

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

**REGULAR COMMISSION MEETING**

**DECEMBER 17, 2018**

**STUDY SESSION**

**10:00 AM**

1. Pledge of Allegiance and Safety Minute – Dave Parkhill
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. Election of 2019 Officers
5. Identity Theft Program Update
6. C-8 Unit Acceptance
7. Lessons Learned

**BUSINESS SESSION**

**1:00 PM**

**Consent Agenda**

8. Minutes of the December 3, 2018 Regular Meeting
9. Vouchers: Accounts Payable Summary Report dated December 12, 2018:
  - a. Vouchers totaling \$11,191,347.81;
  - b. Approval of Customer Deposit Returns and Conservation Incentive payments for the period November 28, 2018 through December 11, 2018 in the amount of \$48,393.38;

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- c. Approval of the net Payrolls, Warrant Nos. 236273 through 236292 and Advice Nos. 664395 through 665143 for the pay period ending 11/25/2018 in the amount of \$2,021,233.98;
  - d. Approval of Warrant Nos. 25094 through 25143 totaling \$37,382.88 for claim payments from the workers' compensation self-insurance fund for the period ending December 10, 2018.
10. A RESOLUTION RATIFYING FIELD WORK ORDER/CHANGE ORDER NO. 1-19 AND AUTHORIZING FINAL ACCEPTANCE FOR THE FIRST UNIT (C-8) UNDER CONTRACT NO. 14-22 WITH VOITH HYDRO, INC. OF YORK, PA AND AUTHORIZING RELEASE OF THE BOND FOR THE FIRST UNIT IN LIEU OF RETAINAGE
11. A RESOLUTION RATIFYING FIELD WORK ORDER NOS. 1 AND 2, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 18-01 WITH PIPKIN, INC DBA PIPKIN CONSTRUCTION OF EAST WENATCHEE, WA AND AUTHORIZING PAYMENT OF RETAINAGE
12. A RESOLUTION RATIFYING FIELD WORK ORDER NOS. 1, 2, AND 3, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER CONTRACT 16-116 (INTERNALLY ASSOCIATED WITH RFP 16-24) WITH SIGNAL PERFECTION, LTD OF COLUMBIA, MD AND AUTHORIZING PAYMENT OF RETAINAGE
13. A RESOLUTION RATIFYING FIELD WORK ORDER NO. 1, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 18-58 WITH J&K EARTHWORKS LLC OF ROCK ISLAND, WA AND AUTHORIZING PAYMENT OF RETAINAGE

**Regular Agenda**

14. A RESOLUTION APPROVING AGREEMENTS TO AMEND AND RESTATE AN INTERLOCAL AGREEMENT WITH THE CITY OF ENTIAT AND AUTHORIZING THE GENERAL MANAGER AND/OR HIS DESIGNEE TO EXECUTE THE AGREEMENTS CLARIFYING THE LOCATION OF PROPERTY AND PROPERTY RIGHTS TO BE GRANTED TO PERMIT THE CONSTRUCTION OF MARINA FACILITIES
15. A RESOLUTION AUTHORIZING AMENDMENT NO. 7 TO SERVICES AGREEMENT (SA NO. 13-058) WITH THYSSENKRUPP ELEVATOR CORPORATION TO PROVIDE MAINTENANCE OF THE DISTRICT'S ELEVATOR EQUIPMENT
16. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO EMERGENCY SERVICES PROTECTION AGREEMENT WITH CHELAN COUNTY FIRE PROTECTION DISTRICT NO. 1 FOR THE FURNISHING OF EMERGENCY FIRE PROTECTION SERVICES
17. A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ORDER TO PROCEED FOR THE 5TH UNIT REHABILITATION UNDER CONTRACT NO. 04 01 PART B FOR THE ROCK ISLAND B5-B10 REHABILITATION PROJECT WITH ANDRITZ HYDRO CORP. AND APPROVING EXECUTION OF FIELD

WORK ORDER/CHANGE ORDER NO. 5-03 FOR RELEASE OF THE REMAINING WORK AND EXECUTION OF FIELD WORK ORDER/CHANGE ORDER NO. 5-04 FOR PURCHASE OF A NEW OUTER HEAD COVER

18. A RESOLUTION APPROVING AN EXCHANGE AGREEMENT AND AUTHORIZING THE GENERAL MANAGER AND/OR HIS DESIGNEE TO EXECUTE A BOUNDARY LINE ADJUSTMENT AND RELATED QUIT CLAIM DEED TO ALLOW FOR THE CONSTRUCTION OF A NEW RESERVOIR
19. A RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO CONTRACT NO. 06-50 WITH DANIEL L. SUN, INC. DBA SUN-NET CONSULTING OF SAN JOSE, CA TO PROVIDE CAISO WEBOMS INTEGRATION
20. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE INDIVIDUAL TASK AUTHORIZATIONS UNDER INTERAGENCY AGREEMENT SA NO. 15-123 WITH WASHINGTON DEPARTMENT OF FISH AND WILDLIFE TO OPERATE THE FISH HATCHERY PROGRAMS REQUIRED IN THE LICENSES FOR THE ROCKY REACH, ROCK ISLAND, AND LAKE CHELAN HYDROELECTRIC PROJECTS
21. A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO AN INTERAGENCY AGREEMENT (SA NO. 18-156) WITH WASHINGTON DEPARTMENT OF FISH AND WILDLIFE TO PERFORM HATCHERY MONITORING AND EVALUATION ACTIVITIES REQUIRED IN THE LICENSES FOR ROCKY REACH AND ROCK ISLAND HYDROELECTRIC PROJECTS
22. A RESOLUTION REJECTING THE BID OF WESCO DISTRIBUTION, INC. AND ACCEPTING THE BID OF GENERAL PACIFIC, INC. (BID 18-87) FOR THE SUPPLY OF DISTRIBUTION CABLE AND CONDUCTOR
23. Manager Items
24. Commission Items
25. Follow-up on Delegation of Action Items from Previous Board Meeting
26. Delegation of Action Items
27. 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.*
28. Matters of general business as may necessarily come before the Commission
29. 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), to consider information regarding the infrastructure and security of computer and telecommunications networks, security and service recovery plans, security risk assessments and security test results to the extent that

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they identify specific system vulnerabilities pursuant to RCW 42.30.110(1)(a)(ii), and to review the performance of a public employee, as authorized by RCW 42.30.110(1)(g).

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. 1-19 AND AUTHORIZING FINAL ACCEPTANCE FOR THE FIRST UNIT (C-8) UNDER CONTRACT NO. 14-22 WITH VOITH HYDRO, INC. OF YORK, PA AND AUTHORIZING RELEASE OF THE BOND FOR THE FIRST UNIT IN LIEU OF RETAINAGE

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

Public Utility District No. 1 of Chelan County (District) adopted Resolution No. 14-13899 on September 2, 2014 which authorized the District to enter into a sole source contract (No. 14-22) with Voith Hydro, Inc. (Contractor) of York, PA for Rocky Reach Units C-8 through C-11 Turbine Repairs, in the amount of \$21,777,239.00. The first unit to have turbine repairs was C-8 and the contract price for the C-8 work was \$6,878,154.00.

The District Commission by Resolution No. 17-14139 approved Field Work Order/Change Order Nos. 1-01 through 1-18, 2-01, 2-02 and 2-04 totaling a reduction of \$395,205.10 for the first unit, for a total revised first unit (C-8) contract price of \$6,482,948.90.

The work in Field Work Order/Change Order No. 1-19, totaling a reduction of \$518,144.10, consisted of adjustments to site work and shop work allowances to actual quantities and costs. The District's staff has executed Field Work Order/Change Order No. 1-19 and it is on file in the offices of the District. Field Work Order/Change Order No. 1-19 revised the first unit (C-8) contract price to \$5,964,804.80.

FWO and Contract Price Summary Table

FWO No.	FWO Value	C8 Contract Price	C8-C11 Contract price
Original Value		\$6,878,154.00	\$21,777,239.00
1-01 through 1-18, 2-01, 2-02, 2-04	-\$395,205.10	\$6,482,948.90	\$21,382,033.90
1-19	-\$518,144.10	\$5,964,804.80	\$20,863,889.80

District staff has determined that the work required under the contract for Unit C-8 was performed in accordance with the terms of the contract and recommends that the District accept the work for Unit C-8.

District staff has determined that the completion of all contract work for Unit C-8 occurred on October 30, 2018. In accordance with the terms of the contract, the Contractor has provided a bond in lieu of retainage equal to 5% of the contract price.

The General Manager of the District concurs with staff's recommendations that the District accept the work for the first unit (C-8) performed by the Contractor and recommends the District authorize the release of the related bond in lieu of retainage on the first unit (C-8), 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:

#### Field Work Orders/Change Orders

Section 1. Field Work Order/Change Order No. 1-19 for the first unit (C-8) with Voith Hydro, Inc. for the work specified above, which will result in a net decrease in the purchase price of \$518,144.10 for a total revised contract price of \$5,964,804.80, plus Washington State sales tax, is hereby ratified.

Section 2. All the contract work required under Contract No. 14-22 for the first unit (C-8) was completed on October 30, 2018, and the same is hereby accepted, subject to Section 3 hereof. Release of the Contractor's bond in lieu of retainage is authorized 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 release the bond in lieu of retainage. In the event said taxes, claims, expenses and fees have not been paid, the General Manager is authorized and directed to file a claim against the bond in lieu of retainage in 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 following payment of such claim, release the bond in lieu of retainage.

DATED this 17th day of December 2018.

ATTEST:

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President

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Vice President

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Secretary

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Commissioner

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Commissioner

Seal

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

A RESOLUTION RATIFYING FIELD WORK ORDER NOS. 1 AND 2, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 18-01 WITH PIPKIN, INC DBA PIPKIN CONSTRUCTION OF EAST 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 July 16, 2018, the District entered into a contract (Bid No. 18-01) with Pipkin, Inc. of East Wenatchee, WA for Chelan Falls Powerhouse Park – Bank Stabilization, in the amount of \$767,500.00. 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 Nos. 1 and 2 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 Nos. 1 and 2, which are on file in the offices of the District and summarized as follows:

<b>Field Work Order No.</b>	<b>Amount</b>
1. 6" Water Main Relocation	\$17,241.95
2. Landscape, Irrigation, and Drainage Revisions	\$15,038.07
<b>Total</b>	<b>\$32,280.02</b>

Field Work Order Nos. 1 and 2 result in a net increase in the contract price of \$32,280.02 for a new revised total price of \$799,780.02 (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 December 7, 2018. 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 Nos. 1 and 2 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 Nos. 1 and 2 to Bid No. 18-01 with Pipkin, Inc. for the work specified above, which will result in a net increase in the purchase price of \$32,280.02, for a total revised contract price of \$799,780.02, plus Washington State sales tax, are hereby ratified.

Section 2. All the contract work required under Bid No. 18-01 was completed on December 7, 2018 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 17th day of December 2018.

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President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

Seal

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

A RESOLUTION RATIFYING FIELD WORK ORDER NOS. 1, 2, AND 3, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER CONTRACT 16-116 (INTERNALLY ASSOCIATED WITH RFP 16-24) WITH SIGNAL PERFECTION, LTD OF COLUMBIA, MD AND AUTHORIZING PAYMENT OF RETAINAGE

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

Public Utility District No. 1 of Chelan County (District) adopted Resolution No. 17-14178 on September 18, 2017 which authorized the District to enter into a contract (Contract 16-116/RFP No. 16-24) with Signal Perfection, Ltd of Columbia, MD for the System Operations Video System project in the amount of \$550,228.14.

The District Commission by Resolution No. 17-14215 delegated limited authority to the General Manager and the staff to execute field work orders under certain circumstances.

The work in Field Work Order Nos. 1-3 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 Nos. 1-3, which are on file in the offices of the District and summarized as follows:

<b>Field Work Order No.</b>	<b>Amount</b>
1. Revised specifications relating to video wall controller. Approved via Resolution 18-14233.	\$11,975.00
2. Revised specifications relating to the video wall controller.	\$17,335.84
3. Exchanged software license agreement (Exhibit F) and software support agreement (Exhibit G) to match replacement of video wall controller.	N/A
<b>Total</b>	<b>\$29,310.84</b>

Field Work Order Nos. 1-3 result in a net increase of \$29,310.84 in the contract price resulting in a new revised total price of \$579,538.98 (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 November 29, 2018. 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 Nos. 1-3 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 Nos. 1-3 to Contract 16-116/RFP No. 16-24 with Cache Valley Electric Company for the work specified above, which will result in a net increase of \$29,310.84 in the contract price resulting in a new revised total price of \$579,538.98, plus Washington State sales tax, are hereby ratified.

Section 2. All the contract work required under Contract 16-116/RFP No. 16-24 was completed on November 29, 2018 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 17th day of December 2018.

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President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

Seal

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

A RESOLUTION RATIFYING FIELD WORK ORDER NO. 1, AUTHORIZING FINAL ACCEPTANCE OF WORK PERFORMED UNDER BID NO. 18-58 WITH J&K EARTHWORKS LLC OF ROCK ISLAND, 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 September 18, 2018, the District entered into a contract (Bid No. 18-58) with J&K Earthworks LLC of Rock Island, WA for Number 2 Canyon Storm Pipe Replacement, in the amount of \$347,475.00. 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 are on file in the offices of the District and summarized as follows:

<b>Field Work Order No.</b>	<b>Amount</b>
1. Extra work and reconcile unit price quantities consumed	\$16,391.47
<b>Total</b>	<b>\$16,391.47</b>

Field Work Order No. 1 results in a net increase in the contract price of \$16,391.74 for a new revised total price of \$363,866.47 (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 December 6, 2018. 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. 18-58 with J&K Earthworks, LLC for the work specified above, which will result in a net increase in the purchase price of \$16,391.74, for a total revised contract price of \$363,866.47, plus Washington State sales tax, is hereby ratified.

Section 2. All the contract work required under Bid No. 18-58 was completed on December 6, 2018 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 17th day of December 2018.

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President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

Seal



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

A RESOLUTION APPROVING AGREEMENTS TO AMEND AND RESTATE AN INTERLOCAL AGREEMENT WITH THE CITY OF ENTIAT AND AUTHORIZING THE GENERAL MANAGER AND/OR HIS DESIGNEE TO EXECUTE THE AGREEMENTS CLARIFYING THE LOCATION OF PROPERTY AND PROPERTY RIGHTS TO BE GRANTED TO PERMIT THE CONSTRUCTION OF MARINA FACILITIES

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

The District owns undeveloped shoreline and submerged property (“Shoreline Property”) located within the city of Entiat. The District and Entiat entered into a Real Estate Purchase and Sale Agreement (“PSA”) pursuant to which the District sold Entiat the adjacent upland property on March 28, 2012 and conveyed to Entiat certain easement rights over and across District Shoreline Property.

The PSA contemplated potential use of the Shoreline Property and the adjacent upland property as part of Entiat’s economic improvement plan. Entiat anticipated that part of the waterfront development would include a multi-slip dock or marina and accompanying facilities (“Marina Facilities”) to be located on the Shoreline Property, which understanding was addressed by Commission’s approval of an Interlocal Agreement between District and Entiat for Property Rights for Future Dock/Marina (“Interlocal”) pursuant to Resolution 11-13633.

However, Entiat’s planning and permitting efforts for the Marina Facilities actually occurred primarily on property owned by Entiat and acquired through a Land Exchange with the District dated February 24, 2011 south of the contemplated area together with adjacent submerged District owned property (“Proposed Marina Facilities”).

Due to this shift, District and Entiat have negotiated an Agreement to Amend and Restate the Interlocal Agreement along with the Amended and Restated Interlocal Agreement ( collectively “Amended Interlocal”) to clarify the location of property, property rights to be granted to Entiat, and to provide the District’s commitment that, after satisfaction of all conditions stated in the Amended Interlocal, the District will grant Entiat use rights to construct, operate and maintain the Proposed Marina Facilities within the District’s Rocky Reach Hydroelectric Project (“Project”) boundary.

The District’s Project license requires the District to acquire approval from the Federal Energy Regulatory Commission (“FERC”) prior to granting rights for any Marina Facilities with more than 10 slips. The District is in support of Entiat pursuing its waterfront development, and acknowledges Entiat has finalized its Marina Facilities

plans and that all permitting and agency approvals have been received. Upon execution of the Amended Interlocal, the District agrees it will submit Entiat’s Proposed Marina Facilities plans to FERC for approval, and, if approved will grant Entiat a license to construct, operate and maintain Proposed Marina Facilities, as proposed and approved within the Project boundary.

Staff recommends the Board of Commissioners authorize the General Manager and/or his designee, to execute the document(s) required to Amend and Restate the Interlocal Agreement between the District and Entiat for property use rights for the Proposed Marina Facilities.

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 Board of Commissioners hereby approves the Agreement to Amend and Restate Interlocal Agreement, along with the Amended and Restated Interlocal Agreement between the District and Entiat for property use rights for Proposed Marina Facilities and authorizes the General Manager and/or his designee to execute the documents. A copy of the Amended and Restated Interlocal Agreement shall be maintained in the District’s files.

Section 2. The General Manager of the District, or his designee, is hereby authorized to take such further steps as may be required to complete the terms and conditions of the Amended and Restated Interlocal Agreement.

DATED this 17th day of December 2018.

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President

ATTEST:

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Vice President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

SEAL

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

A RESOLUTION AUTHORIZING AMENDMENT NO. 7 TO SERVICES AGREEMENT (SA NO. 13-058) WITH THYSSENKRUPP ELEVATOR CORPORATION TO PROVIDE MAINTENANCE OF THE DISTRICT'S ELEVATOR EQUIPMENT

FACTUAL BACKGROUND AND REASONS FOR ACTION

The District entered into a Services Agreement (SA No. 13-058) on January 19, 2013 with ThyssenKrupp Elevator Corp. to provide maintenance only of the District's elevator equipment, in an amount not to exceed \$56,831.87. Amendments 1 through 6 added \$280,101.34 for a not-to-exceed dollar amount of \$336,933.21, which extended the Service Agreement through December 31, 2018.

District staff has identified the need for continuing services for maintaining the District's elevator equipment. Resolution No. 08-13325 required that the Commission, by resolution, authorize Amendments to Service Agreements when the Amendment increases the total contract price to over \$200,000.

District staff recommends that it is in the best interest of the District to amend Services Agreement No. 13-058 with ThyssenKrupp Elevator Corp to extend for one additional year in the amount of \$74,844.63, for a total revised contract price not to exceed \$411,777.84.

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. 13-058) with ThyssenKrupp Elevator Corp. to provide the additional services identified above. The revised contract price will not exceed \$411,777.84 without prior Commission approval. A copy of the Amendment is on file in the offices of the District.

DATED this 17th day of December 2018.

\_\_\_\_\_  
President

ATTEST:

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Vice President

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Secretary

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Commissioner

\_\_\_\_\_  
Commissioner

Seal

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

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO EMERGENCY SERVICES PROTECTION AGREEMENT WITH CHELAN COUNTY FIRE PROTECTION DISTRICT NO. 1 FOR THE FURNISHING OF EMERGENCY FIRE PROTECTION SERVICES.

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

Public Utility District No. 1 of Chelan County (PUD) is required, pursuant to provisions of RCW 52.36.020 and RCW 39.40, to contract for fire protection services with fire protection districts in which the PUD owns buildings and equipment.

The PUD owns buildings and equipment located within the boundaries of Chelan County Fire District No. 1 (Fire District). The Fire District has annexed the area of the City of Wenatchee formerly protected by the City of Wenatchee Fire and Rescue. PUD buildings and equipment located in the City of Wenatchee should be brought under the Emergency Services Protection Agreement.

By Resolution No. 03-12389, dated June 23, 2003, the PUD entered into an agreement with the Fire District for fire protection services for the annual sum of \$40,000 with an annual increase of 3%. Since 2003 there have been annual adjustments to the payments for fire protection services with the final adjustment under the existing contract occurring in January of 2018, bringing the annual payment to \$58,741.

PUD and Fire District staff have negotiated a 15-year Emergency Services Protection Agreement (Agreement) and have determined the annual value for these services to be initially set in the amount of FIFTY EIGHT THOUSAND SEVEN HUNDRED AND FORTY ONE DOLLARS (\$58,741) for 2019. For each year commencing with the second (2<sup>nd</sup>) calendar year and continuing through the fifteenth (15<sup>th</sup>) calendar year, the annual sum shall increase by three percent (3%) per year.

In addition to the annual payments agreed to above, and in consideration of mutual benefits to be derived through greater community response, the PUD shall purchase and make available to the Fire District technical rescue equipment agreed upon by the PUD and Fire District. This equipment will greatly aid the firefighters in providing technical rescue services like confined space, trench cave-in or hazardous material spill response. The total value of the equipment shall not exceed \$12,000 as a one-time purchase over the life of the Agreement.

PUD staff recommends that it is in the PUD's and the public's best interest to enter into said Agreement.

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 General Manager of the PUD or his designee is hereby authorized to purchase and make available to the Fire District, technical rescue equipment the cost of which does not exceed TWELVE THOUSAND DOLLARS (\$12,000).

Section 2. The General Manager of the PUD is hereby authorized and directed to enter into an Emergency Services Protection Agreement with Chelan County Fire District No. I for the furnishing of emergency fire protection services at an initial fee of FIFTY EIGHT THOUSAND SEVEN HUNDRED FORTY ONE DOLLARS (\$58,741) for 2019. Beginning in the second (2<sup>nd</sup>) calendar year and continuing through the fifteenth (15<sup>th</sup>) calendar year, the annual sum shall increase by three per cent (3%) per year.

DATED this 17th day of December 2018

\_\_\_\_\_  
President

ATTEST:

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

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

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Commissioner

Seal

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

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ORDER TO PROCEED FOR THE 5TH UNIT REHABILITATION UNDER CONTRACT NO. 04-01 PART B FOR THE ROCK ISLAND B5-B10 REHABILITATION PROJECT WITH ANDRITZ HYDRO CORP. AND APPROVING EXECUTION OF FIELD WORK ORDER/CHANGE ORDER NO. 5-03 FOR RELEASE OF THE REMAINING WORK AND EXECUTION OF FIELD WORK ORDER/CHANGE ORDER NO. 5-04 FOR PURCHASE OF A NEW OUTER HEAD COVER

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

The District adopted Resolution No. 05-12754 on August 15, 2005 which authorized the award of Bid No. 04-01 Rock Island Powerhouse 1 Units B5 through B10 Rehabilitation, Part B, to VA Tech Hydro USA, now Andritz Hydro Corp. (Contractor) of Charlotte, North Carolina. The contract allows the District to order the work on each individual unit by issuing an Order to Proceed for each unit. The original contract sets out a fixed price per unit that can be adjusted based on commodity prices in effect and published one month before the issuance of an Order to Proceed.

On December 7, 2015 the District adopted Resolution No. 15-14001 which authorized the issuance of Field Work Order/Change Order 4-01 for the 4<sup>th</sup> Unit and established pricing and schedule for the 4<sup>th</sup> through 6<sup>th</sup> Units. The subject resolution also directed the General Manager to purchase components for the 5<sup>th</sup> Unit which included turbine blades, hub and wicket gates.

On November 21, 2016, the District adopted Resolution No. 16-14093 which authorized and directed the General Manager or his designee to issue Field Work Order/Change Order (FWO/CO) No. 5-01 for purchase of specific long lead turbine and generator equipment which included items like the generator stator, poles and hydraulic power unit. To-date, the District has authorized procurement of parts totaling \$10,600,000.

District staff has evaluated alternatives and has determined that it would be beneficial to the District to start site work on the 5<sup>th</sup> Unit within the next 12 months and therefore recommends issuance of the Order to Proceed for the balance of the equipment and establishment of the outage work schedule. The Order to Proceed would be issued by execution of FWO/CO 5-03 in an amount not to exceed \$12,787,430.80. The District and Contractor are currently in negotiations over the allocation of some costs of delay. If those negotiations can be resolved prior to the execution of FWO/CO 5-03 staff recommends including the amounts associated with

the allocation in FWO/CO 5-03 which could have the effect of increasing or decreasing the final amount of FWO/CO 5-03.

District staff also recommends execution of FWO/CO No. 5-04 in the amount of \$490,000 for purchase of a new outer head cover for the 5<sup>th</sup> unit. Staff makes this recommendation because the 3<sup>rd</sup> and 4<sup>th</sup> unit head covers were both found to have cracks. Repair of cracks is only achieved by metal stitching. Metal stitching does not return the component to its original strength. If it is found that the 5<sup>th</sup> unit outer head cover has cracks during the outage it would cause an estimated 4 month schedule delay. If no cracks are found on the 5<sup>th</sup> unit, the head cover could be saved for use on the 6<sup>th</sup> unit. The revised contract price after execution of Field Work Order/Change Orders 5-03 and 5-04 would be \$23,877,430.80.

The General Manager of the District concurs with staff's recommendations to issue an Order to Proceed for the balance of the 5th unit (B5) by execution of Field Work Order/Change order 5-03 and purchase of a new outer head cover per Field Work Order/Change Order 5-04.

### **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 issue an Order to Proceed for the balance of the 5th unit (B5) and execute Field Work Order/Change Order 5-03 to Contract No. 04-01, Part B in an initial amount not to exceed \$12,787,430.80.

Section 2. In the event that the current negotiations between the District and Contractor allocating delay costs between the parties are resolved to the satisfaction of the General Manager prior to the execution of FWO/CO 5-03 to Contract No. 04-01, the General Manager is authorized to include or remove the amount associated with the negotiated allocation of costs to/from the amount in FWO/CO 5-03.

Section 3. The General Manager is hereby authorized to execute Field Work Order/Change Order No. 5-04 in the amount of \$490,000 to Contract No. 04-01, Part B for a total revised contract price of \$23,877,430.80.

DATED this 17th day of December 2018.

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President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

Seal



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

A RESOLUTION APPROVING AN EXCHANGE AGREEMENT AND AUTHORIZING THE GENERAL MANAGER AND/OR HIS DESIGNEE TO EXECUTE A BOUNDARY LINE ADJUSTMENT AND RELATED QUIT CLAIM DEED TO ALLOW FOR THE CONSTRUCTION OF A NEW RESERVOIR

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

The District is the owner of real property (“Property”) acquired in 1980 and known as the Upper Wenatchee Heights Water System in Chelan County, Washington. The Property is improved with 4 pre cast concrete tanks which hold approximately 31,800 gallons. The legal description of the Property is on file in the District offices.

Staff has determined that the aging tanks need to be replaced and a new 35,200 gallon reservoir should be constructed. To keep the current water system operational until the new reservoir is completed, a Boundary Line Adjustment (BLA) with the adjacent property owners, Greg and Margaret Lovercamp (Lovercamp), is required. This will allow for the existing tanks to remain in use during construction. The District and Lovercamp entered into an Exchange Agreement (“Agreement”) on December 10, 2018, contingent on the approval of the District’s Board of Commissioners.

Pursuant to the Agreement District staff and Lovercamp have agreed to exchange, by BLA, property of equivalent value and square footage. The District will pay for the BLA application, lot fees, recording fees and any other costs associated with the BLA or the Agreement. District staff has determined that the property the District will receive from Lovercamp is equally useful to the District to meet District needs.

District staff recommends the Agreement be approved and the General Manager or his designee be authorized to execute the contemplated BLA and related Quit Claim Deed in order to preserve the District’s interest and allow for construction of the water reservoir

The General Manager 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, WASHINGTON, as follows:

Section 1. The Board of Commissioners hereby approves the Exchange Agreement and authorizes the General Manager or his designee to execute a Boundary Line Adjustment and related Quit Claim Deed with Lovercamp and to take such further steps as may be required to allow for construction of the water reservoir.

Dated this 17th day of December 2018.

ATTEST:

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President

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Vice President

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Secretary

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Commissioner  
Seal

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Commissioner

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

A RESOLUTION AUTHORIZING AMENDMENT  
NO. 4 TO CONTRACT NO. 06-50 WITH DANIEL L.  
SUN, INC. DBA SUN-NET CONSULTING OF SAN  
JOSE, CA TO PROVIDE CAISO WEBOMS  
INTEGRATION

## FACTUAL BACKGROUND AND REASONS FOR ACTION

On September 25, 2006, Resolution No. 06-12967 declared Sun-Net Consulting (Sun-Net) of San Jose, CA, aka Daniel L. Sun, Inc. dba Sun-Net Consulting, as the sole source supplier of the Transmission Outage Application (TOA) system for switching requests, outage management, switching plan design and validation; waived the bidding requirements; and authorized the General Manager to execute Contract No. 06-50 with Sun-Net at a cost not to exceed \$120,000 including the first year of support in the amount of \$12,000, and approved renewal of support services on an on-going annual basis as authorized in the District's annual budget.

On December 17, 2007, Resolution No. 07-13225 authorized Amendment No.1 to Contract No. 06-50 with Sun-Net for additional and on-going customization services for the TOA system at a cost not to exceed \$250,000.

On September 20, 2016, Resolution No. 16-14065 declared Sun-Net to continue to be the sole source supplier for TOA software and services; waived the bidding requirements; and authorized the General Manager to execute the Amendment No. 2 to Contract No. 06-50 with Sun-Net for TOA software system upgrade, implementation services to support the upgrade, and one year of annual support in the amount of \$10,800, at a cost not to exceed \$300,000.

District staff has identified the need for the iTOA software to interface with the CAISO Reliability Coordinator's Outage Management System (WebOMS) to facilitate outage coordination and compliance. It is in the best interest of the District to enter into an Amendment No. 4 to the Contract No. 06-50 with Sun-Net, who was the sole source provider of the iTOA software, to cover the CAISO WebOMS Integration in the amount of \$179,800 which includes annual support for 2019 of \$23,200 which includes \$11,600 for Remedial Maintenance Support and \$11,600 for 80 additional support hours (Service Charges).

While the fee for support services for 2019 is included in the Amendment No. 4 pricing, Amendment No. 4 also provides for annual support services beyond 2019 through 2029 in an amount not to exceed \$29,000 per year which includes \$17,400 for Remedial Maintenance Support and \$11,600 for 80 additional support hours (Service Charges), subject to an annual cost increase of not more than 5% per year for each successive year. District staff anticipates the need for annual support services for at least 10 years for an estimated not-to-exceed amount of \$365,000.

Resolution No. 17-14215 requires that the Commission, by resolution, authorize Service Agreements and Amendments when the amendment causes the actual or expected contract price to exceed the amount originally authorized by the Commission.

District staff recommends that it is in the best interest of the District to amend Contract No. 06-50 with Sun-Net to cover the CAISO WebOMS Integration in the amount of \$179,800 (including 2019 annual support) plus an anticipated additional 10 years of annual support estimated to be \$365,000.

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 the Amendment No. 4 to Contract No. 06-50 with Sun-Net to provide the additional services identified above, at a cost not to exceed \$179,800 (including 2019 annual support), plus an additional 10 years of annual support in an amount not to exceed \$365,000 . A copy of the Amendment is on file in the offices of the District.

DATED this 17th day of December 2018.

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President

ATTEST:

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Vice President

\_\_\_\_\_  
Secretary

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Commissioner

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Commissioner

Seal

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

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE INDIVIDUAL TASK AUTHORIZATIONS UNDER INTERAGENCY AGREEMENT SA NO. 15-123 WITH WASHINGTON DEPARTMENT OF FISH AND WILDLIFE TO OPERATE THE FISH HATCHERY PROGRAMS REQUIRED IN THE LICENSES FOR THE ROCKY REACH, ROCK ISLAND, AND LAKE CHELAN HYDROELECTRIC PROJECTS

**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) owns and operates the Rocky Reach, Rock Island, and Lake Chelan Hydroelectric Projects. The District's operation of these projects is governed by the licenses granted by the Federal Energy Regulatory Commission (FERC). These licenses require the District, or its designated agents, to operate hatchery facilities to meet fish production obligations.

The District has a current agreement with Washington Department of Fish and Wildlife (WDFW) to operate its hatcheries to meet FERC production obligations through December 31, 2020. The current agreement provides for annual reviews of the tasks to be performed by WDFW to ensure compliance with FERC obligations and continued cost-effectiveness. District staff also reviews billings and work completed prior to making any payments. Individual task authorizations for 2018 will expire on December 31, 2018.

Based on historic performance and the evaluation of proposed future services, District staff have determined that (1) WDFW is the best qualified contractor to continue to operate the District's hatcheries and produce fish to meet the District's FERC production obligations and (2) that the costs proposed by WDFW for the services are fair and reasonable. District staff recommends entering into new task authorizations with WDFW to continue required hatchery operations through December 31, 2019. The total costs for the hatchery operation services to be provided by WDFW through December 31, 2019 shall not exceed \$2,935,940.

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 execute individual task authorizations with Washington Department of Fish and Wildlife for hatchery operations in an amount not to exceed \$2,935,940 through December 31, 2019 without prior Commission approval. A copy of the agreement and task authorizations with WDFW are on file in the offices of the District.

DATED this 17th day of December 2018.

\_\_\_\_\_  
President

ATTEST:

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Vice President

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Secretary

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Commissioner

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Commissioner

Seal

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

A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO AN INTERAGENCY AGREEMENT (SA NO. 18-156) WITH WASHINGTON DEPARTMENT OF FISH AND WILDLIFE TO PERFORM HATCHERY MONITORING AND EVALUATION ACTIVITIES REQUIRED IN THE LICENSES FOR ROCKY REACH AND ROCK ISLAND HYDROELECTRIC PROJECTS

**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) owns and operates the Rocky Reach and Rock Island Hydroelectric Projects. The District's operation of these projects is governed by the licenses granted by the Federal Energy Regulatory Commission (FERC) through the license articles and the District's Rocky Reach and Rock Island Habitat Conservation Plans (HCPs).

The Rock Island and Rocky Reach HCPs require the District, or its designated agents, to monitor and evaluate the success of the District's hatchery programs and provide information to the District and the HCP Hatchery Committees to adaptively manage these programs. The HCP Hatchery Committees-approved *2019 Chelan County PUD Hatchery Monitoring and Evaluation Implementation Plan* defines tasks that are used to inform and evaluate the goals and objectives set forth in the *Monitoring and Evaluation Plan for PUD Hatchery Programs: 2017 Update*.

Based on historic performance and the evaluation of proposed future services, the District staff have determined that (1) WDFW is the best qualified contractor to conduct hatchery monitoring and evaluation tasks outlined in the *2019 Chelan County PUD Hatchery Monitoring and Evaluation Implementation Plan* to meet the District's HCP hatchery monitoring and evaluation obligations and (2) that the costs proposed by WDFW for the services are fair and reasonable. District staff recommends entering into a service agreement with WDFW to provide hatchery monitoring and evaluation services through December 31, 2019. The total cost for the monitoring and evaluation services to be provided by WDFW shall not exceed \$1,039,108 in 2019.

**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 Washington Department of Fish and Wildlife to conduct hatchery monitoring and evaluation activities in an amount not to exceed \$1,039,108 without prior Commission approval. A copy of the Agreement is on file in the offices of the District.

DATED this 17th day of December 2018.

\_\_\_\_\_  
President

ATTEST:

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Vice President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Seal



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

A RESOLUTION REJECTING THE BID OF WESCO DISTRIBUTION, INC. AND ACCEPTING THE BID OF GENERAL PACIFIC, INC. (BID 18-87) FOR THE SUPPLY OF DISTRIBUTION CABLE AND CONDUCTOR

**FACTUAL BACKGROUND AND REASONS FOR ACTION**

On November 23, 2018, an invitation for sealed bids was published in accordance with RCW 54.04.070 and Resolution No. 17-14215 to supply Distribution Cable and Conductor. Bid proposals were opened on December 6, 2018, at 2:00 p.m. in the offices of the District. Two (2) bids were received (excluding sales tax) as tabulated on Exhibit A attached.

The bid by Wesco Distribution, Inc. did not meet the minimum requirements specified in the contract documents and contained material exceptions to the terms of the bid documents. Therefore, this bid should be rejected as non-responsive.

District staff has determined that the bid of General Pacific, Inc. of Fairview, Oregon in the amount of \$87,120 (excluding sales tax) is the lowest responsive and best bid in compliance with the plans and specifications for Bid No. 18-87. These bids meet 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 recommends awarding Bid No. 18-87 to General Pacific, 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 Wesco Distribution, Inc. of Portland, Oregon did not meet the minimum requirements specified in the contract documents and is hereby rejected.

Section 2. The bids submitted by General Pacific, Inc. of Fairview, Oregon is the lowest responsible and best bids in compliance with the plans and specifications to provide the Distribution Cable and Conductor. The General Manager of the District is hereby authorized to enter into a contract with General

Pacific, Inc. of Fairview, Oregon in the amount of \$87,120.00, excluding sales tax.  
A copy of the contracts will be on file in the offices of the District

Dated this 17<sup>th</sup> day of December 2018.

	_____ President
ATTEST:	
_____ Vice President	_____ Secretary
_____ Commissioner	_____ Commissioner
Seal	

**EXHIBIT A**  
**Bid Tabulation**

**Bid No. 18-87**

**Supply of No. 2 Underground Primary Cable**

**December 6, 2018 at 2:00 PM**

<b>Bidder Name City, State</b>	<b>Bid Bond/ Cashier's Check</b>	<b>Bid Amount</b>
Wesco Distribution, Inc. Portland, OR	Yes	\$84,300
General Pacific, Inc. Fairview, OR	Yes	\$87,120