



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners McRae, Barofsky, Schlossberg, Brown, and Carlson
FROM: Anne Kah, Administrative Services Manager
DATE: June 6, 2024 (July 9, 2024 Board Meeting)
SUBJECT: Amended Minutes for May 7, 2024 Executive Session
OBJECTIVE: Action

Issue

The May 7, 2024 minutes were approved via the June 4, 2024 consent calendar. Subsequently, a typo was identified in the date contained in the heading of the minutes.

Discussion

The minutes have been corrected; a redline and clean version of the amended minutes will appear on the July 9, 2024 consent calendar.

Recommendation/Requested Board Action

Approval of the May 7, 2024 minutes as amended.

**EUGENE WATER & ELECTRIC BOARD
EXECUTIVE SESSION
4200 ROOSEVELT BOULEVARD / VIRTUAL
May 7, ~~2024~~ 2023**

Commissioners Present: John Barofsky, Vice President; Sonya Carlson, Mindy Schlossberg, and John Brown, Commissioners

Commissioners Absent: Commissioner Matt McRae recused himself.

Others present: Frank Lawson, General Manager; Rod Price, Assistant General Manager; Deborah Hart, Assistant General Manager/Chief Financial Officer; Sarah Gorsegner, Business Continuity Manager; Brian Booth, Chief Energy Resources Officer; Julie McGaughey, Chief Customer Officer; Laura Cuccia-Nilsen, IT Support Specialist; Travis Knabe, Chief Information Officer; Holly Shugart, Administrative Assistant; Jennifer Connors, Communications & Marketing Supervisor; Anne Kah, Administrative Services Manager; Thomas Grim and Kevin Kiely of Cable Huston, John Quetzalcoatl Murray, Whole Community News

EXECUTIVE SESSION

The Executive Session was called to order at 5:00 p.m.

Pursuant to ORS 192.660(2)(h)

To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Vice President John Barofsky adjourned the Executive Session meeting at 5:23 p.m.

Assistant Secretary

President

**EUGENE WATER & ELECTRIC BOARD
EXECUTIVE SESSION
4200 ROOSEVELT BOULEVARD / VIRTUAL
May 7, 2024**

Commissioners Present: John Barofsky, Vice President; Sonya Carlson, Mindy Schlossberg, and John Brown, Commissioners

Commissioners Absent: Commissioner Matt McRae recused himself.

Others present: Frank Lawson, General Manager; Rod Price, Assistant General Manager; Deborah Hart, Assistant General Manager/Chief Financial Officer; Sarah Gorsegner, Business Continuity Manager; Brian Booth, Chief Energy Resources Officer; Julie McGaughey, Chief Customer Officer; Laura Cuccia-Nilsen, IT Support Specialist; Travis Knabe, Chief Information Officer; Holly Shugart, Administrative Assistant; Jennifer Connors, Communications & Marketing Supervisor; Anne Kah, Administrative Services Manager; Thomas Grim and Kevin Kiely of Cable Huston, John Quetzalcoatl Murray, Whole Community News

EXECUTIVE SESSION

The Executive Session was called to order at 5:00 p.m.

Pursuant to ORS 192.660(2)(h)

To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Vice President John Barofsky adjourned the Executive Session meeting at 5:23 p.m.

Assistant Secretary

President

**EUGENE WATER & ELECTRIC BOARD
EXECUTIVE SESSION #1
4200 ROOSEVELT BOULEVARD / VIRTUAL
June 4, 2024**

Commissioners Present: Matt McRae, President; John Barofsky, Vice President; Sonya Carlson, Mindy Schlossberg, and John Brown, Commissioners

Others present: Eric DeFreest of Luvaas Cobb, John Quetzalcoatl Murray, KEPW 97.3 Whole Community News

EXECUTIVE SESSION #1

The Executive Session was called to order at 5:00 p.m.

Pursuant to ORS 192.660(2)(f)

To consider information or records that are exempt by law from public inspection.

Vice President John Barofsky adjourned the Executive Session meeting at 5:26 p.m. (President Matt McRae participated telephonically.)

Assistant Secretary

President

**EUGENE WATER & ELECTRIC BOARD
EXECUTIVE SESSION #2
4200 ROOSEVELT BOULEVARD / VIRTUAL
June 4, 2024**

Commissioners Present: Matt McRae, President; John Barofsky, Vice President; Sonya Carlson, Mindy Schlossberg, and John Brown, Commissioners

Others present: Frank Lawson, General Manager; Rodney Price, Assistant General Manager; Deborah Hart, Assistant General Manager/Chief Financial Officer; Sarah Gorsegner, Business Continuity Manager; Brian Booth, Chief Energy Resources Officer; Julie McGaughey, Chief Customer Officer; Karen Kelley, Chief Operations Officer; Travis Knabe, Chief Information Officer; Holly Shugart, Administrative Assistant; Jennifer Connors, Communications & Marketing Supervisor; Aaron Orłowski, Communications Specialist; Paul Nelson, IT Support Specialist; Anne Kah, Administrative Services Manager; Eric DeFreest of Luvaas Cobb; John Quetzalcoatl Murray, KEPW 97.3 Whole Community News; Alan Torres, Register Guard; Curtis Blankinship, KEPW

EXECUTIVE SESSION #2

The Executive Session was called to order at 5:31 p.m.

Pursuant to ORS 192.660(2)(h)

To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Vice President John Barofsky adjourned the Executive Session meeting at 5:43 p.m. (President Matt McRae participated telephonically.)

Assistant Secretary

President

EUGENE WATER & ELECTRIC BOARD
REGULAR SESSION
June 4, 2024
6:15 pm

Commissioners Present: Matt McRae, President; John Barofsky, Vice President; Mindy Schlossberg, John Brown, and Sonya Carlson Commissioners

Others Present: Frank Lawson, EWEB General Manager; Rodney Price, Assistant General Manager; Deborah Hart, Assistant General Manager/Chief Financial Officer; Karen Kelley, Chief Operations Officer; Lisa Krentz, Generation Manager; Mark Zinniker, Generation Engineering Supervisor; and Patty Boyle, Generation Contracts Supervisor; Sarah Medary, Eugene City Manager; Twylla Miller, City of Eugene Chief Financial Officer; Matt Rodriguez, Assistant City Manager

REGULAR SESSION

Call to Order

Vice President Barofsky called the meeting to order at 6:15 pm.

Agenda Check

No changes to the agenda.

Items from Board Members and General Manager [0:2:33]

Commissioner Schlossberg took a tour of the College Hill site, and they also had their upriver meeting and river trip.

Commissioner Brown said he was on the Other Post Employment Benefits (OPEB) board in a non-voting position, and the retirement fund was doing well. He also attended the Lane Electric Co-op meeting and explained some of what he learned. He noted the volume of detailed information for EWEB they had received from staff in the last two days was dense and the review time too short.

Commissioner Carlson thanked staff for the upriver meeting. She said she went on the College Hill tour and attended the celebration.

Vice President Barosky said the upriver meeting and river trip went very well.

General Manager Lawson agreed with Commissioner Brown on the volume of information and limited time to review it. He said he wanted to poll the commissioners on the May 23rd letter regarding the potential sale of the Leaburg hydroelectric facility. He said EWEB could evaluate it, but as a FERC regulated facility there would be substantial regulatory requirements for any transfer of ownership. If the board endorsed evaluation of proposals for the potential sale, staff

would do so in the context of the original principles associated with the Record of Decision, for example to eliminate long-term risk.

Commissioner Brown believed it wouldn't be a good use of staff's time as if it didn't work for EWEB it would not work for another corporation. He added that EWEB would still have the stormwater obligation. He was not in favor.

A quorum of the Board agreed with Commissioner Brown.

Correspondence

None.

City of Eugene Potential Fees [0:10:21]

Sarah Medary, Eugene City Manager, Twila Miller, City of Eugene Chief Financial Officer; Matt Rodriguez, Assistant City Manager

Sarah Medary, Eugene City Manager, spoke to the Board on the potential new fees from the City of Eugene, she explained where they might add fees for customers and asked for feedback from the Board. Ms. Medary noted the public hearing on increases to the stormwater fee was on June 17th with potential action on the 24th. The fire service fee would have a proposal come in the fall.

Commissioner Brown knew they couldn't do anything about EWEB billing for stormwater, but his concern was the bill came from EWEB and two of four items on the bill were city fees. He explained he took issue with shutting power off when some of the money was for the city, not utilities. He said he would champion separate billing.

Commissioner Carlson didn't support separate billing due to increased cost but was against shutting off utilities for households unable to pay the city fees.

Commissioner Barofsky said he sat on the revenue committee and felt city staff heard his concerns on the cost to the customers.

Commissioner Carlson said two bills would be more costly than running it through one system.

There was a brief discussion between Commissioner Brown, Ms. Medary and Mr. Rodriguez, on University of Oregon payments into the potential fire safety fees.

Commissioner Schlossberg clarified that she didn't have an issue if the City decided to do its own billing, but if significant fees were added to the EWEB bill they should add something to the bill to account for city fees more clearly.

Mr. Lawson said he wanted to make it clear that the city was going through this process and their goal was to work with the city to know their options and more details will come to the board in the future.

Public Input [0:29:45]

The following testimony was provided to the EWEB Commissioners: The Board neither endorses nor opposes or is responsible for the accuracy of the content of testimony, including any links or references provided.

Kathy Ging, of Eugene OR, expressed opposition to smart meters, specifically stating they would not “be put out like spot fires” an analogy she related to EWEB’s attempts to mandate smart meters and shut off electricity for people who wished to keep their analog meters she demanded that they have a proper opt-out system.

Sabrina Siegel, of Eugene OR, expressed opposition to smart meters, specifically stating she was a plaintiff in the suit against EWEB, and some of them cannot have smart meters on their homes for health reasons. She wanted a proper opt-out.

Curtis Blankinship of Eugene OR, expressed support of a network geothermal heat pump system. He asked EWEB to investigate network geothermal power so they could stay off nuclear power.

Sarah Charlesworth of Eugene OR, offered commentary on the difficulty of finding information about the board meeting, the beauty of the EWEB facility, the short timespan on available board meeting information, storm water fees and use of the EWEB conference rooms.

Dan Patch, of Eugene Or, expressed opposition to smart meters, specifically stating the original smart meter agreement was opt-in, and demanded that EWEB listen to the community and honor the agreement that they made.

Aidan Bassett of Eugene OR, offered commentary on the Carmen-Smith project, he went over the history of the site and the lack of fish passage. He demanded that EWEB implement the fish passage measures they agreed to in 2008 and find a way to fund it.

Bethany Cotton, Eugene OR, Ward 7, offered commentary on the delay EWEB had on the Carmen-Smith projects and the fish passage. She said the update failed to explain why the passage had been delayed and demanded they comply with the environmental laws.

Joshua Korn of Eugene OR, expressed opposition to smart meters, specifically stating there was retaliation against him by EWEB and that he had been forced to get a transmitting smart meter against his will.

Alan Gormezano of Eugene OR, expressed opposition to smart meters and the added fees on bills, specifically stating that very few people wanted smart meters and the system was vulnerable and posed health risks.

Board Action and General Business Items [1:01:27]

Approval of Consent Calendar – A (Minutes and Routine Contracts)

1. Minutes

- a. May 7, 2024 Executive Session
- b. May 7, 2024 Regular Session

CONTRACTS

- 2. **Miller Nash LLP** - for Legal Counsel for Human Resource Related Matters. \$600,000 (over 5 years) based on Formal Request for Proposals.

MOTION: Commissioner Brown moved to approve Consent Calendar A.
The motion passed unanimously 4:0. (President McRae's vote was not audible via remote connection.)

Approval of Consent Calendar – B (Nonroutine Contracts and Other Consent Items)

CONTRACTS

- 3. **College Hill Storage Tanks – Demolition and Earthwork** – authorize General Manager to approve new contract for the College Hill Storage Tanks – Demolition and Earthwork. \$5.5 to \$6.4 million (Range between three offers) based on Formal Invitation to Bid.
- 4. **McKenzie River Trust** – for use of additional funding under the existing Memorandum of Agreement to support the Acquisition and Management of an additional 644-acres adjacent to the existing Finn Rock Reach Conservation Area. \$400,000 based on Direct Negotiation – Memorandum of Agreement (MOA) (Original contract amount \$1.5 million, resulting cumulative total \$1.9 million).
- 5. **Wildish Building Company** – for a Construction Task Order for construction services for the Reconstruction of Smith Reservoir Recreation Area. \$1.7 million based on Construction Manager/General Contractor (CM/GC) Guaranteed Maximum Price.

RESOLUTIONS

- 6. **Reserve Fund Status and Transfers** – Use of Reserves and Revisions to Financial Policies.
 - a. Resolution No. 2407 - Highest & Best Use of Cash/Reserves/Transfers.
 - b. Resolution No. 2408 - Updates to Financial Policies.
- 7. **Update to Customer Fees, Rates, and Charges**
 - a. Resolution No. 2409 (Electric)
 - b. Resolution No. 2410 (Water)

MOTION: Commissioner Brown moved to approve Consent Calendar B, minus item 5, Wildish Building Company.
The motion passed unanimously 5:0.

Items removed from Consent Calendar

Commissioner Brown was concerned about the cost discrepancies on the project associated with item 5, Wildish Building Company.

Ms. Kelley said the estimate was based on a prior campground project in 2021, and that was what was seen in the budget. She explained the scope changed over time and the new engineer's estimate came in after the primary budgeting cycle for 2024. She added that the cost increase was due to inflation and also change of scope.

Commissioner Brown expressed concern the cost would continue to increase, and he emphasized cost control.

Ms. Krentz explained it was hard to estimate these projects, particularly with the effect of inflation. She said they did go back and do value engineering on this project. The original estimate was \$3 million; she explained they reduced the scope and the estimate returned was \$950K, so when they received an updated engineer's estimate, they were pleased with the \$1.7 million that came from the contract.

MOTION: Brown moved to adopt item Number 5.

The motion passed unanimously 5:0.

GENERAL BUSINESS ITEMS [1:06:23]

Annual Capital Improvement Plan Assumptions and Priorities [1:06:23]

Rod Price, Assistant General Manager and Frank Lawson, General Manager gave a presentation on the Annual Capital Improvement Plan (CIP) Assumptions and Priorities via PowerPoint, answered questions, and received feedback from the board.

Topics of discussion included CIP Terms and Planning Process, Business and Economic forecast assumptions, Electric Investment Priorities, Water and Shared Services Investment Priorities, and CIP risks.

Carmen-Smith Update [1:59:53]

Lisa Krentz, Generation Manager; Mark Zinniker, Generation Engineering Supervisor; and Patty Boyle, Generation Contracts Supervisor; gave a presentation on the Carmen-Smith License Deployment via PowerPoint and answered questions from the Board.

Topics of discussion included the License and Settlement Agreement, the permanent fish passage delays, the Federal Energy Regulatory Commission (FERC), the noncompliance letters, mitigation for the impact on the fish, project status and cause of delays, and the number of projects.

Ms. Boyle spoke on 2024 construction including spawning channel habitat improvements, Lakes End Campground, the Smith Day Use Area, and completed projects.

Mr. Zinniker spoke on the powerplant improvements, the Carmen substation rebuild, the Trail Bridge powerplant electrical and controls, the Carmen turbine generator overhaul, emergent dam safety issues including the sinkholes at Carmen Diversion, seismic discoveries, and the Trail Bridge sink holes.

Ms. Krentz spoke on the economic changes to the project. She stated the final budget was now projected to be \$194 million and the previous 2017 estimate was \$139 million.

Commissioner Carlson asked about the specific timeline for fish passage and expressed concern over the letters, the changing requirements, fish movement, and the dam safety issues.

Ms. Krentz described in detail the history of fish passage requirements and the measures EWEB has implemented to date.

Commissioner Brown recalled that the engineers struggled with the design of a fish ladder in that space when the discussion originally took place due to the length of the passage and dam safety concerns and he asked if that had changed. He asked about potential impacts of sinkhole mitigation on the habitat improvements in the spawning channel.

Ms. Krentz explained the general change to understanding of dam safety vulnerabilities has caused all the habitat projects to be subject to dam safety review.

Commissioner Schlossberg asked when they would have the higher-level discussion about Carmen-Smith in the context of EWEB's portfolio and challenges such as the rising costs, environmental issues, fire danger, and dam safety.

Mr. Lawson said there would be a conversation in the Fall around EWEB's business model and the trade-offs of operating and owning generation, and this would inform decisions around the Bonneville contract. He added that would not remove EWEB's obligation under the present license.

President McRae asked if Ms. Krentz could point to the trigger that required fish passage and wanted to know how it related to their relicensing and the endangered species act.

Ms. Krentz replied when the project was originally built in the 1950's there were not mandatory prescriptive authorities. She said the trigger for fish passage, and federal agency's authority to require it, was under the Federal Power Act, Section 18 Fishway Prescriptions.

President McRae wanted to know the timeline for fish passage, and he was curious about what their plan was to meet the requirements that FERC and the federal fish agencies are putting forth given that it was difficult due to the seismic issues and other challenges.

Ms. Krentz said the conversation around fish passage began in the early 2000's in preparation for the final license application, and ultimately the 2008 settlement agreement. Then renegotiation of fish passage methods began in 2015 for a renegotiated settlement agreement that was submitted in 2017. She said EWEB is committed to looking at things that can be done

differently or better. She added that review time from dam safety and others prohibits expediting the schedule beyond what we currently anticipate as there are significant and concerning dam safety and regulatory review processes that we must go through.

Ms. Boyle added that EWEB is advancing the other license requirements as expeditiously as possible, including habitat projects.

Vice-President Barofsky said they had worked to care for the fish in their watershed and explained their commitment to the recovery of the run was genuine. He noted the changing regulatory conditions, and asked about the probable maximum flood (PMF) level they had to build to, and if there were smolts from upstream coming through the downward spill. He also had concerns around the agencies that said they were pulling out of the settlement and the scenarios they are advocating for.

Mr. Zinniker said the PMF level was extremely low probability but high consequence.

In response to his question around fish, Ms. Krentz replied that since there is a temporary trap and haul facility at the spawning channel, ideally there will be a lot of fish which would be moved above Trail Bridge dam.

Upriver Meeting Follow-Up Discussion [3:03:13]

Mr. Lawson spoke on the upriver meeting and talked about how they had changed the format. He thanked staff for the organization of it and asked if the board had any input.

Commissioner Schlossberg thought it went well and liked the format. She appreciated talking to people one on one.

Commissioner Brown appreciated the meeting and felt it went well. He would have liked to interact with more people.

President McRae appreciated the change in format and had no changes to suggest. He believed residents felt more heard than in the past.

Vice-President Barofsky felt it went well, and a lot of the questions he was asked he could answer, but staff needed to make sure the new commissioner was well informed and prepared when they came on board so they will be prepared for potential questions at future meetings.

Commissioner Schlossberg said she interacted with folks concerned about Leaburg dam and something that she noticed was that EWEB could have responded to their concerns in a better way. She felt there were better opportunities to communicate with others.

Mr. Lawson said it sounded like commissioners appreciated the format and it facilitated more people to interact.

Future Board Agendas [3:11:50]

Mr. Lawson said they had a meeting scheduled for July 2 and asked if that was a good day or if they should push it to the 9th.

The Commissioners chose to move the next meeting to July 9.

Board Wrap Up [3:14:26]

Commissioner Brown said six months ago they had a contract to remove trees and it was removed from the consent calendar.

Ms. Boyle said after the wildfire they pulled that effort off the table and reassessed what was needed to complete regulatory compliance; that work was completed in April. She added they would watch over the next several years to see if further removal would be necessary.

Commissioner Carlson appreciated the extra time given to her for questions on the Carmen-Smith project.

Deborah Hart, Assistant General Manager/Chief Financial Officer, gave an update on bond pricing for the electric utility.

Adjourn

The Meeting was adjourned at 9:34 pm.

Recorded by Lydia Harvey, LCOG

Assistant Secretary

President

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve new contracts with **Atwell, BKI Engineering, and David Evans and Associates, Inc.** for **As-Needed Electric Distribution Design Services.**

Board Meeting Date: July 9, 2024
Project Name/Contract #: As-Needed Electric Distribution Design Services / 24-065-Q
Manager: Tyler Nice Ext. 7419
Executive Officer: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$750,000
Additional \$ Previously Approved: \$0
Spend over last approval: \$0
Amount this Request: \$750,000
% Increase over last approval: NA
Resulting Cumulative Total: **\$750,000 (over 5 years between 3 contracts)**

Contracting Method:

Method of Solicitation: Formal Request for Proposals (RFP)
If applicable, basis for exemption: NA
Term of Agreement: Initial term is one (1) year
Option to Renew? Yes, annually up to five (5) years total
Approval for purchases "as needed": Yes No
Proposals/Bids Received (Range): 5 / (QBS process, pricing not requested in Step One of evaluation)
Selection Basis: Qualification Based Selection (QBS)

Narrative:

Operational Requirement and Alignment with Strategic Plan

EWEB requires the services of multiple engineering firms to perform electrical designs for EWEB's 12kV distribution system as needed. Multiple firms performing these design services will serve to supplement internal resources as needed to support EWEB's Internal CIP projects for the purpose of maintaining project schedules and workflow. The services may also be used to mitigate design staff vacancies as well as mitigating effect on project schedules when emergent work and peaks are experienced.

Contracted Goods or Services

The as-needed services provided under this contract will include designing for purposes of installing, removing, and replacing distribution system components (i.e.: framing, poles, transformers, pad-mounted equipment, etc.).

Purchasing Process

In March 2024, EWEB issued a Formal Request for Proposals (RFP) for As-Needed Electric Distribution Design Services using the Qualifications Based Selection (QBS) process for engineering services. The solicitation was publicly advertised on OregonBuys. Selection for this solicitation is based on a two-step process. Step One is the qualification-based selection and the criteria scored included Availability and Capability to Perform the Work (40

points), Firm Experience and References (45 points). Step Two allows for scoring of pricing of up to three proposers and was worth a maximum of 15 points.

After evaluating and scoring Step One, Atwell, BKI Engineering, and David Evans & Associates were ranked as the most qualified consultants. Pricing proposals were then evaluated in Step Two. Pricing proposals included a response to a pricing scenario involving a sample work request. All three firms applied their proposed fees (hourly rates and travel costs) to the scenario to come up with a total price. The three responses were clear and detailed, reassuring EWEB that all of these firms will provide quality services as-needed under the contract.

Proposals/Bids Received

Vendor Name	City, State	Offered Price	Ranking (for RFPs)
Atwell	Greenwood Village, CO	\$ 5,173	3
BKI Engineering	Vancouver, WA	\$ 2,666	2
Burns & McDonnell	Vancouver, WA	NA	5
David Evans & Associates	Portland, OR	\$ 3,107	1
EN Engineers	San Ramon, CA	NA	4

Prior Contract Activities

Atwell

EWEB Contract	Project Name (Description)	Board Approved	Project Duration (Start to Close)	Original Amount	Approved/Amended Amount to Date (Total)	Reason Code
23-139	Electrical Design Services for PUC Corrections and Maintenance	NA	7/17/23 – 12/31/23	\$95,000	\$95,000	
Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other						

BKI Engineering

No previous contracts exist, but references were contacted and verified.

David Evans & Associates

EWEB Contract	Project Name (Description)	Board Approved	Project Duration (Start to Close)	Original Amount	Approved/Amended Amount to Date (Total)	Reason Code
24-081	Hayden Bridge Switching Station to Weyco 3 Transmission Line Rebuild	NA	4/8/24 – 6/28/24	\$85,000	\$85,000	
24-036	Coburg Transformer Oil Containment	NA	2/5/24 - 7/1/24	\$37,750	\$37,750	
23-250	Jessen Substation Rebuild	2/6/24	2/7/24 - 5/31/26	\$573,954	\$573,954	
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 contracts with Atwell, BKI Engineering, and David Evans & Associates for as-needed electric distribution design services. Approximately \$6 million was planned for these services in the 2024 Electric Capital budget of \$69.9 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 contract with **DOWL, LLC** for the **Leaburg Transportation Alternatives Analysis**.

Board Meeting Date: July 9, 2024
Project Name/Contract #: Leaburg Transportation Alternatives Analysis / 24-086-Q
Manager: Lisa Krentz Ext. 7450
Executive Officer: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$300,000
Additional \$ Previously Approved: \$0
Spend over last approval: \$0
Amount this Request: \$300,000
% Increase over last approval: NA
Resulting Cumulative Total: **\$300,000**

Contracting Method:

Method of Solicitation: Formal Request for Proposals
If applicable, basis for exemption: NA
Term of Agreement: Through December 2025
Option to Renew? No
Approval for purchases “as needed”: Yes No
Proposals/Bids Received (Range): Three proposals received (\$234,381 to \$249,192)
Selection Basis: Highest Ranked Proposer

Narrative:

Operational Requirement and Alignment with Strategic Plan

The Leaburg Decommissioning Action Plan (LDAP) was approved by the Board in January 2024. A Transportation Alternatives Analysis is detailed in the LDAP and is a critical path task for EWEB’s decommissioning planning effort. The results of this analysis will help inform staff and elected officials at Lane County who will decide on long-term transportation solutions. The deliverables for this study will include a triple bottom line (TBL) evaluation of the feasible alternatives developed during the analysis.

Contracted Goods or Services

EWEB, in coordination with Lane County Public Works, has arranged for consulting support to define a suite of long-term transportation alternatives for providing access to properties that currently rely on Leaburg Dam bridge, which will be impacted by the decommissioning of the Leaburg Hydroelectric Project. Each alternative will be characterized with respect to economic, social, and environmental considerations. This project will be a multi-phased effort beginning with the development of comprehensive alternative transportation concepts, followed by concept refinements in response to feedback, and ultimately resulting in a TBL assessment (economic, social, and environmental) of viable alternatives. The study will document TBL results, allowing for comparison of the

alternatives against each other. Preliminary results and draft findings from the consultant’s work will be presented to key stakeholders and the public for feedback, and the consultant team will use that feedback to finalize the TBL assessment.

Purchasing Process

In May 2024, Purchasing initiated a formal Request for Proposals (RFP) process in accordance with Oregon Public procurement rules. The RFP was posted on the state of Oregon bid site OregonBuys. Three proposals were received, and all were deemed to be Responsive and Responsible. The proposals were evaluated by an EWEB evaluation team. Lane County staff were provided updates during the process and informed of the outcome. The maximum number of possible points was 200, using the following criteria: Minimum Qualifications (Pass / No Pass – Not scored), Project Experience (40 points), Project Approach (55 points), Project Team Qualifications (55 points), Project Management Strategy (20 points) and Pricing (30 points). DOWL and Jacobs Engineering Group were shortlisted and asked to forward their pricing proposals. DOWL received the greatest number of points and was selected as a competent and qualified consultant for the project and an Intent to Award was issued.

Proposals/Bids Received

Vendor Name	City, State	Offered Price	Ranking (for RFPs)
DOWL, LLC	Eugene, Oregon	\$234,381	1
Jacobs Engineering Group	Corvallis, Oregon	\$225,351	2
GEI Consultants, Inc.	Portland, Oregon	NA*	3

*EWEB solicited pricing proposals from the two top ranked proposers.

The two top ranked proposers identified a likely need for the following additional services that were not included in their base scope of work:

- Right-of-Way assessments
- Cultural Resources and Historical Preservation research
- Hydraulic assessments

To ensure that adequate funds are available for necessary scope expansions to support a comprehensive TBL assessment, staff request Board authorization for \$300,000 on this contract.

Prior Contract Activities

EWEB Contract	Project Name (Description)	Board Approved	Project Duration (Start to Close)	Original Amount	Approved/Amended Amount to Date (Total)	Reason Code
21-228-Q	McKenzie River Bridge Seismic Improvements	1-4-22	1-5-22 to 12-31-23	\$216,902	\$230,000	AW
22-066-Q	Misc. Hydro Engineering Projects	NA	3-28-22 to 12-31-22	\$22,700	\$22,700	
Q2615	On-Call Structural Engineering Services	NA	9-6-17 to 8-31-18	\$20,000	\$100,000	AW*

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

*On-Call contract. Additional dollars were for additional projects rather than additional costs.

ACTION REQUESTED:

Management requests the Board approve a contract with DOWL for engineering and related services to complete the Leaburg Transportation Alternatives Analysis. Approximately \$900,000 was planned for Leaburg decommissioning related consulting services in the Generation Department’s 2024 O&M budget for technical and professional services of \$1.15 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 contract with **H & J Construction, Inc** for the **E 40th Ave Water Main Replacement from Patterson St to Mill St.**

Board Meeting Date: July 9, 2024
Project Name/Contract #: E 40th Ave Water Main Replacement – Patterson St to Mill St/24-041-PW
Manager: Mike Masters Ext. 7549
Executive Officer: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$750,000
Additional \$ Previously Approved: \$0
Spend over last approval: \$0
Amount this Request: \$750,000
% Increase over last approval: NA
Resulting Cumulative Total: **\$750,000**

Contracting Method:

Method of Solicitation: Formal Invitation to Bid
If applicable, basis for exemption: NA
Term of Agreement: Completion by December 9, 2024
Option to Renew? No
Approval for purchases “as needed”: Yes No
Proposals/Bids Received (Range): 4 responses - (\$748,425.50 - \$965,535)
Selection Basis: Lowest Responsive and Responsible Bidder

Narrative:

Operational Requirement and Alignment with Strategic Plan

This project will replace approximately 1700 lineal feet of existing 6-inch ductile Iron water pipeline constructed in the 1950’s with new 12-inch diameter restrained ductile iron pipe. EWEB proactively addresses the aging water distribution system by replacing older 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.

In addition to replacing an existing older pipeline, this project will complete the second of three phases to connect the Willamette 800 Pressure zone to the Dillard/Shasta 800 Pressure zones as recommended in the Water System Master Plan. Once the third phase of the project is completed, this pipeline will allow for much greater levels of redundancy and operational flexibility to rebuild pumping and storage facilities in these pressure zones as well as potentially allow for reducing the size, number, and costs of future storage and pumping facilities.

Contracted Goods or Services

If approved, H & J Construction, Inc. will provide construction services for the installation of approximately 1700 feet of 12 & 16-inch ductile iron water main pipe on East 40th Street, from Patterson Street to the Willamette 800 Pump Station/Mill Street. This work will include, but is not limited to, water pipeline and valves, fittings, connected water services and fire hydrants replacement and installation. The new pipeline, services, and hydrants will be more resilient and require less maintenance. Contractor will be responsible for restoration and asphalt paving upon completion.

Purchasing Process

Staff issued a formal Invitation to Bid in May 2024. The solicitation was publicly advertised on the State of Oregon procurement site, OregonBuys, and in the Portland Business Tribune. Only three (3) of four (4) bids received were responsive. H & J Construction, Inc. submitted the lowest bid and was deemed to be responsive and responsible.

Proposals/Bids Received

Vendor Name	City, State	Offered Price
H & J Construction Inc	Eugene, OR	\$748,426.50
Wind Rose Excavation	Junction City, OR	\$872,647.44
Pacific Excavation	Eugene, OR	\$965,535
Turney Excavation	Silverton, OR	Non-Responsive

Competitive Fair Price (If less than 3 responses received)

NA

Prior Contract Activities

EWEB Contract	Project Name (Description)	Board Approved	Project Duration (Start to Close)	Original Amount	Approved/Amended Amount to Date (Total)	Reason Code
23-158	24 th and Amazon Pkwy Main Improvement	NA	8/9/23-8/23/23	\$61,500	\$64,413	UC
22-140	Lorane Hwy to Chambers St Main Replacement	9/6/22	9/8/22-12/15/22	\$947,525	\$922,230	
20-130	19 th Ave Main Replacement	7/7/20	7/17/20-12/1/20	\$323,825	\$328,291	UC

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

23-158: Unforeseen conditions required the replacement of sidewalk panels which resulted in additional work and materials.

20-130: Unforeseen conditions required grade adjustments on site which resulted in additional work and materials.

ACTION REQUESTED:

Management requests the Board approve a contract with H & J Construction, Inc. for the E 40th Ave Water Main Replacement from Patterson St to Mill St. The work will be completed within the 2024 Water Capital Budget for Main Replacements/Improvements which totals approximately \$4.8 million. Variances will be managed within the budget process and Board policy.