

## **EWEB Board Consent Calendar Request**

*For Contract Awards, Renewals, and Increases*

The Board is being asked to approve the contract and additional funds with **Applied Process Equipment** for the purchase of **Arsenic Treatment Systems** at new emergency water wells.

Board Meeting Date: March 7, 2023  
Project Name/Contract #: Arsenic Treatment System for Emergency Water Wells / 22-004-G  
Manager: Mike Masters Ext. 7549  
Executive Officer: Karen Kelley Ext. 7153

### **Contract Amount:**

Original Contract Amount: \$124,000 (not previously approved by Board)  
Additional \$ Previously Approved: \$0  
Spend over last approval: \$0  
Amount this Request: \$176,000 (Original \$124,000 plus \$52,000 for a second system)  
% Increase over last approval: NA  
Resulting Cumulative Total: **\$176,000**

### **Contracting Method:**

Method of Solicitation: Informal Request for Proposals (Informal RFP)  
If applicable, basis for exemption: NA  
Term of Agreement: Until final acceptance and payment of systems on order  
Option to Renew? No  
Approval for purchases "as needed": Yes  No   
Proposals/Bids Received (Range): 1 proposal- \$112,250.00  
Selection Basis: Highest Ranked Proposer

Narrative:

#### Operational Requirement and Alignment with Strategic Plan

In 2017, EWEB began establishing permanent water distribution sites utilizing groundwater as an emergency water source to make the community more resilient in an emergency outage. Each emergency water distribution site was strategically located based on population density and site availability. EWEB has commissioned five permanent emergency water distribution sites and plans to complete two more, one at Amazon Park and one at Churchill High School, before project completion in 2024.

Oregon Health Authority (OHA) does not regulate emergency drinking water because the system remains completely independent of EWEB's public drinking water system. However, each well is sampled for compliance with EPA water quality standards. The remaining well sites, Amazon Park and Churchill High School, each tested above the maximum contaminant level for arsenic and require treatment.

#### Contracted Goods or Services

Arsenic treatment system equipment was previously purchased for the Amazon Park site. Approval of additional funds and an amendment will allow for like equipment to be provided at the Churchill emergency water well site, simplifying future maintenance and repair efforts. The funds required for the Churchill system are less than the

Amazon Park system because of lower well production capacity.

Purchasing Process

In September 2021, Purchasing staff issued a Formal Request for Proposals that was advertised on the State of Oregon bid site, OregonBuys. There was only one response received that did not meet our requirements and two other manufacturers indicated that they were too busy to respond to the RFP. After surveying the market and removing some minimum requirements that staff felt may have been too restrictive and limited responses, Purchasing staff then issued an Informal Request for Proposals in February 2022 which was sent to three potential proposers. Only one proposal was received, from Applied Process Equipment. The Proposal was evaluated by an EWEB team and was deemed acceptable. The points were based on Qualifications & References (40 points), Arsenic Treatment System Proposal Requirements (40 points), and proposed pricing (20 points). An order was then placed for the system that would be placed at Amazon Park (\$124,000). Staff are now requesting authorization to add a second system at Churchill High School (additional \$52,000).

Proposals Received

Vendor Name	City, State	Offered Price	Ranking (for RFPs)
Applied Process Equipment	Scottsdale, Arizona	\$112,250	1

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
22-004-G	New Arsenic Treatment System	NA	8/25/22-Ongoing	\$124,165	\$124,165	
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 the contract and additional funds with Applied Process Equipment, Inc. for arsenic treatment systems for new emergency water wells at Amazon Park and Churchill High School. Approximately \$525,000 was planned for this work on the emergency water distribution sites, which includes these goods in the 2023 Water Capital budget of \$32.4 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 **Beaver Equipment LLC** for the **Purchase of Anthracite**.

Board Meeting Date: March 7, 2023  
Project Name/Contract #: Anthracite / 23-018-G  
Manager: Mike Masters Ext. 7549  
Executive Officer: Karen Kelley Ext. 7153

### **Contract Amount:**

Original Contract Amount: \$220,000  
Additional \$ Previously Approved: \$0  
Spend over last approval: \$0  
Amount this Request: \$220,000  
% Increase over last approval: NA  
Resulting Cumulative Total: **\$220,000 (over 5 years)**

### **Contracting Method:**

Method of Solicitation: Direct Negotiation  
If applicable, basis for exemption: EWEB Rule 6-0230 (Water Filtration Chemicals and Media)  
Term of Agreement: **5 years (April 1, 2023 – December 31, 2027)**  
Option to Renew? No  
Approval for purchases “as needed”: Yes  No   
Proposals/Bids Received (Range): NA  
Selection Basis: Direct Negotiation (EWEB Rule 6-0230)

Narrative:

### Operational Requirement and Alignment with Strategic Plan

The Hayden Bridge Filtration Plant adds and replaces filter media based on filtration performance, media age and media analysis to assure production of reliable, high-quality water. The facility is reaching end of life cycle for media on some filters and others require addition. Replacement will be managed in the budget over five years, requiring approximately 325 tons of media in total.

### Contracted Goods or Services

The board is being asked to approve a new contract with Beaver Equipment LLC of Woodinville, WA for the purchase of Anthracite on an as-needed basis. The overall contract cost estimate is based on historical and estimated usage. Purchases will be based on need and not on any specific annual quantity. The Annual cost will be within the amount budgeted for that specific year. Third party media analysis and results approval are required by EWEB prior to every shipment.

### Purchasing Process

Direct Negotiation – EWEB Rule 6-0230 (Water Filtration Chemicals and Media).

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
PO 29638	Anthracite	NA	6/16/22-8/24/22	\$42,124	\$42,124 (Complete)	
PO 24530	Leopold Filter Caps	NA	3/4/21-3/15/21	\$4,212	\$4,212 (Complete)	
PO 22295	Replacement of Manual Operator for Walterville Sluice Gate	NA	8/25/20-10/31/21	\$12,483	\$12,483 (Complete)	
Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other						

**ACTION REQUESTED:**

Management requests the Board approve a contract with Beaver Equipment LLC for the purchase of Anthracite. Approximately \$68,000 was planned for these goods in the 2023 Water Production budget of \$4.3 million. Variances will be managed within the budget process and Board policy.

## **EWEB Board Consent Calendar Request**

*For Cooperative Contracts*

The Board is being asked to authorize the use of a cooperative contract for **Enterprise Security Systems Customer Support Program with Convergent Technologies.**

Board Meeting Date:	March 7, 2023	
Project Name/Contract #:	Enterprise Security Systems Customer Support Program / 23-016-GS	
Manager:	Sarah Gorsegner	Ext. 7348
Executive Officer:	Rod Price	Ext. 7122
<b>Expected Spend:</b>	<b>\$ 400,000 (over five years)</b>	

### Narrative:

The Board is being asked to authorize the use of Sourcewell 030421-CTL cooperative contract for the purchase of security system equipment and services.

### Operational Requirement and Alignment with Strategic Plan

EWEB requires electronic and physical systems to manage and protect our critical infrastructure, staff, and facilities, the system also supports operational units who rely upon live imagery to monitor and assess our hydro generations facilities, transmission and distribution systems, and other critical assets. EWEB has made a significant investment that requires continued maintenance and support. We have sourced our physical access control systems (PACS) and digital video management systems (DVMS) through Convergent Technologies over the past 13 years and staff recommend continuing our relationship with Convergent.

Convergent is the security systems application and hardware integrator and is the Value-Added Retailer under contract with our PACS software provider and the DVMS software provider, as well as the retailer for cameras and other hardware. The Eugene office for Convergent has technicians who are familiar with our sites, systems, and devices, and who can meet operational timeline requirements for system failures, planned upgrades, and system expansion.

### Purchasing Process

Sourcewell, a State of Minnesota local government agency and service cooperative, issued RFP 030421 on January 14, 2021, to establish a national cooperative contract for Facility Security Systems, Equipment, and Software with Related Services. This solicitation was published in the Daily Journal of Commerce in Oregon in January of 2021. Sourcewell awarded a contract to Convergent Technologies LLC on April 26, 2021. This contract expires on April 22, 2025, and may be extended up to one additional one-year period.

### **ACTION REQUESTED:**

Management requests the Board authorize the use of a cooperative contract for Enterprise Security Systems Customer Support Program goods and services with Convergent Technologies. Approximately \$88,000 was planned for these goods and services in the Physical Security 2023 budget of \$1.8 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 Personal Services Contract with **ICF** for **Wildfire Risk Analysis Services**.

Board Meeting Date: March 7, 2023  
Project Name/Contract #: Wildfire Phase II Risk Analysis/Contract 22-169-Q  
Manager: Tyler Nice Ext.7419  
Executive Officer: Karen Kelley Ext.7153

### **Contract Amount:**

Original Contract Amount: \$350,000  
Additional \$ Previously Approved: \$0  
Spend over last approval: \$0  
Amount this Request: \$350,000  
% Increase over last approval: NA  
Resulting Cumulative Total: **\$350,000 (Over 5 years)**

### **Contracting Method:**

Method of Solicitation: Formal Request for Proposal  
If applicable, basis for exemption: NA  
Term of Agreement: Completion by March 1, 2028  
Option to Renew? No  
Approval for purchases "as needed": Yes  No   
Proposals/Bids Received (Range): 1 - \$365,893  
Selection Basis: Highest Ranked Proposer  
Narrative:

### Operational Requirement and Alignment with Strategic Plan

EWEB is required to submit a risk-based Wildfire Mitigation Plan to the Oregon Public Utilities Commission (PUC). Per PUC rules, the plan must indicate areas the utility defines as High-Risk Fire Zones and focus mitigation activities to these locations with greatest potential for wildfire.

EWEB submitted its first wildfire mitigation plan, including a preliminary assessment of High Risk Fire Zones, for Board approval in July 2022. The adopted Plan recognized that further analysis and refinement of these areas was required, especially for the South and Southwest Eugene area. The proposed contract enables Management to acquire independent outside expertise to support this analysis which is foundational to both where mitigation investments are made and where operational decisions during extreme weather conditions are focused. The scope will also include refinement of Public Safety Power Shutoff procedures and decision criteria as well as verifying data with on the ground conditions and updated wildfire fuel data that was not available when the Phase I study was completed.

Contracted Goods or Services

Consultant will provide a comprehensive baseline wildfire risk assessment to understand wildfire risk for the entire service territory, with particular attention to evaluating the consequences of an ignition in the rural areas vs wildland/urban interfaces portions of EWEB’s service territory. This is critically important to making operational decisions during red flag events in terms of geographic areas involved in potential Public Safety Power Shutoffs.

This assessment would be based on existing but updated wildfire risk maps post-Holiday Farm Fire, available LiDAR that EWEB has acquired, potential satellite imagery as available, and on-site visual patrols of targeted areas (or remote if materially equivalent to on-site). Public safety risk would be quantified based on critical infrastructure and other standard criteria such as egress considerations should residents need to evacuate. The scope of work also includes an updated evaluation and recommended guidance for enacting Public Safety Power Shut-Offs.

The proposed contract includes two optional tasks, Wildfire Web Tool and Grant Funding Identification, which will only be requested if we are unable to perform the work with EWEB staff.

Purchasing Process

Purchasing staff issued a request for proposal (RFP) in September 2022. The RFP was advertised in the State of Oregon’s procurement website, OregonBuys, and the Portland Business Tribune. Criteria for scoring included: Experience of Proposer’s key staff in providing similar work/projects (25 points), References and recommendations from firm’s past clients (15 points), Proposer’s knowledge/understanding of the project and approach to the services described in the RFP (45 points), and Pricing Proposal (15 points).

One proposal was received from ICF. After evaluation they were deemed responsive and responsible.

Competitive Fair Price (If less than 3 responses received)

The RFP was advertised in the State of Oregon’s procurement website, OregonBuys, and the Portland Business Tribune. Pricing received is at current market value compared to other engineering firms we have contracted with recently. Some of the scope and an optional web tool were removed from the proposal per EWEB staff request, resulting in the reduction to \$350,000 from the original proposed amount of \$365,893.

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
21-147	Wildfire Management Plan	NA	7/23/21-6/30/22	\$98,500	\$98,500 (Complete)	

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

**ACTION REQUESTED:**

Management requests the Board approve a contract with ICF for wildfire risk analysis services. Approximately \$250,000 was planned for these services in the Electric Division 2023 O&M budget of \$846,000. A portion of the contract amount is optional and will be used for additional study only as required, therefore the full budgetary amount may not be utilized. 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 funds to the engineering services contract with **JACOBS dba CH2M Hill Engineers Inc.** for **Carmen Smith Fish Passage Facilities**.

Board Meeting Date: March 7, 2023  
Project Name/Contract #: Carmen-Smith Fish Passage Facilities / 080-2018  
Manager: Lisa Krentz Ext. 7450  
Executive Officer: Karen Kelley Ext. 7153

### **Contract Amount:**

Original Contract Amount: \$10,000,000 (4-2-19)  
Additional \$ Previously Approved: \$2,000,000 (6-1-21)  
Spend over last approval: \$2,482,677  
Amount this Request: \$3,000,000  
% Increase over last approval: 25%  
Resulting Cumulative Total: **\$15,000,000 (Through 2023 currently/2028 if approved)**

### **Contracting Method:**

Method of Solicitation: Request for Proposals  
If applicable, basis for exemption: NA  
Term of Agreement: April 9, 2019 to December 31, 2023 (December 31, 2028 requested)  
Option to Renew? Yes  
Approval for purchases "as needed": Yes  No   
Proposals/Bids Received (Range): NA  
Selection Basis: Highest Ranked Proposer  
Narrative:

### Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve a contractual increase of \$3 million and increase the length of the contract from its original 5-years to a maximum of 10 years.

The \$3 million increase supports additional dam safety regulatory review and subsequent design changes to incorporate FERC Dam Safety directives, resulting in License compliance and reduced dam safety risk.

The extension to a 10-year overall term is requested due to unexpected delays in license issuance and several significant changes since contract inception, most notably the discovery of active sinkholes at Trail Bridge Reservoir. These unforeseen dam safety needs have further delayed execution of major license requirements at Carmen Smith.



Contracted Goods or Services

Work tasks 1-14 were previously reviewed by the Board. Tasks 15-20 have been added since May 2021.

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 (Task Order FRS-1)
10. Carmen Diversion Spillway Investigation (Task Order FRS-2)
11. Smith Spillway Expansion and Flow Release Structure design (Task Order S-1)
12. 800 CFS Bypass Alternatives Evaluation (Task Order B-1)
13. 800 CFS Bypass 30% Design (Task Order B-2 and Task Order B-3)
14. CS Load Bank – Final Design (B4)
15. Master Plan (Task Order MP-1)
16. Board of Consultants meeting support (Task Order BC-1)
17. Stranding Management Design Services (Task Order SR)
18. Mitigation Support Design Services – Temporary Trap & Haul design (Task Order MS)
19. Sweetwater Creek Culvert Fish Ladder Design Services (Task Order SW)
20. Carmen-Smith Campus Improvements (Task Order C1)

<b>Task Order</b>	<b># Amendments</b>	<b>Task Order Total \$ Value</b>
B-1	1	\$ 534,266
B-2		\$ 110,854
B-3		\$ 472,027
B-4		\$ 1,466,254
BC-1	1	\$ 257,025
C-1		\$ 255,021
D-1	1	\$ 610,956
D-2	9	\$ 3,725,491
FRS-1	1	\$ 641,259
FRS-2	1	\$ 257,435
MP-1		\$ 230,849
MS		\$ 193,600
PFM-1		\$ 382,217
S-1	1	\$ 2,459,734
SR		\$ 265,618
SW		\$ 404,826
U-1		\$ 51,307
U-2	5	\$ 1,724,624
U-3	1	\$ 184,043
U-4		\$ 255,201
<b>Grand Total</b>		<b>\$ 14,482,677</b>

Anticipated future actions to be added to the contract include dam safety review activities, geotechnical investigations at Sweetwater Creek and Smith Spillway, and construction period services for a variety of tasks totaling approximately \$385,000. To date, EWEB has been invoiced and has paid approximately \$10 million for these task orders currently under contract.

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.

Evaluation criteria included:

- Project Understanding (30 points)
- Project Approach for Upstream Fish Passage (35 points)
- Project Approach for Downstream Fish Passage (40 points)
- Project Team Qualifications & Experience for Upstream Fish Passage (30 points)
- Project Team Qualifications & Experience for Downstream Fish Passage (35 points)
- Corporate Qualifications & Experience (10 points)
- Project Management Strategy (20 points)
- Interviews/Presentations (100 points)

Total Possible Points = 300

The QBS process culminated with selection of Jacobs of Corvallis, OR, who received 269 total points and was the highest ranked Proposer. Jacobs was deemed the most qualified consultant, consistent with QBS selection process. Their proposal was considered responsive and responsible.

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
20-156-PSC	Control Systems Support Services	NA	10/2/20 - 10/2/25	\$50,000	\$50,000	
Reason Code: AM = Additional Materials, AW = Additional Work, EW= Emergency Work, SD = Staff Directed, UC = Unforeseen Conditions, Other						

**ACTION REQUESTED:**

Management requests the Board approve a contract increase of \$3 million and extend the term of the Carmen Smith Fish Passage Facilities contract with Jacobs for license deployment projects and associated on-going design and dam safety investigations. Since the contract was last increased, additional work became necessary and was authorized in 2021 and 2022 with additional work expected in 2023 resulting in this request for \$3 million. Ongoing costs are included in the Carmen – Smith License Deployment Department in the 2023 Capital Budget of \$26.7 million. Variances will be managed within the budget process and Board policy.

## EWEB Board Consent Calendar Request

*For Contract Awards, Renewals, and Increases*

The Board is being asked to approve a new construction contract with **Pacific Excavation, Inc.** for the **Hilyard Street 36-inch Transmission Main and 24-inch Storm Drain Replacement.**

Board Meeting Date: March 7, 2023  
Project Name/Contract #: Hilyard Transmission Main Replacement /23-011-PW  
Manager: Mike Masters Ext.7549  
Executive Officer: Karen Kelley Ext.7153

### Contract Amount:

Original Contract Amount: \$9,500,000  
Additional \$ Previously Approved: \$0  
Spend over last approval: \$0  
Amount this Request: \$9,500,000  
% Increase over last approval: %0  
Resulting Cumulative Total: **\$9,500,000**

### Contracting Method:

Method of Solicitation: Formal Invitation to Bid  
If applicable, basis for exemption: NA  
Term of Agreement: Final Completion by June 1, 2024  
Option to Renew? No  
Approval for purchases "as needed": Yes  No   
Proposals/Bids Received (Range): 1 – (\$9,376,750 - \$9,839,100)  
Selection Basis: Lowest Responsive and Responsible Bidder

### Narrative:

#### Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve a contract for construction of a 36-inch diameter water transmission pipeline and storm drain down Hilyard Street to support the E. 40th Ave Water Storage Tanks project. The work is necessary to facilitate the filling and draining of the two new seismically resilient water storage tanks at the E. 40<sup>th</sup> site. This pipeline project will be completed in phases in order complete the necessary improvements to put the first two tanks into service prior to decommissioning the College Hill Reservoir at the end of 2023. The overall project will serve buildout conditions and will be complete by June 1, 2024 in coordination with planned City of Eugene road reconstruction of Hilyard street in Summer 2024. These improvements are the first to be constructed over the next 10 years as part of the Distributed Storage Approach developed in the 2015 Water System Master Plan. The new storage will replace the existing facilities at College Hill, Hawkins Hill, and Santa Clara and will provide a more resilient storage and transmission system for the water utility. In addition, to minimize disruptions on Hilyard Street, planned main replacements and improvements, unrelated to the reservoir project, are also incorporated into the project.

Contracted Goods or Services

If approved, the work covered under this contract will be performed on Hilyard Street between E. 33rd Avenue and the intersection of E. 40th Avenue and Patterson Street at the E 40th Avenue Reservoir Site. Work includes open trench construction of approximately 3,950 feet of 36-inch welded steel or ductile iron pipe, 3,250 feet of 8-inch ductile iron pipe, 1,175 feet of 12-inch ductile iron pipe, and 80 feet of 24-inch ductile iron pipe. Work also includes installation of approximately 2,150 feet of 24-inch storm drain to connect the reservoir drain and overflow pipelines into the city stormwater system. Upon completion of the work, the contractor will restore disturbed surfaces to City of Eugene requirements including repaving approximately half of Hilyard Street. This paving work has been coordinated with the City’s larger Hilyard Street resurfacing project.

Purchasing Process

Purchasing staff issued a Formal Invitation to Bid in January 2023. The solicitation was publicly advertised on the State of Oregon’s Procurement Site, OregonBuys and the Portland Business Tribune. To ensure the most cost-efficient material was selected for this project, staff asked for each bidder to propose the cost for building the pipeline out of welded steel pipe or ductile iron pipe. Staff reserved the right to select the lowest bid from either material.

One (1) bid was received from Pacific Excavation, Inc. They submitted pricing for both Option A: Welded Steel and Option B: Ductile Iron Pipe. Staff determined the welded steel option to be the most cost-efficient and Pacific Excavation was deemed to be responsive and responsible.

Bids Received

Vendor Name	City, State	Offered Price	Ranking (for RFPs)
Pacific Excavation, Inc.	Eugene, OR	\$9,376,750	NA

Competitive Fair Price (If less than 3 responses received)

The Invitation to Bid was publicly advertised on the State of Oregon’s Procurement Site, OregonBuys and the Portland Business Tribune. In addition, Staff also notified contractors who could potentially perform the work. The feedback received was that contractors are facing labor constraints and unable to take on additional work at this time. As a result of the feedback, the required completion dates were extended by a substantial amount of time in hopes that would potentially alleviate some of the constraints. Staff have reviewed the pricing proposed by Pacific Excavation and found it is in line with current market pricing for similar work, especially considering recent construction price escalations.

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
21-110	Palomino St Main Replacement	9/7/21	9/15/21-3/23/22	\$376,666	\$345,440 (Complete)	
20-204	36 <sup>th</sup> Ave Water Main Replacement	11/1/20	11/5/20-3/14/21	\$340,370	\$353,459 (Complete)	UC
20-133	Willagillespie and Russet Water Main Replacement	8/4/20	8/6/20-2/1/21	\$526,230	\$624,536 (Complete)	UC

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

20-204 Contract sum was increased via change order to allow for additional materials required due to unforeseen condition on site.

20-133 Contract sum was increased via change order to allow for additional work required due to unforeseen conditions on site.

**ACTION REQUESTED:**

Management requests the Board approve a contract with Pacific Excavation, Inc. for the Hilyard Street 36-inch transmission main and 24-inch storm drain replacement. The proposed work will occur in winter/spring 2023-2024 and will be completed under the Water Capital Type 2 Reservoir and Transmission Pipeline budget allocation. This budget totals approximately \$22M in 2023-2024. 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 Construction Task Order #24 with **Wildish Building Company** for construction services for the **Temporary Trap and Haul Facility at the Carmen-Smith Spawning Channel**.

Board Meeting Date: March 7, 2023  
Project Name/Contract #: Temporary Trap and Haul Facility –Task Order #24 to 002-2011 CM/GC  
Manager: Lisa Krentz Ext. 7450  
Executive Officer: Karen Kelley Ext. 7153

### Contract Amount:

Original Contract Amount: \$1,425,000  
Additional \$ Previously Approved: \$0  
Spend over last approval: \$0  
Amount this Request: \$1,425,000  
% Increase over last approval: NA  
Resulting Cumulative Total: \$1,425,000

### Contracting Method:

Method of Solicitation: Alternative Procurement, CM/GC Guaranteed Maximum Price  
If applicable, basis for exemption: 5-0680 (5) Construction Manager/General Contractor, Alternative Procurement  
Term of Agreement: Completion by December 31, 2023  
Option to Renew? No  
Approval for purchases “as needed”: 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) #24 of the CM/GC Contract 002-2011 with Wildish Building Company of Eugene, Oregon, to construct a Temporary Trap & Haul facility at the Carmen-Smith Spawning Channel. The Trap & Haul facility is a required project of the Fish Passage Delay Mitigation/Equivalency Proposal, in compliance with the operating license for the Carmen-Smith Project and the Amended and Restated Settlement Agreement that was executed in November 2016.

### Contracted Goods or Services

This Task Order entails construction and construction management services from Wildish Building Company for the Temporary Trap and Haul structure, to be located at the Carmen-Smith spawning channel, including compliance with all environmental permits. Major work tasks include fabrication of a temporary trap and haul platform, walkway, and access stairs, provision of a water supply pump, related supply piping and pump screen;

dewatering and fish salvage to support installation of the facility, installation of fabricated facility and appurtenances, and associated civil work.

#### 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 for Alternative Procurements. Amendments for pre-construction work and Task Orders for construction projects are negotiated separately.

Bid review and negotiations for the guaranteed maximum price for this construction Task Order was completed on February 22, 2023.

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.

#### **ACTION REQUESTED:**

Management requests the Board approve Construction Task Order #24 of the CM/GC contract with Wildish, for the Guaranteed Maximum Price of \$1,425,000. This project is part of a mitigation package that was designed in 2022 after the 2023 capital plan was developed. This variance will be managed within the Generation 2023 capital budget of \$27.6 million for type 3 projects and Board policy.

## **EWEB Board Consent Calendar Request**

*For Cooperative Contracts*

The Board is being asked to authorize the use of a cooperative contract for the purchase of **Maintenance, Repair, and Operations (MRO) Industrial Supplies** with **W.W. Grainger**.

Board Meeting Date: March 7, 2023  
Project Name/Contract #: Industrial Supply Purchases / State PA 8496  
Manager: TiaMarie Harwood Ext. 7492  
Executive Officer: Deborah Hart Ext. 7695  
**Expected Spend: \$250,000 over 2 years**

### Narrative:

The Board is being asked to authorize the use of the State of Oregon Price Agreement 8496 for the purchase of as-needed Maintenance, Repair, and Operations (MRO) industrial supplies from W.W. Grainger over the next two years.

### Operational Requirement and Alignment with Strategic Plan

Purchasing MRO industrial supplies is necessary for EWEB to perform essential operational tasks. The ability to purchase a steady stock of quality MRO supplies for use in our facilities as well as our infrastructure, assists us to provide reliable service and meet the needs of our customers and staff. The State of Oregon Price Agreement offers access to more than 1 billion items across Grainger's branches and distribution centers across the US. Additionally, EWEB's use of Price Agreement 8496 will allow EWEB to receive discounted pricing ranging from 11%-35% depending on the items purchased.

### Purchasing Process

In November 2017, the State of Oregon issued RFP No. DASPS-2183-17 on behalf of the NASPO Value Point Cooperative Purchasing Program and its member states and other purchasing entities seeking offers from qualified and responsible proposers to provide Facilities Maintenance, Repair, and Operations (MRO) Industrial Supplies. State of Oregon as lead state awarded 13 master agreements. Price Agreement 8496 was established with W.W. Grainger to provide goods and accessories for the following categories:

- Janitorial Equip. & Supplies (does not include Sanitation Cleaning Chemicals)
- Sanitation Cleaning Chemicals (does not include Janitorial Equipment & Supplies)
- Fasteners
- Material Handling
- Plumbing
- Power Sources
- Outdoor Garden
- Lamps, Lighting, Ballasts
- HVAC
- Hand Tools
- Power Tools (excluding automotive related tools and products)
- Electrical
- Paint
- Security
- Safety (does not include any public safety equipment)

### **ACTION REQUESTED:**

Management requests the Board authorize the use of a cooperative contract for the purchase of as-needed MRO industrial supplies with W.W. Grainger. The items purchased under this contract are shared across multiple departments as well as warehouse stock items for the Water and Electric Utility. The contract will be budgeted accordingly, and variances will be managed within the budget process and Board policy.





# MEMORANDUM

EUGENE WATER & ELECTRIC BOARD



TO: Commissioners Carlson, Barofsky, McRae, Schlossberg, and Brown  
FROM: Scott Milovich, Support Services Operations Manager, Leon Atkinson, Communications & Control Supervisor; Gretchen Lowen, Engineering Technician  
DATE: March 1, 2023 (March 7, 2023 Board Meeting)  
SUBJECT: Annual Rate Adjustment for Dark Fiber Lease Pricing  
OBJECTIVE: Action

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## Issue Statement

In 2023 EWEB Fiscal Services and Engineering staff initiated a cost-of-service study to recalibrate dark fiber lease pricing.

## Background

Board Resolution No. 1304 established a Dark Fiber Lease Rate in 2013 (DFL-1); initially the rate was to be adjusted annually based on the City of Portland CPI. As of 2017, Board Resolution No. 1705 provided that the rate be adjusted annually based on either the City of Portland Consumer Price Index (CPI) or an updated Cost of Service Analysis (COSA); the implementation date is April 1 each year. The proposed 2023 update is based on updated COSA results.

## Discussion

In accordance with the provisions of Board Resolution No. 1705, the intention is to produce an updated COSA every other year. The last study was conducted in 2021; the study concluded that no price increase was necessary at that time. For 2022 the Board adopted a pricing increase based on CPI.

As a result of the 2023 Cost of Service Analysis, Management proposes the following adjustments to EWEB's three Dark Fiber rates, with an effective date of April 1, 2023.

Customer Group	Current DF Rate	April 1, 2023, DF Rate
Public Agencies DFL-1	\$31.70 per fiber strand-mile month	\$31.89 per fiber strand-mile month
School Districts K-12	\$5.64 per fiber strand-mile month	\$5.67 per fiber strand-mile month
For-Profit Companies	\$63.40 per fiber strand-mile month	\$63.78 per fiber strand-mile month

\* EWEB's 'public purpose' rate includes public agencies, higher education, and existing medical service providers.

**Recommendation**

Approval of Resolution No. 2307 to implement the new dark fiber lease rate effective April 1, 2023.

Please contact Gretchen Lowen at 541-685-7443 or e-mail at [gretchen.lowen@eweb.org](mailto:gretchen.lowen@eweb.org) with questions.

**Attachments:**

- 1) Customer Service Policy, Appendix B – Electric Service Charges and Prices, Subsection Q;  
Dark Fiber Lease
- 2) Resolution No. 2307



**Q. Dark Fiber Lease**

1. Availability

EWEB’s fiber optic cables run through public right-of-way and are owned and maintained by EWEB. This Price Schedule applies to public agencies and higher-level educational institutions as well as medical service providers within EWEB’s service territory, with the exception of any other price that may apply under a separate agreement or Price Schedule.

2. Character of Service

EWEB’s Dark Fiber Lease Price Schedule (DFL-1) pertains to the available surplus fiber strands contained within EWEB’s existing fiber-optic system, covering the Eugene metropolitan area and other areas within EWEB’s service territory. Subscribing to EWEB’s Dark Fiber Lease allows the interconnecting entity to obtain an indefeasible right of use of allocated EWEB-owned fiber strands for the purpose of transmitting voice, data and/or video signals between locations.

3. Interconnection

The Customer is responsible for providing a complete Conduit path from the termination point inside their facility to EWEB Facilities near the Customer premise, in accordance with EWEB’s Fiber Optic Customer Standards. All Customer provided Conduit pathway facilities and patch panels shall be inspected and approved by EWEB prior to connection of the lateral extension. After connectivity, EWEB will own and maintain all Facilities up to and including the patch panel.

4. Advance Engineering Fee

All prospective EWEB Dark Fiber Lease subscribers must work with EWEB to complete an Advance Engineering Estimate of the cost and schedule for EWEB to provide dark fiber connectivity. A non-refundable \$500.00 fee is required prior to completing the Advance Engineering Estimate.

Advance Engineering Fee .....\$500.00  
(Resolution No. 1304)

5. Construction Agreement

A signed “Dark Fiber Optic Circuit Construction Agreement” is required by EWEB before commencement of the detail Engineering design and construction of the lateral extension.



6. Non-Recurring Charges

The Customer shall pay an amount equal to 100 percent of the actual design and construction costs, payable upon completion of Dark Fiber connectivity.

7. Recurring Charges

The monthly charge for Dark Fiber Lease is determined by multiplying the length of the subscribed fiber strand(s) times the current monthly price. The length of each fiber strand is determined from EWEB's Geographic Information System (GIS) Fiber Manager Application rounded up to the nearest one-half mile length. This information will be recorded in the Lease Agreement.

Dark Fiber Lease bills shall be rendered quarterly.

~~2021~~**2023-2024** Monthly Price per Strand Mile\* ..... \$31.~~70~~**89**

(Resolution No. ~~2206~~**2307**)

Note: \*The Dark Fiber Lease Price Schedule will be adjusted annually based on updated Cost of Service Analysis (COSA) or the City of Portland Consumer Price Index if no COSA was performed. (Resolution No. 1907)

Dark Fiber Lease price to for-profit commercial customers shall be two-times the above published public purpose price. (Resolution No. 1705)

8. General Terms and Conditions

Service under this schedule is subject to the policies and procedures of EWEB.

**RESOLUTION NO. 2307**  
**March 2023**

**EUGENE WATER & ELECTRIC BOARD**  
**DARK FIBER LEASE PRICE REVISION**

**WHEREAS**, the Eugene Water & Electric Board (EWEB) offers surplus Dark Fiber optic strands for lease by public agencies, higher and K-12 educational institutions, medical service providers, and commercial entities;

**WHEREAS**, Dark Fiber Leases are not considered by the Federal Communications Council or the Oregon Public Utilities Commission to be a regulated Telecommunications Service;

**WHEREAS**, EWEB leases Dark Fiber via “indefeasible Right of Use Agreements” (IRUs) or “Intergovernmental Agreements” (IGAs) that make provision for annual escalation based upon updated Cost of Service Analysis (COSA) or the City of Portland’s Consumer Price Index (CPI) if no updated COSA was performed;

**WHEREAS**, EWEB has developed plans for a municipal high density, compact Dark Fiber network in downtown Eugene in partnership with the City of Eugene, Lane Council of Governments, and Technology Association of Oregon;

**WHEREAS**, EWEB’s current Dark Fiber Lease Schedule (DFL-1) contains mileage-based billing determinants;

**WHEREAS**, EWEB desires to treat ‘short distance’ Dark Fiber service customers equitably by allowing one-half mile incremental billing lengths for Dark Fiber services that are under one-mile in total length.

**NOW, THEREFORE, BE IT RESOLVED** that the Eugene Water & Electric Board hereby authorizes the General Manager to adjust the Dark Fiber Lease Rate for public agencies and higher education institutions and the rate applied to existing leases for medical service providers to \$31.89 per strand-mile per month, adjusted annually thereafter based on updated Cost of Service Analysis or the City of Portland CPI if no COSA was performed, beginning with bills rendered on or after April 1, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Eugene Water & Electric Board hereby authorizes the General Manager to adjust the Dark Fiber Lease Rate for School Districts K-12 and the rate applied to existing leases to \$5.67 per strand-mile per month, adjusted annually thereafter based on updated Cost of Service Analysis or the City of Portland CPI if no COSA was performed, beginning with bills rendered on or after April 1, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Eugene Water & Electric Board hereby authorizes the General Manager to adjust the Dark Fiber Lease Rate to for-profit commercial customers to \$63.78 per strand-mile per month, adjusted annually thereafter based on updated Cost of Service Analysis or the City of Portland CPI if no COSA was performed, beginning with bills rendered on or after April 1, 2023.

DATED this 7<sup>th</sup> day of March 2023

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

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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 March 7, 2023, Regular Board Meeting.

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Assistant Secretary



# MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

*Rely on us.*

TO: Commissioners Carlson, Barofsky, McRae, Schlossberg, and Brown  
FROM: Frank Lawson, CEO & General Manager  
DATE: March 1, 2023 (March 7, 2023, Board Meeting)  
SUBJECT: 2023 City of Eugene Board Liaison Agenda  
OBJECTIVE: Action via Consent

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## **Issue**

Commissioners wish to provide collective guidance to the Board President and Vice President, who are to collaborate, collect, and disseminate information with City of Eugene leadership (typically Mayor, Council President and Vice President, and City Manager).

## **Background**

Annually, the Board assigns liaison roles to individual Commissioners who will act as conduits for cooperating and exchanging information with other agencies or organizations. Accordingly, the Board agreed that the appropriate liaisons with City of Eugene leadership should be the EWEB Board President and Vice President.

## **Discussion**

As liaisons, the Board President and Vice President wish to create an agenda (or roster) of subjects, issues, and/or opportunities (a.k.a. Liaison Agenda) to be discussed with City of Eugene leadership in the present fiscal year. Although the Board agreed that liaisons have freedom to operate within the roles, Commissioners should collectively approve a City of Eugene Liaison Agenda at least annually prior to the first meeting with City of Eugene leadership. Periodically, the EWEB liaison(s) shall report back to the Board the content and/or outcome(s) of the discussions with City leadership and shall propose revisions to the City of Eugene Liaison Agenda as applicable throughout the year.

At the February 7, 2023, board meeting, Commissioners provided guidance on municipal topics of interest to EWEB, and issues of mutual interest with the City of Eugene, for inclusion in the 2023 Liaison Agenda. Where appropriate, the Board shall agree, via Board vote, on positions or actions that may involve organizational resources or investments as consistent with other board policy.

## **Recommendation**

Inclusive of topics discussed at the recent board meeting, the attached agenda is submitted for Board review and potential approval. For staff efficiency, it is recommended that liaison meetings follow recurring management quarterly reporting to the Board, in March, May, August, and November.

## **Requested Board Action**

Approval of the EWEB – City of Eugene Liaison Agenda

Attachment: 2023 City of Eugene liaison Agenda (March 7, 2023)

No.	Subject, Issue, Opportunity	Liaison Role*	Board Position
1	Quarterly Results	Share Noteworthy Information including EWEB's CAP2.0 reporting metrics	(N/A)
2	Projects of Public Interest; Examples including, but are not limited to: <ul style="list-style-type: none"> <li>- E. 40th Water Storage Project</li> <li>- Willamette Treatment Plant</li> <li>- Leaburg Hydroelectric Project</li> </ul>	Share Status, Solicit Support	(N/A)
3	Programs of Public Interest and Potential Partnership; Examples including, but are not limited to: <ul style="list-style-type: none"> <li>- Resiliency</li> <li>- Energy Efficiency Assistance for Renters and Limited Income (ex. Weatherization, Requiring transparency into rental utility costs/Home Energy Scores)</li> </ul>	Share, Explore partnerships and opportunities to leverage federal funds	
4	Potential Uses of Future EWEB Contribution in Lieu of Taxes (CILT) Increases	Solicitation	EWEB desires the City to allocate a portion of future CILT increases to fund (or leverage additional funding) resources supporting items of mutual interest (e.g. rental property energy efficiency, EV charging infrastructure. How can EWEB engage and facilitate this interest?
5	Integrated Resource Plan	Share, Inquire about further sensitivity and or scenario analysis	



6	Decarbonization	Share status, inquire about support	Reiterate that EWEB is a resource for information. How will Council solicit input from EWEB and other stakeholders?
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\* Potential Liaison Roles: share; solicit support, response, or action; inquire; communicate EWEB position; other...

For reference, information about EWEB's existing Rental Property Resources is available on EWEB's website at: <https://www.eweb.org/residential-customers/rebates-loans-and-conservation/rental-property-resources>.