

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to authorize the use of a cooperative contract for multiple **Microwave Radio Projects** from **Aviat Networks**.

Board Meeting Date: September 6, 2022
Project Name/Contract#: Microwave Radio Projects / NASPO Contract 00318
Primary Contact: Karen Kelley Ext. 7153
Expected Spend: \$228,024 (one time cost, reimbursed)

Narrative:

The Board is being asked to authorize the use of the Aviat Networks Contract #00318, a cooperative contract through NASPO, for the goods and construction for the upgrade of existing microwave radios (MWR) for the City of Eugene (COE). Like other cooperative programs, this NASPO contract leverages the purchasing power of public entities across the country to deliver competitive pricing and sourced contracts to public entities like EWEB.

Operational Requirement and Alignment with Strategic Plan:

The COE has requested that EWEB upgrade two existing COE MWR hops: Central Lane Communications Center (CLCC) to Crestview, and CLCC to Coburg. These locations support the shared radio network that EWEB crews use along with all the other Lane Regional Interoperability Group (LRIG) members. In addition, the Coburg location supports the Lane Rural Fire group with radio coverage on their system. All project expenses, including EWEB labor will be reimbursed by the COE. Aviat Networks is the industry leader in MWR equipment and is used by most public agencies including the Oregon Department of Transportation, throughout the state.

Purchasing Process:

NASPO ValuePoint is the contracting arm of "NASPO" the National Association of State Procurement Officials, a unified, nationally focused cooperative alliance aggregating the demand of all 50 states, the District of Columbia and the US Territories, working together to pursue cooperative contracting opportunities and conduct competitive solicitations through the development of multi-state sourcing teams following the procurement laws of the state chosen to lead the procurement. The sourcing teams develop the request for proposals, evaluate responses and recommend awards to the NASPO ValuePoint Management Board. Once awarded, master agreements are available to all states, their political subdivisions, and other eligible entities. By leveraging the leadership and expertise of all states with the purchasing power of their public entities, NASPO ValuePoint delivers best value and competitively sourced contracts that offer public entities outstanding pricing and value.

ACTION REQUESTED:

Management requests the Board authorize the use of the NASPO ValuePoint cooperative contract #00318 from Aviat Networks. All costs associated with this project will be reimbursed by the COE.

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a new construction contract with **Pacific Excavation** for the **Receiving and Control Building Improvements at the Hayden Bridge Filtration Plant**.

Board Meeting Date: September 6, 2022
Project Name/Contract #: RC Building (Hayden Bridge) Improvements / 22-139-PW
Primary Contact: Karen Kelley Ext.7153

Contract Amount:

Original Contract Amount: \$298,000
Additional \$ Previously Approved: \$0
Invoices over last approval: \$0
Amount this Request: \$298,000
Percentage over last approval: NA
Resulting Cumulative Total: **\$298,000**

Contracting Method:

Method of Solicitation: Formal Invitation to Bid
If applicable, basis for exemption: NA
Term of Agreement: One-Time (Construction)
Option to Renew? No
Approval for purchases *"as needed"*
for the life of the Contract: Yes No
Proposals/Bids Received (Range): 1 - \$297,450.00
Selection Basis: Lowest Responsive and Responsible Bidder
Narrative:

Operational Requirement and Alignment with Strategic Plan

In 2015, EWEB contracted with an architectural firm to work with Hayden Bridge Water Filtration (HB) staff to develop conceptual plans for improvements to the Headhouse building and the addition of a new lab building. The new lab building was originally planned to include new locker rooms and workspaces since these existing spaces in the headhouse building were undersized and/or had reached the end of their useful life.

In 2019 however, the chlorine system was replaced with an onsite hypochlorite generation facility which left the chlorine building vacant for use. At that time, it was decided that the best use of existing infrastructure was to reduce the lab building footprint and relocate the locker rooms to the chlorine building. The chlorine building was reclassified with the City fire marshal as a mixed-use-business and storage occupancy and the building renamed the Receiving and Controls (RC) building.

With this proposed contract, the RC building will include new locker rooms, a storage warehouse, workspaces, and an electrical and controls shop.

Contracted Goods or Services

If approved, Pacific Excavation, Inc. will provide construction services for improvements to the RC building at the Hayden Bridge Filtration Plant. The work will include the miscellaneous demolition and improvements to the existing buildings, construction of new locker rooms, CMU walls, utilities, and installation of miscellaneous HVAC and plumbing fixtures.

Purchasing Process

In August 2022, in accordance with public procurement rules, EWEB initiated an Invitation to Bid (ITB) using the Formal Invitation to Bid Process. The ITB was advertised on the State of Oregon bid site, OregonBuys, and the Portland Business Tribune.

One bid was received, from Pacific Excavation, Inc. and it was deemed responsive and responsible.

Bids Received

Vendor Name	City, State	Offered Price	Ranking (for RFPs)
Pacific Excavation, Inc.	Eugene, OR	\$297,450	NA

Competitive Fair Price (If less than 3 responses received)

The solicitation was formally advertised on the State of Oregon’s bid site, OregonBuys and the Portland Business Tribune. Staff reached out to vendors to obtain feedback for the lack of additional responses. One vendor responded that they did not meet the minimum requirements and another commented that they were too busy with other projects at this time. In addition, the offered price is consistent with the engineers estimate for the project.

Prior Contract Activities

EWEB Contract	Project Name (Description)	Board Approved Date	Project Duration (Start to Close)	Original Amount	Final Amount	Reason Code
22-027	Highland Dr Pump Station-Construction	8/2/22	8/8/22 - Present	\$842,000	TBD	
22-021	E 40 th Ave Storage Tanks – Construction	4/5/22	4/5/22-Present	\$19,200,000	TBD	
21-122	E 40 th Ave Storage Tanks-Excavation	8/3/22	8/6/21-06/01/22	\$3,370,000	\$3,236,652	

Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other

ACTION REQUESTED:

Management requests the Board approve a new construction contract with Pacific Excavation, Inc. for the receiving and control building improvements at the Hayden Bridge Filtration Plant. Approximately \$1 million was planned for Type 1 Hayden Bridge projects such as this contract in the 2022 Water Utility Capital Budget of \$29 million. Variances will be managed within the budget process and Board policy.

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a new construction contract with **Wildish Construction Company** for the **Water Main Replacement on 8th Avenue from Pearl Street to Willamette Street.**

Board Meeting Date: September 6, 2022
Project Name/Contract #: 8th Avenue Water Main Replacement / 22-141-PW
Primary Contact: Karen Kelley Ext.7153

Contract Amount:

Original Contract Amount: \$396,000
Additional \$ Previously Approved: \$0
Invoices over last approval: \$0
Amount this Request: \$396,000
Percentage over last approval: NA
Resulting Cumulative Total: **\$396,000**

Contracting Method:

Method of Solicitation: Formal Invitation to Bid
If applicable, basis for exemption: NA
Term of Agreement: One-Time (Construction)
Option to Renew? No
Approval for purchases "*as needed*"
for the life of the Contract: Yes No
Proposals/Bids Received (Range): 2 (\$395,550.00 - \$403,792.00)
Selection Basis: Lowest Responsive and Responsible Bidder
Narrative:

Operational Requirement and Alignment with Strategic Plan

EWEB proactively addresses the aging water distribution system by replacing aging water pipelines. The goal of this program is to reduce risks associated with water main breaks and increase the reliability and performance of the overall distribution system. In accordance with recommendations in the Water Master Plan, a risk model is used to prioritize and identify pipelines for replacement. In addition, new pipelines are installed to current standards using materials and methods designed to improve the resiliency of the water system.

This project will replace approximately 740 lineal feet of existing 16-inch cast iron water pipeline constructed in the 1940's with new 16-inch diameter, zinc coated, ductile iron pipe before the city of Eugene constructs major street improvements in the area. The existing pipeline has been prioritized for replacement from the risk model and due to high potential repair costs after the City Park Blocks improvements are complete. The new pipeline, services, and hydrants will be more resilient and less likely to cause disruptions or damage in the future.

Contracted Goods or Services

If approved, Wildish Construction Company will provide construction services for the installation of approximately 740 feet of 16-inch ductile iron pipe water main along E. 8th Avenue from the E. 8th Ave/Pearl St intersection to the E. 8th Ave/Willamette St intersection. This work includes, but is not limited to, water valves, fittings, connected water services and fire hydrants.

Purchasing Process

In August 2022, in accordance with the public procurement rules, EWEB initiated an Invitation to Bid (ITB) using the Formal Invitation to Bid Process. The ITB was advertised on the State of Oregon bid site, OregonBuys, and the Portland Business Tribune.

Two bids were received, and the lowest responsive and responsible bid was from Wildish Construction, Co.

Bids Received

Vendor Name	City, State	Offered Price	Ranking (for RFPs)
Wildish Construction Co.	Eugene, Oregon	\$395,550	NA
Pacific Excavation, Inc.	Eugene, Oregon	\$403,792	NA

Competitive Fair Price (If less than 3 responses received)

The solicitation was formally advertised on the State of Oregon’s bid site, OregonBuys and the Portland Business Tribune.

Prior Contract Activities

EWEB Contract	Project Name (Description)	Board Approved Date	Project Duration (Start to Close)	Original Amount	Final Amount	Reason Code
22-107	Glenwood Site Access Road	8/2/2022	08/08/22-Present	\$261,000	TBD	
22-060	Polk St Water Main Replacement	6/7/2022	06/06/22-Present	\$896,765	TBD	
21-183	Willamette Street AC and Concrete Restoration	NA	09/10/21-12/01/21	\$91,795	\$59,254	

Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other

ACTION REQUESTED:

Management requests the Board approve a new construction contract with Wildish Construction Company for the E. 8th Avenue water main replacement: Pearl Street to Willamette Street. Approximately \$3.6 million was planned for main replacements such as this contract in the 2022 Water Capital budget of \$29 million. Variances will be managed within the budget process and Board policy.

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a collection agreement that is part of Intergovernmental Master Agreement 21-229 with **USDA Forest Service (USFS) for Collaborative Restoration Efforts of the Middle McKenzie after the Holiday Farm Fire between EWEB and the USFS.**

Board Meeting Date: September 6, 2022
Project Name/Contract #: USFS Collaborative Restoration-Middle McKenzie / Collection Agreement 2 to 21-229-IGA
Primary Contact: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$302,000
Additional \$ Previously Approved: \$0
Invoices over last approval: \$0
Amount this Request: \$302,000
Percentage over last approval: NA
Resulting Cumulative Total: **\$302,000**

Contracting Method:

Method of Solicitation: Direct Negotiation
If applicable, basis for exemption: Intergovernmental Agreement
Term of Agreement: Initial term is 1 year
Option to Renew? Yes, annually up to 3 years total
Approval for purchases "*as needed*"
for the life of the Contract: Yes No
Proposals/Bids Received (Range): NA
Selection Basis: Direct Negotiation – Intergovernmental Agreement

Narrative:

Operational Requirement and Alignment with Strategic Plan

In 2018, EWEB's Board of Commissioners approved a 10-year strategic plan to protect the McKenzie Watershed as EWEB's sole source of drinking water. As indicated in the strategic plan, EWEB and the partners have established a program to protect and improve riparian conditions on private lands, known as the Pure Water Partners (PWP) Program. In 2020, the Holiday Farm Fire (HFF) burned 173,000 acres in the Middle McKenzie watershed, on both private and public riparian lands.

EWEB and the PWP have also partnered to collaborate with the USFS Willamette National Forest to include fire recovery projects for the benefit of water quality and native fish. For many of these complex aquatic restoration projects, the USFS serves as the technical design lead for both on and off-Forest projects. The maturity of the partnership, the scope of projects being accomplished, and the availability of funding to accomplish work has reached a level of complexity and need for technical design and planning that necessitates a full-time USFS position funded by EWEB under this Collection Agreement to accomplish the work in the Middle McKenzie over the next 3-5 years.

Contracted Goods or Services

This Collection Agreement (CA) is attached to the Intergovernmental Master Agreement with the USFS that allows the transfer of funding between EWEB and the USFS to support post-fire restoration efforts on private and public lands. The Master Agreement is designed to support current and future project work through issuance of Supplemental Project Agreement (SPA) that allows money to come to EWEB from the USFS and Collection Agreements that allow for EWEB to move money to the USFS. This has created a process for timely improvements and protections to the current conditions within the McKenzie River Watershed by restoring the physical, chemical, and biological processes that maintain a healthy and resilient ecosystem and improve water quality, as well as the quantity and quality of habitat for Endangered Species Act (ESA) threatened Bull trout and Spring Chinook salmon that migrate throughout the McKenzie River Watershed.

The Master Agreement between EWEB and the USFS requires that any specific collaborative project work conducted under the agreement uses a Special Project Agreement (SPA) for instances when the USFS provides EWEB funding to do specific work and/or manage a project, or Collection Agreement (CA) for instances when EWEB provides the USFS funding to do specific work and/or manage a project. This specific CA will use EWEB funds for the salary and associated expenses for a full time USFS employee. An Aquatics Restoration Technical Lead is needed to support technical design and planning of aquatics restoration projects which are initiated as part of the ongoing partnership work occurring in the McKenzie River Watershed. This work will support project sites located on public and private lands in the McKenzie Watershed. These include, but may not be limited to:

- Finn Rock Reach, Phase 2 project area (approx. FY23).
- Quartz Creek project area (approx. FY23-24).
- South Fork McKenzie project area (approx. FY23-25).
- Ennis Creek Project area (approx. F24-25)
- Additional aquatics restoration project areas located on or off NFS lands within the McKenzie River Watershed, as jointly prioritized by the U.S. Forest Service and EWEB.

Purchasing Process

The Master Agreement 21-229 was a direct negotiation between EWEB and the USFS and executed in January 2022. The purpose of the agreement is to document the cooperation between the parties and work toward common interests in improving or protecting the current conditions within the McKenzie River Watershed. The Master Agreement provides for the exchange of goods and services to meet the mutually agreed upon objectives of projects which will support restoration, enhancement, or protection efforts on federal and nonfederal lands within the watershed, in accordance with the following provisions and any incorporated SPA(s) or CA(s). For the purpose of clarity, Staff will bring each SPA and CA under Master Agreement 21-229 to the Board as separate consent calendar requests in alignment with Board approval thresholds.

Prior Agreement Activities

EWEB Contract	Project Name (Description)	Board Approved Date	Project Duration (Start to Close)	Original Amount	Final Amount	Reason Code
21-229-IGA	Collection Agreement 1 – Preparation for large scale restoration and bathymetric LiDAR	2/1/2022	2/5/2022 – 2/15/2024	\$218,000	\$218,000	
Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other						

ACTION REQUESTED:

Management requests the Board approve a collection agreement that is part of the Intergovernmental Master Agreement 21-229 with USDA Forest Service for collaborative restoration efforts after the Holiday Farm Fire between EWEB and the USFS. Approximately \$550,000 was planned for these services in the Watershed Restoration 2022 budget of \$4,275,000. Variances will be managed within the budget process and Board policy.

RESOLUTION NO. 2222
September 2022

EUGENE WATER & ELECTRIC BOARD
A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY RIGHTS
ALONG THE LEABURG CANAL

WHEREAS, the above entitled matter came before the Board of Commissioners of the Eugene Water & Electric Board (“EWEB”) at its regular meeting on September 6, 2022; and

WHEREAS, EWEB will need to acquire property rights for certain properties along the Leaburg Canal, whether it be Temporary Construction Easements, Permanent Easements, or Fee Ownership, in anticipation of future construction activities; and

WHEREAS, these property right acquisitions will ease construction access and allow design flexibility when making potential alterations to critical portions of the Leaburg Canal under a variety of canal modification scenarios; and

WHEREAS, the Board has considered the proposed framework governing the property acquisitions along the Leaburg Canal during Executive Session on August 2nd, 2022; and

WHEREAS, EWEB has authority under Section 44 of the Eugene Charter and ORS 225.020 to acquire real property; and

WHEREAS, the Board determines that it is consistent with the powers and purposes of EWEB and necessary for the continued growth, safety and welfare of EWEB, as well as its customer owners, now or hereafter existing, that fee title to certain properties, as well as necessary rights-of-way and easements, be acquired to implement the Owner’s Dam Safety Program; and

WHEREAS, the Board determines that the proposed acquisition of certain properties identified by EWEB’s Generation Division is appropriate and compatible with the greatest public benefit and mitigation of private impact, and being fully advised,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, that EWEB shall in good faith attempt to acquire fee title on a fair and reasonable basis in accordance with the applicable Oregon Revised Statutes for the properties identified by EWEB’s Generation Division. EWEB Staff and Counsel are authorized to complete negotiations with the property owners for the purchase of needed properties along the Leaburg Canal in accordance with the guidance provided by the Board during Executive Session. The General Manager is authorized to execute all documents to complete the acquisition of fee title for individual properties identified for purchase by EWEB’s Generation Department without necessity of further Board approval. In the event EWEB seeks to invoke the right of eminent domain for the acquisition of property rights deemed necessary for “the project” and determined to be for the public good, a separate Board Resolution will be required.

Dated this 6th day of September 2022.

THE CITY OF EUGENE, OREGON
Acting by and through the
Eugene Water & Electric Board

President

I, ANNE M. KAH, the duly appointed, qualified and acting Assistant Secretary of the Eugene Water & Electric Board, do hereby certify that the above is true and exact copy of the Resolution adopted by the Board in its September 6, 2022 Regular Board Meeting.

Assistant Secretary