

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a contract with **ESA** for FEMA benefit cost analysis and environmental impact assessment services.

Board Meeting Date: August 2, 2021

Project Name/Contract #: FEMA BCA and NEPA EA / 21-051-PSC

Primary Contact: Rod Price Ext. 7122

Contract Amount:

Original Contract Amount: \$370,000 (over 5 years)

Additional \$ Previously Approved: \$0

Invoices over last approval: \$0

Percentage over last approval: 0%

Amount this Request: \$370,000

Resulting Cumulative Total: \$370,000 (over 5 years)

Contracting Method:

Method of Solicitation: Formal Request for Proposals – Personal Services

If applicable, basis for exemption: N/A

Term of Agreement: Up to 5 years

Option to Renew? No

Approval for purchases “as needed” for the life of the Contract Yes ☒ No ☐

Proposals Received (Range): 2 (\$369,061-\$388,500 over five years)

Selection Basis: Highest scoring response for overall quality and price

Narrative:

Operational Requirement and Alignment with Strategic Plan

The McKenzie River is the sole source of drinking water for nearly 200,000 people in the City of Eugene. In September 2020, the Holiday Farm Fire burned over 170,000 acres (over 20%) of the McKenzie River Watershed and destroyed over 400 homes. EWEB and the Pure Water Partners are focusing on implementing large scale floodplain restoration projects in key areas of the watershed to mitigate and buffer the impacts of upstream fire impacted landscapes on water quality. These projects are part of multiple FEMA Hazard Mitigation Grant Program (HMGP) funding requests and as a result need to follow FEMA policies for restoration work. Acceptance of grant funds requires a benefit cost analysis (BCA) and environmental impacts assessment (EA) to demonstrate the projects will not have a significant impact on natural resources during construction.

Contracted Goods or Services

The Consultant will provide BCA and EA services required to support planning and implementation of various FEMA funded floodplain restoration projects in response to the Holiday Farm Fire impacts to the McKenzie Watershed. Benefit cost analysis calculates the value of the proposed actions (as compared to no action or alternative options) with regard to reducing flooding impacts to downstream homes/infrastructure, water quality, economic benefits (e.g., recreation fishing industry), and other environmental benefits and compares against project costs to determine if the benefits outweigh the costs.

The total fee estimate is \$370,000, which includes conducting up to 3 benefit cost analysis and environmental assessments on large scale floodplain areas and providing documentation and reports per FEMA guidance and federal and State laws. The contract amounts are based upon pricing negotiated for the first Task Order (Finn Rock Reach and Quartz Creek), with estimates created for the remaining two tasks. These additional task orders will be assigned on an as-needed basis. EWEB and the Contractor will negotiate each Scope of Work, staffing plan, delivery schedule, and compensation for each Task Order prior to the work being performed.

Prior Contract Activities

None

Purchasing Process

In May 2021, Purchasing initiated a formal Request for Proposals (RFP) process for benefit cost analysis services and NEPA Environmental Assessments. Proposals were received from two firms. All firms were responsive and responsible.

The proposals were evaluated by an EWEB evaluation team. The maximum number of possible points was 100, using the following criteria: Minimum Qualifications (Pass / No Pass – Not scored), Project Understanding & Approach (20 points), Staff Resources/Project Management (30 points), Key Staff Qualifications (20 points), and Pricing (30 points).

ESA was selected as the highest rated proposer and staff have issued an intent to award the contract. ESA's proposal was found to be responsive and responsible. Since EWEB has no prior contract history with ESA, references were called and all three gave highly favorable recommendations. Staff reviewed ESA billing rates and determined they are consistent with competing firms in the Pacific Northwest and as compared to other firms currently doing similar work for EWEB.

| Vendor Name | City, State | Ranking (for Request For Proposals) |
|-------------|--------------|-------------------------------------|
| ESA | Portland, OR | 1 |
| Tidal Basin | Utica, NY | 2 |

ACTION REQUESTED:

Management requests the Board approve a contract with ESA for benefit cost analysis and environmental assessment services. Approximately \$370,000 was planned for these goods or services in the Holiday Farm Fire Restoration 2021 budget of \$3.9 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 additional funding for a Memorandum of Understanding to continue working with **General Pacific Inc.** for the sale of discounted heat pump water heaters to EWEB customers.

Board Meeting Date: 8/3/2021

Project Name/Contract #: Heat Pump Water Heater Promotion through General Pacific, Inc./19-179-MOU

Primary Contact: Julie McGaughey Ext.7066

Contract Amount:

Original Contract Amount: \$150,000 until December 31, 2020

Additional \$ Previously Approved: \$250,000

Invoices over last approval: \$0

Percentage over last approval: 0%

Amount this Request: \$300,000

Resulting Cumulative Total: \$700,000 through Dec 31, 2022

Contracting Method:

Method of Solicitation: Direct Negotiation

If applicable, basis for exemption: Sole Source

Term of Agreement: November 19, 2019 – December 31, 2021

Option to Renew? Yes

Approval for purchases “as needed” for the life of the Contract Yes ☒ No ☐

Proposals/Bids Received (Range): N/A

Selection Basis: N/A

Narrative:

Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve increased funding of \$300,000 to the previously approved \$400,000 for providing discounted heat pump water heaters (HPWH). The program provides Rheem HPWH at a reduced cost to EWEB customers, starting at \$400. (regular price is \$1,460). Board approval would extend the partnership with GP through December 31st, 2022.

Heat pump water heaters can bring up to 50% energy savings in water heating costs for users. This aligns with EWEB’s Strategic Plan to “Foster Customer Confidence” and “Create Consumption Flexibility” by helping customers reduce their energy burden and provide them with a cost-effective, accessible, and efficient option to manage their energy consumption. This effort is a component of our current energy efficiency measures, which are funded through EWEB’s existing Conservation Measures and Incentives budget. HPWH units purchased through this promotion qualify for Bonneville Power Administration energy efficiency reimbursement under the “Retail (Utility Run)” measure.

Contracted Goods or Services

Through this partnership, qualified EWEB electric customers can directly purchase a discounted HPWH from GP. To facilitate this, GP provides the following:

- Maintain an online store portal (www.gpconservation.com/eweb/) with EWEB branding.
- Answer customer HPWH technical, installation, warranty, and product questions.
- Work with EWEB to verify customer participation qualification.
- Extend EWEB’s \$800 HPWH rebate at the point of approved sale without the need for the customer to submit a standard application.
- Ship purchased HPWH units directly to the customer at no additional cost.
- Accept valid warranty returns and provide replacement parts/products pursuant to the product manufacturer’s stated warranty.

- Monthly Invoice EWEB for applicable rebate payments.
- Provide EWEB thirty (30) days' written notice for any HPWH pricing changes.

There is no additional payment given to GP for providing the above services through this partnership; EWEB simply passes through its standard HPWH rebate of \$800 per unit to GP. HPWH prices offered to customers range from \$400-\$1,750. With EWEB's current rebate of \$800, the additional funding of \$300,000 would support 375 HPWH units.

Prior Contract Activities

The current partnership with GP offering HPWH units to our customers began in November 2019. As of the end of June 2021, over 500 qualified EWEB customers have participated in this promotion. In contrast, EWEB's HPWH program had an average previous participation of 55 projects per year. The agreed verification and invoicing process between EWEB and GP has consistently met all expectations and requirements by both parties.

Purchasing Process

In 2019 Q3, GP in partnership with Rheem and the Northwest Energy Efficiency Alliance (NEEA) approached EWEB on an effort to provide Rheem HPWH at a reduced cost to EWEB customers; NEEA's participation ended at the end of 2019. The partnership with GP is considered sole-source and findings are on file to support an exemption from solicitation.

Bidder/Proposer Information

General Pacific Inc.

Bidder/Proposer Location

Fairview, Oregon

Competitive Fair Price (If less than 3 responses received)

N/A

ACTION REQUESTED:

Management requests the Board approve increasing spending for the heat pump water heater program offered through General Pacific Inc. for the sale of discounted heat pump water heaters to EWEB customers. For 2021, approximately \$400,000 was budgeted for this project from the \$2,600,000 Conservation Measures and Incentives budget. Variances will be managed within the budget process and Board policy.



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Schlossberg, Brown, Carlson, Barofsky and McRae
FROM: Frank Lawson, General Manager
DATE: July 23, 2021
SUBJECT: Proposed Update to Board Policy GP10 – Public Input
OBJECTIVE: Approval of Resolution No. 2112

Issue/Discussion

The Board's Governance Process Policy GP10 highlights the Board's commitment to provide opportunity for members of the public to express their views and opinions.

The policy as written, does not specify a length of time by which each comment period will conclude. The current language states that speakers generally have three minutes to speak, however the policy does not indicate how the presiding officer will address situations that might cause the Board to deviate from its usual protocol.

In the interest of establishing clear expectations while balancing the public's desire to address their elected officials, and the Board's need to manage meetings efficiently and effectively, a proposed policy amendment is presented for your consideration.

Recommendation/Requested Board Action

Approve Resolution No. 2112, Update to Board Policy GP10 Public Input, or provide direction for recommended revisions.

Attachment: Proposed Amendments to Board Policy GP10 – Public Input



Governance Process Policies (GP Policies)

GP10

Public Input

Effective Date

~~August 6, 2019~~ Proposed August 3, 2021

Public Input is a routine feature of every Regular Meeting of the Board of Commissioners, which generally occurs on the first Tuesday of each month. The agenda item customarily appears near the beginning of the agenda, with up to thirty minutes reserved for public comments unless the presiding officers allocate additional time prior to the meeting during agenda planning. Members of the audience wishing to speak complete a Request to Speak form ~~at the meeting~~. Individuals are called by the presiding officer in the order forms are received.

Prior to opening Public Input, the presiding officer makes a brief announcement describing the process for comment and Board response, and sets a time limit for individual input. Each speaker usually has up to a maximum of three minutes to share their views. ,which is generally three minutes. When numerous speakers wish to address the Board, the presiding officer may adjust the time offered to each speaker to correspond with the amount of time scheduled for the agenda item or may extend the time allowed for public testimony with the majority concurrence of the Board. At the officer's discretion, the public comment period may be divided equally among all speakers. Alternatively, the officer may afford a maximum number of minutes to the speakers, in the order forms are received, until the amount of time posted on the meeting agenda has lapsed.

Commissioners do not interact with the speakers during the Public Input period. The presiding officer may ask clarifying questions, but Commissioners refrain from engaging in a dialogue with the speakers while they are addressing the Board.

At the conclusion of the Public Input agenda item, individual Board members have an opportunity to address any point that was made during Public Input. Board member comments may include direction to the General Manager to further investigate a specific issue, clarification from the General Manager regarding a specific issue, or simply a response to a public comment just presented.

In certain instances, particularly at public hearings, the Board may direct staff to respond to specific questions posed by the public, those responses which are for the public good will be posted on EWEB's Internet site.

Source: Marty Douglass, Public Affairs, Draft Provided to Board 11/11/04; Board Approved 07/05/05; Modified 11/01/05, Revised 08/06/19, Resolution No. 1920; Proposed Revision 08/03/21.

**RESOLUTION NO. 2112
AUGUST 2021**

**EUGENE WATER & ELECTRIC BOARD
UPDATE TO BOARD POLICY GP10 – PUBLIC INPUT**

WHEREAS, the Eugene Water & Electric Board (EWEB) maintains a Board Policy Manual that contains governing policies for the Board of Commissioners; and

WHEREAS, the Board of Commissioners periodically reviews said policies and identifies required modifications or amendments to those policies; and

WHEREAS, the Board of Commissioners periodically determines that new policy is required to adequately document the work or intention of the Board with regard to governance, Board-staff linkage, strategic direction or executive limitations; and

WHEREAS, the Board of Commissioners has reviewed an amendment to Board Policy GP10, Public Input, and has determined that the amendment is appropriate and necessary to properly balance the public's need to address Commissioners, while also allowing the Board to manage meetings in an efficient manner.

NOW, THEREFORE, BE IT RESOLVED the Eugene Water & Electric Board hereby approves the amended Board Policy GP10 – Public Input.

DATED this 3rd day of August 2021.

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 a true and exact copy of the Resolution adopted by the Board at its August 3, 2021 Regular Board Meeting.

Assistant Secretary