

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve an increase to a Construction Task Order (CTO) with **Wildish Building Company** for **Aquatic Habitat Installation in the Lower Carmen Bypass Reach**.

Board Meeting Date:	December 2, 2025	
Project Name/Contract #:	Lower Carmen Bypass Reach Habitat / CTO #35, CM/GC 002-2011	
Manager:	Lisa Krentz	Ext. 7450
Executive Officer:	Karen Kelley	Ext. 7153

Contract Amount:

Original "CTO" Amount:	\$1,560,000 (Approved May 6, 2025)
Additional \$ Previously Approved:	\$0
Spend over last approval:	\$240,739 (Change Orders 1-2)
Amount this Request:	\$605,017 (Change Orders 1-2 & 3)
% Increase over last approval:	38.8%
Resulting Cumulative Total:	\$2,165,017

Contracting Method:

Method of Solicitation:	CM/GC Guaranteed Maximum Price
If applicable, basis for exemption:	NA
Term of Agreement:	Completion by December 31, 2027
Option to Renew?	No
Approval for purchases "as needed":	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Proposals/Bids Received (Range):	2 bids \$1,317,000 - \$1,540,822
Selection Basis:	Lowest responsive bid
Narrative:	

Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve an increase to Construction Task Order (CTO) #35 of the CM/GC Contract (002-2011) with the Wildish Building Company of Eugene, Oregon. CTO #35 is for the placement of large logs, tipped trees, and spawning gravel in Lower Carmen Bypass Reach (McKenzie River above Trail Bridge Reservoir) for the benefit of Chinook salmon and bull trout. These Habitat Protection, Mitigation and Enhancement Measures are requirements of the Carmen-Smith Settlement Agreement and directly align with the Strategic Plan initiatives related to safe and reliable delivery of services.

Phase one of the project was completed in 2025 in alignment with the original contract deadline of September 2025 and consisted of all required gravel and a portion of the logs, slash bundles and tipped trees. Change Order 3 establishes Phase two to complete the installation of remaining items in 2027. The full project (phase one and two) was initially planned for implementation in a single season. However, a portion of it was delayed due to dam safety concerns related to unballasted wood being transported to Trail Bridge Reservoir during high flow events. FERC has approved the full design of habitat improvements, and we remain in compliance even with delaying a portion of the work. The replacement of the Trail Bridge Reservoir Debris Boom, now scheduled for 2026, will

allow for completion of the final phase. Previously signed Change Orders 1 and 2 included increases for acquiring and transporting slash bundle materials and additional flaggers for conducting safe helicopter operations, respectively.

Contracted Goods or Services

The overall project includes the furnishing of the labor, materials, and equipment for the tipping of whole trees and placement of logs, slash bundles and spawning gravel in Lower Carmen Bypass Reach via helicopter. The responsibilities of the Contractor include, but are not limited to, construction site preparation, access control, sourcing spawning gravel, transporting owner supplied large wood to the river, transporting spawning gravel to the river, erosion control, site rehabilitation, site cleanup, and complying with all permit conditions.

The total increase addresses three change orders. Change Orders 1 and 2 were previously issued without seeking board approval because the total cost of \$240,739 fell below the required board approval amount for this Construction Task Order. Change Order 3 is an increase of \$364,278 for costs and services associated with delaying the completion deadline from September 2025 to September 2027. The cost includes subcontractor demobilization and remobilization fees, as well as extended support costs associated with the two-year delay.

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 were completed on April 17, 2025.

Per the Board's approval of the general CM/GC contract and subsequent amendments, Wildish is required to competitively procure and subcontract for major portions of the total contract. Wildish solicited public bids for all major portions of the work (advertised February 14, 2025) consistent with the CM/GC contract and Oregon public procurement rules. Wildish prepared a Guaranteed Maximum Price in accordance with the CM/GC contract.

ACTION REQUESTED:

Management requests the Board approve an increase to Construction Task Order #35 of the CM/GC contract with Wildish Building Company, for \$605,017. Approximately \$605,000 will be planned for the services in the Carmen-Smith License Deployment Department 2027 capital budget. Variances from the budget will be managed in accordance with Board Policy.

BUDGET CATEGORY: Electric Capital, Type 2, Carmen-Smith License Deployment



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

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

FROM: Deborah Hart, AGM/CFO; TiaMarie Harwood, Financial Services Manager; Alicia Voorhees, Financial Planning & Analysis Supervisor; Daniel Davidson, Lead Financial Analyst

DATE: November 26, 2025

SUBJECT: Water Utility 2025 Capital Budget Amendment

OBJECTIVE: Approval of Resolution No. 2519

Issue

Per Board Policy EL-1, the approved budgets are the maximum level of expenditure authorized by the Board. As noted in the most recent *Strategic and Operational Quarterly Report*, Management anticipates capital investments will exceed the budget for the Water Utility this year.

Discussion

Throughout the year, staff monitor and estimate year-end budget variances. As of early November, it is estimated that the Water Utility investments will exceed the 2025 capital budget. The College Hill Reservoir project is a multi-year project spanning budget years 2024, 2025, and 2026. The project is currently ahead of schedule due to contractor completing work faster than anticipated. Work scheduled for 2026 was pulled into 2025 resulting in increased spending above the board approved 2025 capital budget.

The capital variances are outlined in the table below:

	2025	2026
Approved Capital Budget	\$40,246,000	
Draft Capital Budget		\$51,789,000
Operational Changes:		
College Hill Reservoirs	5,000,000	(5,000,000)
Total Requested Capital Budget Amendments	5,000,000	(5,000,000)
Amended Capital Budget	\$45,246,000	
Proposed Capital Budget		\$46,789,000

An amendment to increase the 2025 Water Utility capital budget by \$5 million is requested and would be funded by reserves. The use of reserves to navigate timing fluctuations for project activity in the long-term financial plan mitigates further stress on prices.

The proposed 2026 Water Utility capital budget included in the Board materials for the December 2nd Board meeting reflects the \$5 million reduction for work completed in 2025. There is no impact to the 2026 Water Utility revenue requirement and rates for customers as the College Hill Reservoirs project is funded with the use of bonds.

Requested Board Action

Management recommends and requests the Board approve Resolution No. 2519 to increase the 2025 Water Capital Budget by \$5 million.

**RESOLUTION NO. 2519
DECEMBER 2025**

**EUGENE WATER & ELECTRIC BOARD
2025 BUDGET AMENDMENT**

WHEREAS, the Eugene Water & Electric Board (EWEB) is the body designated by the City of Eugene Charter and Code to administer the Eugene Electric and Water Utilities;

WHEREAS, Oregon Revised Statute 225.230 requires municipal utilities to make an annual written estimate of probable expenses to establish spending authority;

WHEREAS, the Eugene Water & Electric Board anticipates expenditures in excess of that authority;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves an increase to the Water Utility Capital budget of \$5 million.

Dated this 2nd day of December 2025.

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 December 2, 2025 Regular Board meeting.

Assistant Secretary



MEMORANDUM

EUGENE WATER & ELECTRIC BOARD

Rely on us.

TO: Commissioners Barofsky, Schlossberg, Brown, Carlson, and Morris
FROM: Jason Heuser, Public Policy and Government Affairs Program Manager
DATE: November 21, 2025
SUBJECT: 2026 Legislative Session Agenda and Resolution No. 2523
OBJECTIVE: Information

Issue

EWEB monitors, influences, and strategically plans around legislative and regional policy issues. The Oregon Legislature convenes annually – for approximately six months in odd numbered years and almost two months in even numbered years – to enact laws and to set and adjust the biennial budget for the State of Oregon. EWEB has an active advocacy presence during legislative sessions to represent the interests of EWEB and its customers. The 2026 Oregon Legislative Session will begin February 2, preceded by an orientation period and informational hearings in January, and conclude on or before March 9.

Background

The Board adopts general policy directives for advocacy on legislation and other public policy matters, which guide the work of EWEB's lobbying activities. When political considerations test the applicability of those directives, the General Manager makes a determination as to whether a fundamental shift in direction is required. The Board may be asked to reaffirm policy directives or direct staff to make necessary adjustments.

Discussion

2026 Legislative Session Agenda

Cap and Trade – NEUTRAL – INFLUENCE GUIDED BY EWEB CARBON POLICY PRINCIPLES

Informal ad hoc conversations have commenced on possible design elements for a statewide economy-wide Carbon Emissions Cap and Trade program that could link to other regional programs. While it is considered a big stretch for the legislature to complete such an ambitious policy in a short legislative session, there will likely be at least a bill that receives public hearings and official consideration. EWEB has received some opportunities to engage with interested stakeholders to discuss how best to design an Oregon program. The design elements EWEB has observed in bill drafts include:

- Point of Regulation: Stakeholders seem resigned to the regulation of emissions from in-state electric generation directly at the source and emissions from imported electricity at the highest level possible – “the first jurisdictional deliverer”. This would be the most efficient method to regulate and reduce electric sector emissions and should aid in facilitating successful regional linkage. It is a good improvement over a hybrid mid-stream electricity point of regulation used in 2019/2020

legislation and superior to the downstream load-based approach Oregon considered in 2017.

- **Regional Linkage:** Some work remains to be done to operationalize definitions of “specified sources” and “covered entities” in the electric sector that are consistent or deviate only slightly from other regional programs in order to facilitate linkage. There are some issues that are complex and require special troubleshooting but should likely be solvable.
- **Allowance Allocations:** it appears that there is a path for all Oregon electric utilities, including consumer-owned utilities like EWEB, to receive free carbon allowance allocations. For investor-owned utilities allowance allocation will likely be predicated on their successful compliance with the Clean Electricity Standard (HB 2021 from the 2021 Oregon Legislative Session, applicable only to IOUs) and would be designed to avoid double-regulation. For consumer-owned utilities allowances would likely be based on forecasted load and emissions, although details still need development or state agency rulemaking in implementation of legislation.
- **Revenue Recycling:** current drafts do not speak to the use of revenues from carbon allowance auctions. EWEB has an interest in advocating for revenue recycling that will offset the cost to society from carbon pricing by directing revenue to help pay for investments to reduce carbon emissions.

EWEB Staff’s recommendation is to remain neutral on the bill until more is known about policy design choices, chiefly the extent to which the policy employs revenue recycling. EWEB will engage in outreach with legislators to influence design choices to be as consistent with EWEB’s adopted carbon policy principles as possible.

Reintroduction of Solar Consumer Protection Legislation – SUPPORT

The unsuccessful solar consumer protection legislation from 2025 will be reintroduced as a committee bill in the House Energy and Environment Committee. The same work group that reached consensus in the 2025 sessions is working together again to make some tweaks and support this bill as a coalition. Key components include:

- **Model Disclosure:** a model disclosure standard will require a contractor to disclose to a consumer information including several projects specifications, estimated utility bill savings, acknowledgement that without a battery a solar system may not power a home during a power outage, etc.
- **Right of Recission:** a solar customer may rescind a contract within 72 hours (to address high pressure sales tactics)
- **Strengthening DOJ Enforcement:** a model disclosure will enhance DOJ’s enforcement of the Unfair Trade Practices Act.
- **Private Right of Action:** DOJ has finite enforcement resources, creating a private right of action for damages can be a deterrent to bad actors.

Recommendation/Requested Board Action

Approve Resolution No. 2325.

**RESOLUTION NO. 2523
DECEMBER 2025**

**EUGENE WATER & ELECTRIC BOARD
2026 LEGISLATIVE SESSION**

WHEREAS, the 2026 Oregon Legislative Session will convene on February 2, 2026;
and

WHEREAS, the Eugene Water & Electric Board (EWEB) will continue to participate in the legislative process on behalf of its customers; and

WHEREAS, the Board has traditionally adopted positions and guidelines which provide general direction for purposes of supporting or opposing specific legislation; and

WHEREAS, the Board again desires to set forth such legislative directives.

BE IT RESOLVED that the Eugene Water & Electric Board adopts the attached legislative agenda, which includes the following issues and goals:

1. Influence the design of a greenhouse gas emissions cap and trading program to be consistent to the greatest extent possible with EWEB's adopted carbon policy principles
2. Support solar consumer protection measures to improve transparency and disclosure;

WHEREAS, new and unanticipated legislation can emerge each legislative session.

BE IT FURTHER RESOLVED that the Eugene Water & Electric Board goes on record supporting legislation which generally:

1. Preserves and enhances local control;
2. Complements or improves programs that are cost-effective to our customers; and
3. Preserves, conserves, and restores our natural environment in an equitable and cost-effective manner.

BE IT FURTHER RESOLVED that the Eugene Water & Electric Board will oppose legislation which generally:

1. Withdraws the capability of the Board to best serve EWEB's customers;
2. Duplicates existing laws, therefore complicating the execution of the Board's duties by state or federal mandate;
3. Imposes fees, assessments or procedures that impede the Board's ability to provide high-quality and cost-effective service.

DATED this 2nd day of December 2025.

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 December 2nd, 2025 Regular Board Meeting.

Assistant Secretary