

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a Contract for Engineering and Related Services with **DOWL, LLC** for **Carmen Bridge seismic upgrades**.

Board Meeting Date: 1/4/2022
Project Name/Contract #: Carmen Bridge Seismic Upgrade Contract 21-228-Q
Primary Contact: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$220,000
Additional \$ Previously Approved: \$0
Invoices over last approval: \$0
Amount this Request: \$220,000
Percentage over last approval: 0%
Resulting Cumulative Total: **\$220,000**

Contracting Method:

Method of Solicitation: Formal Request for Proposals
If applicable, basis for exemption: NA
Term of Agreement: 2 years
Option to Renew? NA
Approval for purchases "as needed"
for the life of the Contract: Yes No
Proposals/Bids Received (Range): 1 – (\$226,100, negotiated to \$216,900)
Selection Basis: Highest ranked responsive and responsible Proposer
Narrative:

Operational Requirement and Alignment with Strategic Plan

The Carmen-Smith Bridge, officially called McKenzie River, Public Road Bridge, National Bridge Inventory No. 18750 (Oregon), is the only direct access route to the Carmen Powerhouse and Substation, Smith Dam, and the Carmen Campus. The bridge is considered an "essential" bridge by EWEB. For essential bridges, according to Oregon Department of Transportation (ODOT) seismic design standards, new and retrofit bridge structures are required to meet the "Life Safety" performance criteria for a 1,000-year return period earthquake and "Operational" performance levels for the Cascadia Subduction Zone Earthquake (CSZE) seismic event. Seismic evaluation of the existing bridge design revealed that it is deficient relative to current seismic design criteria.

Contracted Goods or Services

The proposed contract with DOWL includes geotechnical exploration, engineering analysis and design, and related construction services for a seismic upgrade of the Carmen-Smith Bridge.

Purchasing Process

In October 2021, Staff issued a Formal Request for Proposals (RFP) using the Qualifications Based Selection (QBS) process for engineering services/engineering consulting. One proposal was received.

The proposal was evaluated by an EWEB evaluation team. The maximum number of possible points for written responses was 85, using the following criteria: Minimum Qualifications (Pass / No Pass – Not scored), Key Staff Qualifications (45 points), Similar Project Experience (40 points). DOWL (formerly known as OBEC) was the only firm to submit a proposal. Their qualifications and fit to the work needed was scored at 76 out of 85 possible points, ranking as “Excellent”.

DOWL was then invited to submit pricing for elements of one of the initial task orders. Their response was analyzed for realistic approach to pricing and value to EWEB, including efficiency of hours proposed in correlation with Consultant’s proposed staff rates. The maximum points possible for pricing were 15, for a total of 100 potential points. DOWL was deemed a highly qualified consultant, consistent with QBS criteria.

Proposals Received

Vendor Name	City, State	Offered Price
DOWL, LLC	Eugene, OR	\$226,100

Competitive Fair Price (If less than 3 responses received)

This is the second time that an RFP has been formally issued for these services. Both engineering consulting firms and construction companies are busier than normal and responses to both solicitations for these services have been limited in 2021. Following the first solicitation, only one response was received. That response was ultimately deemed unqualified. The negotiated fees with DOWL (\$226,102 to \$216,900) are commensurate with the current rates of other active engineering contracts with EWEB and consistent with expectations.

Prior Contract Activities

EWEB has previously worked with DOWL (formerly OBEC) on many structural engineering projects, including bridge improvement projects. In 2017, OBEC, in consultation with the engineering firm Black & Veatch, prepared a seismic evaluation of the Carmen-Smith Bridge. In 2019, OBEC also performed a condition assessment of the bridge’s north abutment expansion joint after it was damaged. On these contracts and others, DOWL (formerly OBEC) performed well within EWEB expectations and in adherence to scope, budget, and schedule.

EWEB Contract No.	Project Name (Description)	Board Approval Date	Project Duration (Notice to proceed to close out).	Original Contract Amount	Final Contract Amount
Q2615	Structural Engineering Consultation	NA	5 years	\$100,000	\$100,000
18-2670Q	On-Call Inspection Services	NA	5 years	\$100,000	\$100,000
18-2682Q	Hurd Bridge Improvements	NA	1 year	\$22,552	\$25,552

ACTION REQUESTED:

Management requests the Board approve a Contract for Engineering and Related Services with DOWL, LLC for Carmen Bridge seismic upgrades. Approximately \$220,000 was planned for these services in the Generation Type 3 Capital Improvement Program 2022 budget of \$29.2 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 construction contract with **Kevin Cohen Plumbing, Inc. DBA Accurate Underground** for **Plumbing Service Reconnection Work**.

Board Meeting Date: 1/4/2022
Project Name/Contract #: Palomino St Main Replacement–Plumbing Svc Reconnection / 21-167-PW
Primary Contact: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$371,000
Additional \$ Previously Approved: \$0
Invoices over last approval: \$0
Percentage over last approval: %0
Amount this Request: \$371,000
Resulting Cumulative Total: **\$371,000**

Contracting Method:

Method of Solicitation: Formal Invitation to Bid
If applicable, basis for exemption: NA
Term of Agreement: One-time Purchase (Construction)
Option to Renew? No
Approval for purchases “as needed”
for the life of the Contract: Yes No
Proposals/Bids Received (Range): 2 - (\$370,600 - \$377,647.50)
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 select water pipelines each year. 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 reconnect private plumbing from approximately 53 homes to new pipelines and services being installed in Palomino Street. The existing pipeline is currently being replaced under separate contract because it is in the backyard of a residential area with poor access and has experienced multiple leaks. These plumbing reconnections are the final step necessary to abandon the existing 4-inch and 2-inch cast iron lines currently in backyards.

Contracted Goods or Services

Kevin Cohen Plumbing, Inc. DBA Accurate Underground and their subcontractors will provide plumbing and construction services to relocate and reconnect private plumbing as necessary to connect to the new water main being installed in Palomino Drive according to the project scope and design. The project is scheduled for completion in mid-2022.

Purchasing Process

Staff issued a formal Invitation to Bid in November 2021. The solicitation was publicly advertised on Oregon Buys. Two (2) bids were received and Kevin Cohen Plumbing, Inc. DBA Accurate Underground, provided the lowest bid and was deemed responsive and responsible.

Bids Received

Vendor Name	City, State	Offered Price
Kevin Cohen Plumbing, Inc. DBA Accurate Underground	Springfield, OR	\$370,600
Twin Rivers Plumbing	Eugene, OR	\$377,647.50

Competitive Fair Price (If less than 3 responses received)

Bid was formally advertised on the State of Oregon’s bid site, Oregon Buys. The two bids received were within a reasonable range from the engineers estimate.

Prior Contract Activities

None – New Contractor

ACTION REQUESTED:

Management requests the Board approve a construction contract with Kevin Cohen Plumbing Inc. DBA Accurate Underground for Palomino St Main Replacement - Plumbing Service Reconnection work.

This work will be completed under the Main Replacement Budget for 2022 which is approximately \$3.6 million out of a total 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 contract with **Mitsubishi Electric Power Products, Inc.** for **115/230 kV circuit breakers.**

Board Meeting Date: 1/4/2022
Project Name/Contract #: 115kV/230kV Circuit Breakers Contract 21-226-G
Primary Contact: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$2,400,000
Additional \$ Previously Approved: \$0
Invoices over last approval: \$0
Amount this Request: \$0
Percentage over last approval: 0%
Resulting Cumulative Total: **\$2,400,000**

Contracting Method:

Method of Solicitation: Formal Request for Proposals
If applicable, basis for exemption: N/A
Term of Agreement: Initial term is 1 year
Option to Renew? Yes
Approval for purchases "as needed"
for the life of the Contract: Yes No
Proposals/Bids Received (Range): 2 – (\$2,099,134 to \$2,307,440)
Selection Basis: Highest Ranked Proposer
Narrative:

Operational Requirement and Alignment with Strategic Plan

This contract is to allow the programmatic replacement of obsolete high-voltage oil breakers as well as to support the upcoming 10-year Electric Capital Plan which includes \$151 million of substation improvements.

EWEB owns and operates over 100 high-voltage (115kV) circuit breakers in our local transmission system. Each transmission breaker serves load throughout EWEB's high-voltage transmission network and, when necessary, clears faults by automatic protection and control safely and reliably.

EWEB has invested in the replacement of these aging assets regularly since 2008. This investment has allowed several oil filled circuit breakers, many of which were installed in the 1970's, to be replaced with smaller, lighter, and less maintenance intensive SF6 circuit breakers. While SF6 is a great material for suppressing dangerous electrical arcs in high-voltage circuit breakers, it is a potent greenhouse gas and the total inventory and use of it is monitored by EWEB staff per environmental policies and regulations. New technologies which move away from this gas are still in their infancy and EWEB is monitoring other utilities pilot projects for future implementation.

One of EWEB’s Organizational Values is Environmental Stewardship which includes a goal of reducing greenhouse gasses contributing to Climate Change. This contract supports this value by allocating 15% of the final RFP scoring to manufacturers showing evidence of development of a circuit breaker that doesn’t use SF6; referred to as a vacuum circuit breaker in the RFP. This decision ended up being very influential in the scoring. The intent of this choice is that this contract would be modified as these vacuum breakers come into the market so that EWEB could transition to this new technology without the need to conduct a new RFP. Staff would amend this proposed contract to add the new breakers and would seek Board approval for additional funds as required.

Contracted Goods or Services

As needed manufacture and delivery of 115kV and 230kV SF6 circuit breakers for the life of the contract. No field services are included with this contract.

Purchasing Process

A formal Request for Proposals was posted to ORPIN in October 2021. Three responses were received and two were deemed responsive and responsible. Criteria for scoring included:

- Product Compliance with Specifications (40 points)
- Terms and conditions / Responsiveness (10 points)
- Capabilities (10 points)
- Vacuum Breaker Development (15 points)
- Pricing (25 points)

The proposals were evaluated and ranked in order of best overall value and price. Mitsubishi Electric Power Products, Inc. was selected as the highest ranked proposer.

Product compliance with specifications and capabilities were similar between both bids with both bidders generally meeting the provided specification with minimal exceptions and capabilities to manufacture and service their products being similar.

Terms and conditions provided a slight variation in scoring due to Carlson Sales accepting all provided EWEB terms while Mitsubishi Electric provided suggested edits which were reasonable to begin negotiations upon first review.

The proposal was evaluated assuming that EWEB will purchase twenty (20) 115kV breakers and two (2) 230kV breakers. This was done to provide a baseline price on both 115kV circuit breakers and 230kV circuit while also acknowledging that EWEB plans to purchase many more 115kV circuit breakers than 230kV circuit breakers.

A major factor in determining the highest ranked proposer of this RFP was the vacuum breaker development. Mitsubishi Electric currently has a 38kV vacuum breaker on the market with plans to provide a 145kV vacuum breaker by October 2022. GE Grid Solutions (Carlson) is not developing a vacuum circuit breaker but is instead modifying their SF6 design to accommodate a new proprietary gas mixture comprised primarily of CO2. While this design indicated an effort to reduce greenhouse gasses in these products, it was unclear if it would eliminate the use of SF6 or just reduce it.

Proposals Received

Vendor Name	Manufacturer	City, State	Offered Price	Ranking
Carlson Sales Metering	GE Grid Solutions	Battle Ground, WA	\$2,002,750	2
Gore Electric	Mitsubishi Electric	Warrendale, PA	\$2,307,440	1
Anixter/Wesco	Hitachi Energy	Portland, OR	\$2,911,010	N/A

Prior Contract Activities

EWEB purchased approximately twenty (20) 115kV circuit breakers from Mitsubishi for the expansion of Willow Creek Substation and construction of Hyundai and McKenzie Substations in 1996. Records suggest that Mitsubishi performed well during these projects, and they have maintained support for these circuit breakers.

ACTION REQUESTED:

Management requests the Board approve a contract with Mitsubishi Electric Power Products, Inc. for 115/230 kV breakers. Funds for these breakers are accounted for in the proposed 2022 Electric Capital Improvement Plan of \$55 million. 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: Megan Capper, Energy Resources Manager; Matthew A. Schroettig, Power Planning Supervisor and Staff Counsel
DATE: January 4, 2022
SUBJECT: Appointment of Western Generation Agency Board Member
OBJECTIVE: Approval of Resolution No. 2202

Issue

This memo provides a recommendation for the replacement of a Western Generation Agency (WGA) board member.

Background

The Intergovernmental Agreement between the Eugene Water & Electric Board (EWEB) and Clatskanie People's Utility District that created WGA requires that EWEB appoint three members to the WGA board of directors.

Catherine Gray has resigned from the WGA Board. Management recommends appointing Jonathan Hart, Power Trader, to the WGA board.

Other EWEB WGA Board members include: Leslie Kidd, Senior Accounting Analyst, and Matthew A. Schroettig, Power Planning Supervisor and Staff Counsel.

Requested Board Action

Management recommends approval of Resolution No. 2202, appointing Jonathan Hart to the WGA board.

**RESOLUTION NO. 2202
JANUARY 2022**

**EUGENE WATER & ELECTRIC BOARD
WESTERN GENERATION AGENCY
BOARD APPOINTMENT**

WHEREAS, the Eugene Water & Electric Board (EWEB) Governance Policy (GP) 12 provides for the use of committees, outside appointments and liaisons to staff work as a means of gathering and disseminating information, representing the Board and providing preliminary input to Board decisions; and

WHEREAS, EWEB Board Policy GP12 further states that all committees, outside appointments and liaisons be created by Resolution and that all appointments to said committees, outside appointments and liaisons be made by Resolution; and

WHEREAS; Western Generation Agency (WGA) Board member, Catherine Gray, has resigned from the Board;

NOW, THEREFORE, BE IT RESOLVED that the EWEB Board of Commissioners appoints Jonathan Hart, Power Trader to the Board of the Western Generation Agency.

DATED this 4th day of January 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 a true and exact copy of the Resolution adopted by the Board at its January 4, 2022 Regular Board Meeting.

Assistant Secretary



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Schlossberg, Brown, Carlson, Barofsky and McRae
FROM: Jared Rubin, Environmental & Property Management Supervisor
DATE: December 22, 2021
SUBJECT: Surplus Property
OBJECTIVE: Approval of Resolution Declaring Surplus Property for Utility Corridor Adjacent to Beltline

Issue

ODOT has expressed an interest in acquiring EWEB property adjacent to Beltline north and west of the Roosevelt intersection for the purpose of widening the right of way in that area. The property is no longer considered necessary for the Utility's future plans.

Background

Tax Lot 100 on Lane County Assessor's Map #17-04-28-10. The parcel includes approximately 2.37 acres of land.

The property was conveyed by Warranty Deed recorded on January 16, 1967, as Instrument No.72361, Reel 333R, Lane County Deeds and Records, Lane County, Oregon, from CARL M. JENSEN and CLARE JENSEN, husband and wife. The consideration was in the amount of \$7,735.00 and it is vested in the name of CITY OF EUGENE, a municipal corporation, for the use and benefit of the EUGENE WATER & ELECTRIC BOARD.

The property is level and is adjacent to Beltline Road.

Discussion

The property was intended to be used for water and electric transmission lines which have been constructed upon EWEB property along the east side of Beltline Road. The lot has remained vacant since its purchase.

EWEB fiber and water facilities exist within a corner of this property. ODOT has granted EWEB Permits which grant EWEB rights to maintain the facilities in their current location.

Value

The Property has been appraised by an appraiser contracted by ODOT at \$35,000 which will be the purchase price for the sale. The land is zoned R-1, Low Density Residential.

TBL Assessment (Triple Bottom Line):

The entire property is not currently productive and has no useful value to EWEB's future planning, nor is it in line with EWEB's mission, vision, or strategic direction of providing safe and reliable

water and electric services to its rate payers.

Recommendation:

Staff recommends the Board execute a Resolution declaring the property as surplus and to authorize the sale of the property to ODOT.

**RESOLUTION NO. 2203
JANUARY 2022**

**RESOLUTION DECLARING SURPLUS
FOR CERTAIN REAL PROPERTY NO LONGER NEEDED
FOR UTILITY PURPOSES
EUGENE WATER & ELECTRIC BOARD**

WHEREAS, EWEB holds title to 2.37 acre parcel of land identified on Lane County Assessor's Map #17-04-28-10 Tax Lot 100, Lane County, Oregon, vested in the name of the CITY OF EUGENE, a municipal corporation, for the use and benefit of the EUGENE WATER & ELECTRIC BOARD;

WHEREAS, the Oregon Department of Transportation has expressed an interest in acquiring the property for the purpose of expanding the Beltline Road right-of-way, and the property is no longer needed for utility purposes;

WHEREAS, Eugene Code, Section 2.195 provides Eugene Water & Electric Board – Duties and Powers: "*The board shall have entire control of the water and electric utilities of the city, and all property connected therewith.*";

WHEREAS, The EWEB Board of Commissioners have endorsed EWEB's Property Management Policies and Procedures for the disposal of surplus property based on current and future utility needs, land use, and environmental considerations. EWEB Water and Electric Department Managers have considered the present and future needs and are recommending that this property be declared surplus.

NOW, THEREFORE, BE IT RESOLVED by the Eugene Water & Electric Board that:

- (i) The Board does hereby declare surplus the property described and represented in Exhibit A;
- (ii) Instructs the General Manager to notify the City Manager of the opportunity to obtain the property for municipal purposes as provided by Eugene Code 2.196 not later than thirty (30) days from the execution of this resolution;
- (iii) Authorizes the General Manager to complete the sale of the property to ODOT and to acquire the proper permits from ODOT for current EWEB facilities.

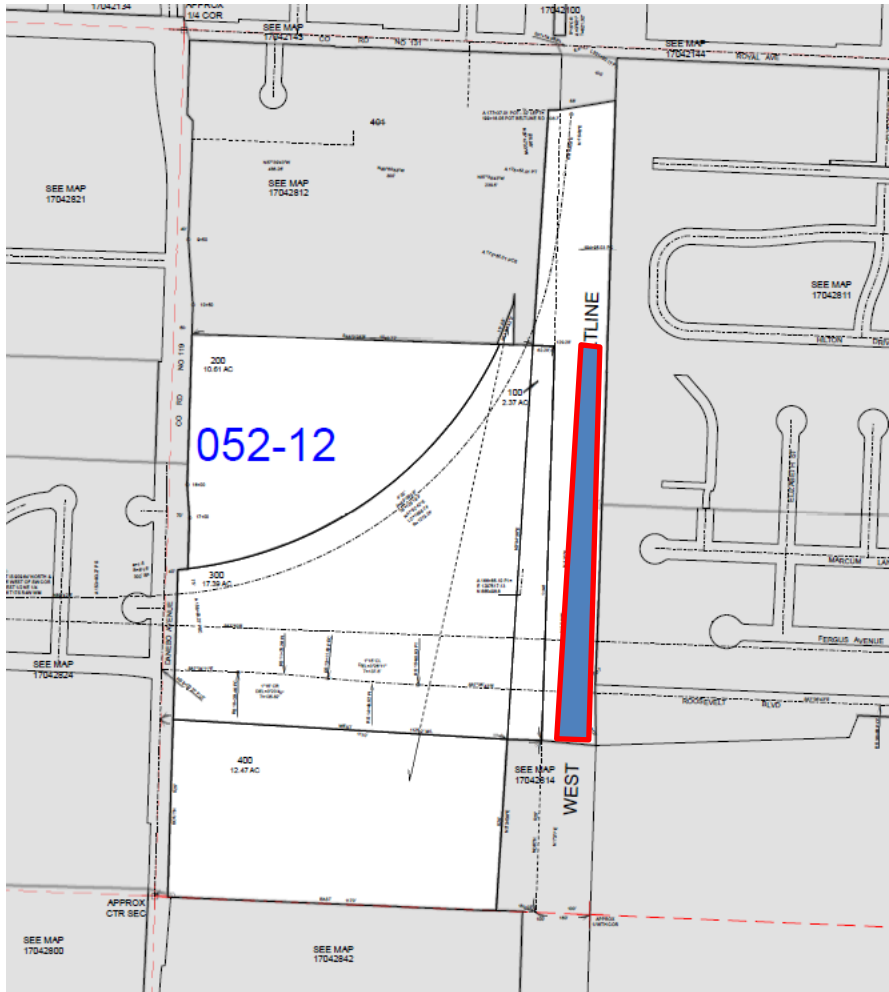
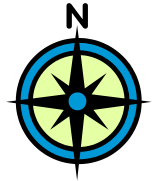
Dated this 4th day of January 2022.

THE CITY OF EUGENE, OREGON
Acting by and through the
EUGENE WATER & ELECTRIC BOARD

President

I, ANNE 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 January 4, 2022, Regular Board Meeting.

Assistant Secretary



Note: This exhibit does not represent a survey and is only intended to compliment the attached Resolution for clarification purposes.

Date: 12/29/2021

By: O'Dell

EXHIBIT "A"

**Lane County Assessor's
Map # 17-04-28-10 Tax Lot 100**

Scale: None

EXHIBIT A
Legal Description

Real property in the County of Lane, State of Oregon, described as follows:

A STRIP OF LAND OF VARIABLE WIDTH BEING THAT PART OF THE GRANTORS REAL PROPERTY DESCRIBED BY A DEED RECORDED IN BOOK 235 ON PAGE 321 OF LANE COUNTY OREGON DEED RECORDS WHICH LIES EAST OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 17 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, LANE COUNTY OREGON AND RUNNING WEST ALONG THE EAST WEST CENTERLINE OF SAID SECTION 280 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 3° 34 1/2' EAST 525 FEET MORE OR LESS TO THE SOUTHERLY LINE OF THE GRANTORS REAL PROPERTY ABOVE DESCRIBED; THENCE CONTINUING NORTH 3° 34 1/2' EAST ACROSS SAID PROPERTY APPROXIMATELY 1190 FEET TO A POINT ON THE NORTHERLY BOUNDARY THEREOF, ALL IN LANE COUNTY OREGON.



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Schlossberg, Brown, Carlson, Barofsky, and McRae
FROM: Deborah Hart, Chief Financial Officer
DATE: December 29, 2021
SUBJECT: Supplemental Retirement Plan Committee
OBJECTIVE: Approval of Resolution No. 2205

Issue

EWEB maintains a Supplemental Retirement Plan (SRP) that requires the annual appointment of a committee to make certain decisions.

Background

The EWEB SRP was created in 1968 and closed to new participants in 1988. The objective of the plan is to provide a benefit on retirement which, together with the benefit from PERS, will provide 1.67% of the highest 36-month average salary for each year of service. Independent actuaries determine employer contributions. The plan currently has 14 participants or beneficiaries to whom payments are made. In 2021 EWEB funded \$104,000 in supplemental retirement benefits, down from \$108,000 and \$128,000 in 2020 and 2019, respectively. There have been no recent changes in the design or terms of the plan, and none are anticipated in the future.

Discussion

EWEB funds the plan on a “pay as you go” basis, and the SRP committee monitors and administers the plan. A contracted payroll service prepares monthly checks and tax documentation for plan participants. The terms of the plan include a cost of living adjustment (COLA) based upon the rate used by the Oregon PERS plan. The plan requires committee members to be appointed by the Board of Commissioners.

Recommendation

Management requests that the Board approve the appointment of Deborah Hart, Chief Financial Officer; Jeremy Whittlesey, Payroll Administrator; and Bridget Otto, Human Resources Supervisor, to the Supplemental Retirement Committee.

Requested Board Action

Approval of Resolution No. 2205

**RESOLUTION NO. 2205
JANUARY 2022**

**EUGENE WATER & ELECTRIC BOARD
ANNUAL APPOINTMENT OF SUPPLEMENTAL RETIREMENT PLAN COMMITTEE**

WHEREAS, the Eugene Water & Electric Board maintains a Supplemental Retirement Plan in effect since January 1, 1968, which was last amended and restated in July 1988, with an objective to provide a benefit on retirement which supplements Oregon PERS benefits;

WHEREAS, the Supplemental Retirement Plan is a single-employer plan providing retirement, death and disability benefits to a closed group of EWEB retirees and their beneficiaries;

WHEREAS, a Trust was created in accordance with the Pension Trust Agreement effective May 16, 1975, for the benefit of funding the Supplemental Retirement Plan;

WHEREAS, funding of the plan since is provided by Board contributions, deposited to the existing trust account as needed to meet obligations to retirees, together with earnings on plan assets;

WHEREAS, the Supplemental Retirement Plan provides for annual appointment and reappointment by the Board of a Retirement Committee of three to seven members charged with the general administration of the Plan, subject to the consent and approval of the Board of Commissioners;

WHEREAS, Management recommends the Board appoint Deborah Hart (Chief Financial Officer), Bridget Otto (EWEB Human Resources Supervisor), and Jeremy Whittlesey (EWEB Payroll Administrator), as EWEB personnel without rights in or to the Supplemental Retirement Plan funds, be appointed to the Retirement Committee;

NOW, THEREFORE, BE IT RESOLVED by the Eugene Water & Electric Board that:

The Board continues the Supplemental Retirement Plan without amendment, and hereby reappoints the Retirement Committee to be comprised of Deborah Hart, Bridget Otto, and Jeremy Whittlesey.

The Retirement Committee shall continue to administer the Supplemental Retirement Plan in accordance with its terms, and remain as trustee fulfilling applicable duties under the 1975 Pension Trust Agreement. The trust account may be maintained at a zero or minimal balance within the discretion of the Retirement Committee. Based upon the closed membership in the Supplemental Retirement Plan and the anticipated budget requirements to cover benefit payments in the future, the Board does not require the Supplemental Retirement Plan to be pre-funded. The Board will continue to fund the Supplemental Retirement Plan contributions as a budgetary item on a prospective basis.

Dated this 4th day of January 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 a true and exact copy of the Resolution adopted by the Board at its January 4, 2022 Board Meeting.

Assistant Secretary



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD



TO: Commissioners Schlossberg, Brown, Carlson, Barofsky and McRae

FROM: Deborah Hart, Chief Financial Officer; Quentin Furrow, Purchasing & Warehouse Supervisor

DATE: January 4, 2022

SUBJECT: Board Appointed Consultants

OBJECTIVE: Board Action - Ratification of Board Appointed Consultants

Issue

At the first Board meeting of the year, the Board is presented with the opportunity to appoint and ratify professional consultants that are retained by the Board outside the competitive selection process.

Background

Consultants are exempt from the competitive selection process when the Board appoints or retains the consultant. The Board Appointed Consultants independently advise and provide professional direction and assessments to the Board without regard to Management’s position or interpretation. Consultants are selected based on technical knowledge, areas of expertise, and their historical knowledge and perspective of EWEB and its work.

The following directly appointed contracts are presented for ratification. Contracts may also be presented if they are beyond the routine 5-year contract period following a competitive process. There were no contracts beyond the 5-year contract period this year.

BOARD CONSULTANTS REQUIRING RATIFICATION

Consultant	Service Provided	Tenure	Last Contracted	2021 Spend	2020 Spend
Luvaas Cobb (Eric DeFreest Primary Contact)	General Counsel	2011 with Luvaas Cobb ¹	Contract 1 for Board (#2653), awarded May, 2018. Contract 2 for staff (#045-2017), awarded in Dec 2017.	\$3,500 Board spend. \$96,500 staff spend.	\$137,400 (\$2,009 Board Appointed Contract)

Consultant	Service Provided	Tenure	Last Contracted	2021 Spend	2020 Spend
Harrang Long Gary Rudnick P.C.	Supplemental General Counsel	Since 1992	Contract 1 for Board (#20-026-PSC), awarded February 2020. Contract 2 for HR Dept. (#030-2019), retained in 1992	\$0 Board spend. \$111,365 HR staff spend.	\$83,975 (\$0 for Board Appointed Contract)
Arnold Gallagher P.C.	Real Estate Legal Counsel	Since 2018	Direct Negotiation, 2018	\$300	None

Additional contracts have been occasionally used by the Board, but they were awarded using a competitive process and with Board approval and do not require ratification.

Discussion

These contracts have had minimal usage in 2021. In December, the Board was requested to review the contracts and to provide performance feedback. The feedback suggested that continuing with these contracts is appropriate.

Recommendation and Requested Board Action

Management requests ratification of consultants Luvaas Cobb, Harrang Long Gary Rudnick P.C., and Arnold Gallagher P.C. as Board Appointed Consultants for 2022.

¹ Eric DeFreest provided General Counsel to EWEB at Calkins & Calkins prior to 2011 when the contract was assigned to Luvaas Cobb. Calkins & Calkins was retained by EWEB from the 1940's-2011.