECEIVED FOR ROCK ISLAND DAM SPILLWAY PIER 1 REPAIRS (BID NO. 19-83) AND AUTHORIZING THE ROCK ISLAND DAM SPILLWAY PIER 1 REPAIRS BE OBTAINED BY NEGOTIATION OR BY RE-ADVERTISING

FACTUAL BACKGROUND AND REASONS FOR ACTION

The Commission of Public Utility District No. 1 of Chelan County, by Resolution No. 20-14431 adopted on March 2, 2020, approved bidding documents for Rock Island Dam Spillway Pier 1 Repairs (Bid No. 19-83).

A crack was observed on the downstream side of Spillway Pier 1 at Rock Island Dam in November 2018. The District notified the Portland Regional Dam Safety Division of the Federal Energy Regulatory Commission in December 2018. The District's engineering staff, with support from the District's consultant, Stantec, have inspected Pier 1, reviewed available drawings, reports, monitoring data, photographs and performed a structural evaluation. Engineering staff have concluded that the load carrying capacity of the spillway deck has been reduced and that structural repairs should be implemented to restore spillway pier 1 to its original structural capacity.

Sealed proposals were invited and published in accordance with RCW 54.04.070 and said bids were opened on July 8, 2020 at 2:00 Pacific Prevailing Time in the offices of the District.

5 bids were received pursuant to that invitation. The bid proposals either did not meet bid specifications or included material changes to the terms and conditions of the bid, or did not meet all statutory requirements.

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 or by re-advertising if no bids are received. District staff recommends that, due to time constraints and project requirements, the Rock Island Dam Spillway Pier 1 Repairs be procured by negotiation, or by 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 Rock Island Dam Spillway Pier 1 Repairs (Bid No. 19-83) are rejected. District staff is authorized to obtain Rock Island Dam Spillway Pier 1 Repairs by negotiation or re-advertise and the General Manager (or his /her designee) is authorized to execute a contract for the same with acceptable terms and conditions.

DATED this 20th day of July 2020.

President

ATTEST:

Vice President

Secretary

Commissioner

Commissioner

Seal

Contact