

**EUGENE WATER & ELECTRIC BOARD**  
**REGULAR SESSION**  
**January 5, 2021**  
**5:30 P.M.**

*Commissioners may pose questions to staff prior to the scheduled board meeting. To view Commissioners' pre-meeting questions and staff responses, visit <http://www.eweb.org/about-us/board-of-commissioners/2021board-agendas-and-minutes>.*

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

**Others Present:** Frank Lawson, General Manager; Beth Forrest, City of Eugene City Manager's Office

President Schlossberg called the Regular Session to order at 5:30 p.m.

**Agenda Check**

There were no changes or additions to the agenda.

**Oath of Office for Commissioners Barofsky, Carlson, and McRae**

Ms. Forrest swore in Matt McRae, John Barofsky, and Sonya Carlson as members of the EWEB Board of Commissioners.

**Items from Board Members & General Manager**

Vice President Brown mentioned a two-year study looking at deenergizing Cougar Dam, Detroit Dam, and one other dam in the Willamette basin; he wondered how that would affect resource adequacy. Vice President Brown announced EWEB had recently put in a new substation at Holden Creek, resulting in a vacating of approximately 16 miles of Right-of-Way, and he wondered what the plans for that vacation were. He also asked about the status of the acquisition and new substation on 52<sup>nd</sup> Street in Springfield.

Commissioner Barofsky thanked EWEB staff for the orientation (including many facilities tours), they offered him and the other new Commissioner, Commissioner McRae.

President Schlossberg said she hoped there would be an opportunity for a Board retreat soon. She said she had met with the President and President-Elect of the Springfield Utility Board (SUB), and that the meetings between EWEB and SUB leadership would continue.

Mr. Lawson reported that EWEB's disconnect orders and 30-60-day payment aging numbers had returned to pre-COVID levels. He also announced the utility fully subscribed its EWEB Customer Care assistance (ECC) applications for the first time in

many months. Mr. Lawson said there were approximately 580 ratepayers currently taking advantage of ECC.

### **Public Input**

**Jim Neu**, of Eugene suggested the following goals for EWEB in 2021: Decarbonization (by divesting from corporations contributing to carbon with their projects), rooftop community solar and wind energy should be added to EWEB's energy sourcing, an analysis of EWEB's net metering policy for domestically-generated energy, and that net metering should be changed from monthly to annually, and an increase in communications between EWEB and the City of Eugene.

**Sandra Bishop**, of Eugene, addressed the Board concerning the E. 40<sup>th</sup> reservoir project. She asked the Board (with its new members) focus on proper placement of the first tank of said project. Ms. Bishop suggested the first reservoir tank be located slightly west of the original site for that tank.

**Stephen Anderson**, of Eugene, addressed the Board concerning the E. 40<sup>th</sup> reservoir project. He asserted the EWEB Board should get more involved in the siting of the project as to protect the old growth woodland on the property. Mr. Anderson said EWEB should utilize site two for the first tank. He said that EWEB Commissioners should do a site walkabout, to ensure the best course of action, which the community believes is the original tank two site being utilized for the first tank.

**Joe Harwood for Jenny Bennett** of Eugene, and representing Summit Bank, thanked the EWEB Board for voting to keep some of EWEB's deposited monies in Summit Bank—a local financial institution.

Commissioner Carlson asserted she would be personally supportive of EWEB investing more in local banks, if and when possible. She offered she had walked through the E. 40<sup>th</sup> Reservoir site with other commissioners and staff, and she fully trusts staff were doing all they could to make the best decisions possible, considering environmental and customer impacts.

Vice President Brown agreed with Commissioner Carlson re: the E. 40<sup>th</sup> reservoir site; he said that community/ratepayer input was of extreme importance to him, and he pledged to listen to all voices before making a decision on the matter. Vice President Brown added that he appreciated the gravity of the decisions that would have to be made concerning this site, but EWEB engineers and designers were top-notch, and he said he had never been associated with an entity that cares more about the environment than EWEB.

Commissioner Barofsky offered that he, and Commissioner McRae had visited the site of the E. 40<sup>th</sup> reservoir project. He said staff assured him they were doing everything they could to adhere to the South Hills Study, although they were not bound by said Study.

Commissioner McRae said he looked forward to learning all that he could on the E. 40<sup>th</sup> reservoir project.

President Schlossberg wondered if it were possible to get a list of opportunities EWEB could take advantage of to switch monies from large corporate banks to more local financial institutions. On the E. 40<sup>th</sup> reservoir project, she offered the utility would have to make decisions that would not be popular with everyone, but she had faith in EWEB staff to explore all possibilities and best practices surrounding the project.

Mr. Lawson said there was a limit to how much funds could be invested in local banks, and that EWEB was at the maximum allotment for local banking. He said that separately there would be an opportunity in 2022 to take another look at EWEB's large scale, full-service banking. Part of an RFP process is to look at environmental attributes of the financial institutions.

Mr. Lawson clarified that EWEB staff was trying to reduce the environmental impact of the E. 40<sup>th</sup> water storage project. The final ecological study and geotechnical report is expected in the first quarter and the final design layout is planned for Q2, and he said, at this point, it was a bit premature to start counting the number of trees which would be removed.

## **Approval of Consent Calendar - A MINUTES AND ROUTINE CONTRACTS**

### **MINUTES**

**1 a. December 1, 2020 Executive Session**

**1 b. December 1, 2020 Regular Session**

### **CONTRACTS**

**2. AB Utility Contractors, Inc.** - for concrete removal and replacement services (Group A - Most frequently needed services). \$520,000 (over 5 years) based on formal invitation to bid.

**3. Lakeside Industries** - for polymer cold mix asphalt. \$255,000 (over five years) based on formal invitation to bid.

**4. Pacific Excavation** - for concrete removal and replacement services (Group B - Large projects). \$192,000 (over five years) based on formal invitation to bid.

**5. Sure Power Consulting LLC, Make It Happen LLC, and Milestone Utility Services** - for as-needed project management and business analyst services. \$1,000,000 (between three contracts over 5 years) based on formal Request for Proposals (RFP).

***Vice President Brown moved to approve Consent Calendar - A. The motion passed unanimously 5:0.***

**Approval of Consent Calendar - B**  
**NON-ROUTINE CONTRACTS AND OTHER CONSENT ITEMS**

**CONTRACTS**

**6. Landmark Ford and Northside Ford Truck Sales** - for the purchase of 2021 light duty vehicles. \$507,000 based on cooperative contracts.

**RESOLUTIONS**

**7. Resolution No. 2101** - Annual Appointment of Supplemental Retirement Plan Committee.

**OTHER**

**8. Ratification of Board Appointed Consultants**

*Vice President Brown moved to approve Consent Calendar - B. The motion passed unanimously 5:0.*

**Items Removed from the Consent Calendar**

There were no items removed from the Consent Calendar.

**2021 Election of Officers**

*Commissioner Carlson moved to nominate Mindy Schlossberg as EWEB Board President, and John Brown as EWEB Board Vice President. The motion passed unanimously 5:0.*

**2021 Appointment of Board Liaison Assignments & Committees**

President Schlossberg said the current EWEB representative on the Lane Council of Governments (LCOG) was Commissioner Carlson.

Commissioner Carlson offered she was interested in continuing in that role if no one else was interested.

Commissioner Barofsky said he was interested in being the alternate for that assignment.

President Schlossberg asked if anyone was interested in representing EWEB on the McKenzie Watershed Council (MWC).

Commissioner Barofsky expressed interest in that assignment.

President Schlossberg said the current EWEB representative on the Other Post-Employment Benefits (OPEB) assignment, was Vice President Brown.

Vice President Brown offered he was interested in continuing in that role.

President Schlossberg asked if anyone was interested in the NorthWest Public Power Association (NWPPA) assignment that former EWEB Commissioner Dick Helgeson was on.

No one was interested in the assignment. President Schlossberg said the Board would revisit this issue in 2022.

President Schlossberg said the current EWEB representative with SUB was Vice President Brown.

Vice President Brown offered he was interested in continuing in that role.

President Schlossberg asked if anyone was interested in the Lane Electric Co-Op assignment.

President Schlossberg offered she was interested in the Lane Electric Co-Op assignment.

President Schlossberg asked if anyone was interested in the City of Eugene (climate matters) assignment.

Commissioner McRae said he was interested in joining President Schlossberg in that assignment.

***Vice President Brown moved to adopt the Board Liaison assignments as per the previous discussion. The motion passed unanimously 5:0.***

### **Break**

President Schlossberg called for a five-minute break at 6:36 p.m. She reconvened the meeting at 6:41 p.m.

### **2021 Organizational Goals and Performance Measures**

Mr. Lawson offered the Board a report and Power Point presentation on 2021 organizational goals and performance measures.

Commissioner Barofsky offered it would be more helpful for him in the future, if there were dates placed next to the main ideas of the report. He added that he believed it would be a good idea to add how COVID and the restrictions due to it, was affecting the utility.

Mr. Lawson pointed out there were milestones for the objectives discussed (some of them are Q1, Q2, etc.), and at the Board's behest, he would share those milestones with the Board before the next Board meeting.

Vice President Brown asked about Goal #4. He wondered, since the things listed in Goal #4 were potentially very expensive projects, if there would be an economic analysis on the ratepayer impact for them.

Mr. Lawson said an economic impact analysis of any of the aforementioned projects would be a part of any decision-making before the fact.

Commissioner Carlson asked where projects such as water storage and the headquarters building fit into the organizational goals.

Mr. Lawson replied those projects were reflected in Goal #1, which dealt with the day-to-day operational performance of the utility.

Commissioner McRae spoke to the time-sensitive nature of wildfire mitigation, and how important it was to address it before wildfire season begins again in 2021. He also suggested Work Sessions or equivalents in order that the Board might better digest the dense material it is called upon to digest,

President Schlossberg agreed with Commissioner McRae's sentiment about Work Sessions.

***Commissioner Barofsky moved to approve the 2021 organizational goals as presented, with the expectation of at least quarterly status updates presented to the Board. The motion passed unanimously 5:0.***

### **Correspondence & Board Agendas**

Mr. Lawson offered the Board a report on correspondence and Board agendas.

Vice President Brown asked Mr. Lawson if the language in this month's correspondence, Proposed Revision to Board Policy GP8 Meetings & Executive Sessions, could be tightened up surrounding who the Board President could invite to Executive Session.

Mr. Lawson said it could, and he would see to it.

### **Board Wrap-Up**

Commissioner Barofsky thanked everyone for the opportunity to sit on the EWEB Board of Commissioners, and he paid homage to the former EWEB Commissioners, Dick Helgeson and Steve Mital.

Commissioner McRae also appreciated the former Commissioners Mital and Helgeson. He thanked EWEB staff and other Commissioners for making the dense material of the meeting accessible and digestible.

President Schlossberg adjourned the meeting at 7:36 p.m.

*Recorded by Rodney Cimburke*

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Assistant Secretary

President

## **EWEB Board Consent Calendar Request**

*For Contract Awards, Task Orders, Renewals, and Increases*

The Board is being asked to approve a TASK ORDER (B-3) with **JACOBS** dba CH2M Hill Engineers Inc. for Phase 2 engineering services for the 800 CFS Bypass project – 30% design.

Board Meeting Date: February 02, 2021

Project Name/Contract #: 800 CFS Bypass – 30%Design Services – Phase 2, Task B-3

Contract #018-2018 Carmen-Smith Fish Passage Facilities

Primary Contact: Rod Price Ext. 7122

### **Contract Amount:**

Original Contract Amount: \$ 10,000,000

Task Orders and Amendments Previously Approved: \$ 6,036,500

Invoices over last approval: \$ 0

Percentage over last approval: 0 %

Amount this Request: \$ 472,028

**Resulting Cumulative Task Order Total:** \$ 6,508,528

### **Contracting Method:**

Method of Solicitation: Request for Proposals

If applicable, basis for exemption: N/A

Term of Agreement: Through December 31, 2023

Option to Renew? Yes

Approval for purchases “as needed” for the life of the contract No

Proposals/Bids Received (Range): N/A

Selection Basis: Qualifications Based Selection (QBS)

### **Narrative:**

#### Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve Task Order B-3 of Contract 080-2018 with JACOBS, of Corvallis, Oregon. Task Order B-3 will authorize phase 2 of the design of two alternative solutions for the Bypass Valve project to a 30% design level. Phase 1 (B2) of the design was approved via staff authorization. After the final alternative is determined based on the 30% design work, a subsequent Task Order will be prepared for final design services and brought to the Board for approval. This Task Order B-3 implements a required project of the new operating license for the Carmen-Smith Project, and the *Amended and Restated Settlement Agreement* that was executed in November 2016.

#### Contracted Goods or Services

Jacobs will prepare 30% design documentation and cost estimates for two alternatives capable of achieving required flow reductions in the Smith Bypass Reach below Smith Dam, as required by the license and Settlement Agreement. Alternative 1 is a Load Bank that allows the Carmen powerplant to operate at approximately 1100 CFS during a transmission line outage. Alternative 2 is a bypass pipe connected to the penstock upstream of the powerhouse allowing a bypass flow of approximately 1100 CFS. Both alternatives meet the intent of the license required bypass project. Final selection of the alternative to advance to final design and construction will be determined based on cost, constructability, and operational considerations.

Task Orders and Amendments are scoped by the Project Manager consistent with license requirements and negotiated with the Contractor. Billing rates match the rates negotiated as part of the Master Agreement and acceptable insurance certificates have been received.

Prior Contract Activities

The Board approved the Master Services Agreement (080-2018) for the Carmen Smith Fish Passage Facilities with Jacobs of Corvallis, Oregon on April 02, 2019. A summary of Task Orders and Amendments is provided below:

Task Order	Amend. #	\$ Amount	Date Approved	By
U-1		\$ 51,307	5/8/2019	Board
D-1		\$ 278,778	5/8/2019	Board
U-2		\$1,073,382	12/3/2019	Board
U-3		\$ 122,265	7/10/2019	Staff
U-3	1	\$ 61,778	1/7/2020	Board
D-1	1	\$ 332,178	1/7/2020	Board
D-2		\$1,455,325	3/3/2020	Board
U-2	1	\$ 204,152	4/7/2020	Staff
U-2	2	\$ 37,268	4/30/2020	Staff
D-2	1	\$ 497,983	6/2/2020	Board
B-1		\$ 525,346	6/2/2020	Board
FRS-1		\$ 410,051	10/2/2020	Staff
D-2	2	\$ 74,121	7/16/2020	Staff
PFM-1		\$ 382,217	12/3/2020	Staff
U-2	3	\$ 173,227	11/24/2020	Staff
U-4		\$ 246,268	1/7/2021	Staff
B-2		\$ 110,854	1/14/21	Staff
		<b>\$6,036,500</b>		

Purchasing Process

In December 2018, in accordance with Oregon public procurement rules, EWEB initiated a Request for Proposals (RFP) using the Qualifications Based Selection (QBS) process for engineering services for upstream and downstream fish passage. The QBS process culminated with selection of Jacobs of Corvallis, OR, as the most qualified consultant, consistent with QBS selection process.

Major work tasks for the overall Project will include:

1. Attraction Water Supply route selection. (Task Order U-1)
2. Trap and Haul Facility design (Task Order U-2)
3. Spawning Channel Improvements design and construction phase services (Task Orders U-3 and U-4)
4. Tailrace Barrier Demolition design ((Task Order U-2)
5. Trail Bridge Spillway Gate Modification Alternative Evaluation ((Task Order D-1)
6. Trail Bridge Spillway Gate and Hoist design (Task Order D-2)
7. Trail Bridge Spillway surface modification design (Task Order D-2)
8. Multi-project Potential Failure Mode Analyses – FERC Coordination (Task Order PFM-1)
9. Carmen Diversion Flow Release Structure design (Task Order FRS-1)
10. Smith Flow Release Structure design (future Task Order)
11. 800 CFS Bypass Alternatives Evaluation (Task Order B-1)
12. 800 CFS Bypass 30% Design (Task Order B-2 and this Task Order B-3)
13. 800 CFS Bypass Final Design (future Task Order)

**ACTION REQUESTED:**

Management requests the Board approve Task Order B-3 of the Carmen Smith Fish Passage Facilities contract with Jacobs, for 30% design services for the Bypass Valve project. Approximately \$300,000 was planned for these services in the Carmen – Smith License Deployment Department in the 2021 Electric Capital Budget. Variances will be managed within the budget process and Board policy.



## EWEB Board Consent Calendar Request

For Contract Awards, Task Orders, Renewals, and Increases

The Board is being asked to approve a Construction Task Order with **Wildish Building Company** for construction services for the Carmen Smith Spawning Channel.

Board Meeting Date: February 02, 2021

Project Name/Contract #: Spawning Channel Modifications – Construction Task Order #18 to Contract #002-2011, CM/GC

Primary Contact: Rod Price Ext. 7122

### Contract (Task Order) Amount:

Original Contract Amount: \$ \$1,551,180

Additional \$ Previously Approved: \$ 0

Invoices over last approval: \$ 0

Percentage over last approval: 0 %

Amount this Request: \$ \$1,551,180

**Resulting Cumulative Total:** \$ \$1,551,180

### Contracting Method:

Method of Solicitation: CM/GC Guaranteed Maximum Price

If applicable, basis for exemption: 5-0680 (5) Construction Manager/General Contractor  
Alternative Procurement

Term of Agreement: Through September 30, 2021 (Task Order 18)

Option to Renew? No

Approval for purchases "as needed" for the life of the contract Yes  No

Proposals/Bids Received (Range): N/A

Selection Basis: Guaranteed Maximum Price

### Narrative:

#### Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve Construction Task Order (CTO) #18 of the CM/GC Contract (002-2011) with Wildish Building Company of Eugene, Oregon. CTO #18 will construct improvements and modifications to the Carmen-Smith Spawning Channel. This CTO #18 implements a required project of the new operating license for the Carmen-Smith Project, and the *Amended and Restated Settlement Agreement* that was executed in November 2016.

#### Contracted Goods or Services

Complete construction and construction management services from Wildish Building Company for the Spawning Channel project, including compliance with environmental permits.

Major work tasks will include:

1. Demolition of concrete structures and re-grading of the Spawning Channel.
2. New concrete structures including new fish passage gates.
3. Improvements to the entrance structure and exit structure.

#### Prior Contract Activities

The Board approved the CM/GC contract (002-2011) in February 2011. Contract activities include 17 previous

Construction Task Orders totaling \$4,857,917.

Purchasing Process

Contract 002-2011 with Wildish Building Company was procured through a competitive process in accordance with EWEB policies and Oregon public procurement rules, EWEB initiated a Request for Guaranteed Maximum Price (GMP) on November 2, 2020 and completed review and negotiations with Wildish on December 21, 2020.

Per the Board's approval of the general CM/GC contract and subsequent amendments, Wildish is required to competitively procure and subcontract for major portions of the total contract. Wildish has provided a Schedule of Values identifying subcontract work and provided documentation of the bids submitted.

**ACTION REQUESTED:**

Management requests the Board approve Construction Task Order #18 of the CM/GC contract with Wildish, for the Guaranteed Maximum Price of \$1,551,180. Approximately \$1.2 million was planned for the Spawning Channel construction effort in the Carmen-Smith License Deployment Department 2021 & 2022 budgets of \$27 million.