

**EUGENE WATER & ELECTRIC BOARD**  
**REGULAR SESSION**  
**October 3, 2023**  
**5:30 P.M.**

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

**Others Present:** Frank Lawson, EWEB General Manager; Brian Booth, Chief Energy Resources Officer; Aaron Bush, Resource Analyst; Deborah Hart, Chief Financial Officer; Aaron Balmer, Financial Services Manager; Daniel Davidson, Senior Financial Analyst; and Janice Lee, Senior Financial Analyst.

**CALL TO ORDER**

President Carlson called the meeting to order at 5:30 p.m.

**Agenda Check**

There were no changes to the agenda.

**Items from Board Members and General Manager [1:36]**

Vice President Barofsky learned about supply chain issues during the Board's tour of the Grand Coulee Dam in Washington.

Commissioner Schlossberg met with Fossil Free Eugene.

Mr. Lawson would gather information for Commissioner Brown about staff's response to a car that sunk in Walterville Canal.

Commissioner McRae thanked staff for setting up their tour of the Grand Coulee Dam.

President Carlson appreciated the Grand Coulee Dam tour. She mentioned a disturbance during a recent Lane Council of Governments' hybrid Board Meeting. She thanked EWEB staff for preventing such incidents at its meetings. She learned about Lane Community College's energy efficiencies at an open house. Mr. Lawson answered her questions about the state's solar configuration caps and offered to follow up if she would like more information.

Mr. Lawson referred to notes in the GM report about a recent meeting with staff and President Carlson. He also thanked staff for holding their safety expo.

**Public Input [9:26]**

The following testimony was provided to the EWEB Commissioners: The Board neither endorses or opposes, or is responsible for the accuracy of content, of testimony including any links or references provided.

Written Testimony:

**Victoria Koch**, of Eugene's Jefferson Friendly Neighborhood, expressed opposition to fossil fuels, specifically citing climate change.

**Katherine Bragg**, of Eugene's Friendly Neighborhood, expressed opposition to nuclear power, specifically citing historic nuclear accidents.

**Benton Elliott**, of Ward 1, shared input related to EWEB's operations and services, including suggestions for clean energy programs, communication with the public, and customer assistance programs.

**Duncan Rhodes**, of Eugene's Jefferson Westside Neighborhood, expressed opposition to ceiling heat, specifically citing personal experience with its inefficiencies.

**Thomas Boyd**, of Ward 4, expressed support of differential electricity rates, specifically citing off-peak charging.

**Alicia Newton-Hamill**, of South Eugene Neighbors, expressed opposition to move forward with a demand response fee structure, specifically citing the need for EWEB to educate customers on its advantages and the concerns of customers on fixed incomes.

Verbal Testimony:

**Mark Robinowitz** discussed energy sources, and recommended board members attend an upcoming showing of the documentary "Atomic Bamboozle" in Eugene to learn about smaller nuclear reactors.

**Tana Shepard**, of Ward 8, spoke in favor of EWEB's support for Eugene School District 4J's education program. She gave an update on this year's program details.

**Craig Patterson**, of McKenzie Bridge, Oregon questioned EWEB purchasing carbon credits. He spoke in disapproval of biomass plants. He questioned EWEB's role of ensuring good water quality in the McKenzie River during construction of new houses along Highway 126.

**Kathy Ging**, of Eugene, Oregon spoke in disapproval of EWEB's public input process of its integrated resources plan. She also disapproved of EWEB leaving out the need for hybrid vehicles in its public outreach efforts. She spoke in favor of solar power.

**Elliot Gray**, of Ward 1, spoke in favor of EWEB adopting the EV and DR standards.

**Commissioner Brown** thanked those who gave testimony. He concurred with the lack of fast electrical vehicle charging stations in Eugene.

**President Carlson** thanked those who spoke. She would contact Ms. Shepherd for more information about the education program at 4J. She mentioned EWEB's incentive program for homes being rebuilt upriver to move off the riverfront, as well as its long-standing septic replacement loan program. She supported having more EV charging stations.

## **BOARD ACTION AND GENERAL BUSINESS ITEMS**

### **Approval of Consent Calendar – A, Minutes and Routine Contracts [31:50]**

#### **MINUTES**

1. September 5, 2023 Regular Session

#### **CONTRACTS**

2. **Black & Veatch Corporation** – for an increase to the contract for engineering services for Replacement Switchgear at the EWEB-owned Steam Turbine Generator System at the International Paper Mill in Springfield. \$180,000 (including spend over last approval – original amount \$350,000, additional \$300,000 previously approved, resulting cumulative total \$830,000 over 5 years) based on Formal Request for Proposals – Qualifications Based Selection (QBS Process).

**MOTION:** Vice President Barofsky moved to adopt Consent Calendar A.

The motion passed unanimously, 5:0.

### **Approval of Consent Calendar — B, Nonroutine Contracts and Other Consent Items [32:18]**

#### **CONTRACTS**

3. Anixter – for the use of a cooperative contract for Primary and Secondary and EPR insulated Conductor. \$5,000,000 (over 4 potential years).
4. Armorcast Products Company – for an increase to existing contract for Voltek Vault Replacement Systems. \$201,000 (original amount \$605,000, resulting cumulative total \$806,000 over 5 years) based on direction negotiation (Sole Source).
5. Cascade Health Solutions – for a new personal services contract for Recruitment, Hiring, Safety, Health, and Wellness Program Services. \$500,000 (over 5 years) based on direct negotiation (Sole Source).
6. Consor North America, Inc. – for Engineering Services for Two New 7.5-million-gallon (MG) Storage Tanks, and Associated Pipelines, at the EWEB College Hill Site. \$1,000,000 based on Formal Request for Proposals – Qualifications Based Selection (QBS Process).

7. GEI Consultants – for an increase to existing contract for Engineering Consultant Services Related to the Carmen-Smith Hydroelectric Project. \$62,000 (original amount \$200,000, resulting cumulative total \$262,000) based on Formal Request for Proposals – Qualifications Based Selection (QBS Process).
8. Worthington Products, Inc. – for a Debris Boom at Trail Bridge Reservoir. \$410,000 based on Formal Invitation to Bid.

## **RESOLUTIONS**

9. Resolution No. 2319 - Annual Investment Policy Review and Adoption.

Vice President Barofsky recommended the Board pull Item 9, Resolution No. 2319 - Annual Investment Policy Review.

**MOTION:** Vice President Barofsky moved to adopt Consent Calendar B, minus Resolution No. 2319.

The motion passed unanimously, 5:0.

### **Items removed from Consent Calendar [33:41]**

Vice President Barofsky said Resolution No. 2319 would have approved the annual investment policies of EWEB. He attended a conference with ECONorthwest. A speaker said local community banks would be stressed in the coming years. Due to higher interest rates, he said a lot of cash had left community banks. He recommended EWEB staff research where funds could be put into local community banks to help local businesses and individuals thrive.

Ms. Hart said EWEB does have local deposits, and recently deposited additional money with a local bank.

Mr. Lawson asked staff to give the Board information at future meetings about where EWEB's money was located.

**MOTION:** Vice President Barofsky moved to approve Resolution No. 2319, EWEB Annual Investment Policy Review and Adoption.

The motion passed unanimously, 5:0.

### **Resolution No. 2318 – SD23 Diversity Equity & Inclusion Policy [38:50]**

Mr. Lawson gave a presentation about the SD23 Diversity Equity & Inclusion Policy by PowerPoint slides.

Commissioner McRae would like to see a timeframe for next steps.

President Carlson appreciated staff for their work on the plan.

**MOTION:** Commissioner Brown moved to pass Resolution No. 2318, a resolution approving new Board Policy SD23 Diversity, Equity, and Inclusion.

The motion passed unanimously, 5:0.

**PURPA Standards Initial Analysis – Demand Response and Vehicle Electrification [43:54]**

Brian Booth and Aaron Bush gave a presentation about PURPA Electric Vehicle (EV) and Demand Response (DR) Standards, New Standards for Consideration and Determination under the Public Utility Regulatory Policies Act by PowerPoint slides. Its purpose was to promote conservation and efficient use of resources. They summarized the process timeline, which included the Board's role, staff analysis, and public comment.

**Public Hearing on New PURPA Standards for Demand Response and Vehicle Electrification [55:53]**

**Kathy Ging** spoke in concern of smart meters and wireless devices installed on private residences and commercial businesses. She spoke in favor of EWEB educating the public about the best times to use electricity to not negatively impact the power grid. She spoke in favor of the initial analysis of PURPA standards.

**PURPA Standards Initial Analysis – Demand Response and Vehicle Electrification [59:48]**

Mr. Bush, Mr. Booth, and Mr. Lawson responded to questions from the Board.

Commissioner McRae asked for clarification on ways to promote transportation electrification. Mr. Bush responded the broad vision for PURPA was to allow others to invest. Mr. Lawson further clarified about third-party investments and the PURPA standards.

Commissioner McRae was concerned about the impact of DR on lower income households and wanted to ensure the process was done correctly. Mr. Lawson said if rate design was done properly, it incentivized activity that benefited the general population. Commissioner McRae asked for more information about the delivery of EWEB's smart meters. Mr. Lawson said there would be an update on fees at a future Board meeting.

Vice President Barofsky urged EWEB to not penalize businesses who were unable to reduce their energy use during demand response without jeopardizing their businesses.

**2024 Draft Budgets, Long-Term Financial Plan (LTFP) Update, and Price Proposal Overview [1:19:02]**

Deborah Hart and Aaron Balmer gave a PowerPoint presentation about the 2024 Draft Budgets and Long-Term Financial Plan Updates. Ms. Hart gave an update about EWEB's financial planning process. They also previewed the draft pricing for electricity and water and next steps.

## **Public Hearing on Upcoming Year 2024 Budget Assumptions, LTFP, and Price Proposal [2:04:57]**

There were not public comments.

## **2024 Draft Budgets, Long-Term Financial Plan Update, and Price Proposal Overview [2:05:45]**

Staff answered questions from the Board about the presentation.

## **Future Board Agendas [2:13:18]**

Mr. Lawson said there would be an executive session in November related to pending legal action. He recommended canceling the work session scheduled in October for DEI because it was no longer needed.

## **Board Wrap Up [2:14:12]**

Vice President Barofsky asked for suggestions of topics to talk to City of Eugene leaders about during an upcoming meeting with them. Commissioner Brown was concerned about the City's budget deficits. President Carlson suggested talking about drivers for the City's increase to sewer rates. Vice President Barofsky suggested talking to them about increasing their contribution to EWEB's Customer Care program to help cover their rate increase.

Mr. Lawson said EWEB had scheduled a meeting with the City of Eugene to talk about billing.

Commissioner Schlossberg mentioned an email the Board received from a customer in a dire situation. Mr. Lawson confirmed customers could contact EWEB on the weekend. He explained EWEB's shutoff policies.

Commissioner Brown would like future board agendas to include water issue topics.

President Carlson would like staff to share a group photo taken at the Grand Coulee Dam tour. She asked if there was interest in taking a tour of the Municipal Waste facility. She attended the United Way of Lane County Breakfast on behalf of EWEB. She asked if EWEB participated in a composting program. She would also like an update on grants EWEB had identified and was applying for.

## **Adjourn**

President Carlson adjourned the Regular Session at 7:57 p.m.

*Recorded by Laura Campbell, LCOG*

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Assistant Secretary

President

## EWEB Board Consent Calendar Request

*For Contract Awards, Renewals, and Increases*

The Board is being asked to approve a new contract with **Hyundai Corporation USA** for **Three-Phase Padmounted Transformers**.

Board Meeting Date: November 7, 2023  
Project Name/Contract #: Three-Phase Padmounted Transformers / 23-194-G  
Manager: Tyler Nice Ext. 7419  
Executive Officer: Karen Kelley/Rod Price Ext. 7153/7122

### Contract Amount:

Original Contract Amount: \$3,000,000  
Additional \$ Previously Approved: \$0  
Spend over last approval: \$0  
Amount this Request: \$3,000,000  
% Increase over last approval: NA  
Resulting Cumulative Total: **\$3,000,000 (over 5 years)**

### Contracting Method:

Method of Solicitation: Formal Invitation to Bid (ITB)  
If applicable, basis for exemption: NA  
Term of Agreement: Initial term is one 1 year  
Option to Renew? Yes, annually up to 5 years total  
Approval for purchases "as needed": Yes  No   
Proposals/Bids Received (Range): 3 (\$187,000 – \$610,600 – pricing based on limited quantities for comparison, not total quantities estimated over 5 years)  
Selection Basis: Lowest Responsive and Responsible Bidder

### Narrative:

#### Operational Requirement and Alignment with Strategic Plan

This Contract is for the purchase of three-phase padmounted transformers for use in our electric distribution system. EWEB placed several orders under recently approved contracts to mitigate the significant shortage of these items due to long lead times and rising costs, but still have customer projects in need of three-phase padmounted transformers. The previous contract provides limited production slots for order annually. This contract will initially serve to secure 16 units with shorter lead time to meet customer project schedules as well as provide for additional purchases.

#### Contracted Goods or Services

The transformers to be purchased under this contract include varying quantities of four (4) different classes of three-phase padmounted transformers to be stocked and stored in our Transformer shop for as-needed use in our electric distribution system. Due to long production schedules of previous contractors, this contract will serve to secure additional three-phase padmounted transformers with shorter lead time.

The pricing shown in the “Offered Price” below is just a portion of the estimated amount required to be purchased over the next 5 years and was the amount used to compare prices between the bidders. The overall contract cost estimate is based on historical usage and may change yearly depending on customer development demand and planned reliability and renewal projects. The annual cost will be within the amount budgeted for that specific year.

**Purchasing Process**

In September 2023, EWEB issued a Formal Invitation for Bids (ITB) for three-phase padmounted transformers. The solicitation was advertised in the State of Oregon’s public procurement site, OregonBuys. Three bids were received and two were deemed responsive and responsible. One failed to provide some of the required documents and was considered non-responsive. Hyundai Corporation USA offered the lowest bid. A due diligence review was conducted for minimum qualifications, including reference checks. Hyundai Corporation meets the minimum requirements.

**Bids Received**

Vendor Name	City, State	Offered Price
Anixter	Portland, OR	\$338,602
Hyundai Corporation USA	Torrance, CA	\$187,000
NEXGEN POWER, INC.	Gardena, CA	\$610,600

**Prior Contract Activities**

EWEB Contract	Project Name (Description)	Board Approved Date	Project Duration (Start to Close)	Original Amount	Final Amount	Reason Code
PO 16714	UO & Willamette Substation Switch Gears	NA	1/15/20 – 2/19/20	\$11,735	\$11,735	
PO 11074	GIS Replacement Parts	NA	3/5/19 – 5/30/19	\$5,800	\$5,800	

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 Hyundai Corporation USA for three-phase padmounted transformers. Approximately \$3.15 million was planned for these goods in the 2023 Electric Capital Budget of \$74.2 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 new contract with **Western Utility Telecom Inc.** for **Tubular Steel Pole Structures for use in EWEB's Thurston to McKenzie River Crossing Transmission Line.**

Board Meeting Date: November 7, 2023  
Project Name/Contract #: Tubular Steel Pole Structures / 23-180-G  
Manager: Tyler Nice Ext. 7388  
Executive Officer: Karen Kelley/Rod Price Ext. 7153/7122

### **Contract Amount:**

Original Contract Amount: \$725,000  
Additional \$ Previously Approved: \$0  
Spend over last approval: \$0  
Amount this Request: \$725,000  
% Increase over last approval: NA  
Resulting Cumulative Total: **\$725,000 (over 5 years)**

### **Contracting Method:**

Method of Solicitation: Formal Invitation to Bid  
If applicable, basis for exemption: NA  
Term of Agreement: 5 years  
Option to Renew? Yes, annually up to five (5) years total  
Approval for purchases "as needed": Yes  No   
Bids Received: 5 (\$453,721.92 – 862,811.69)  
Selection Basis: Lowest Responsive and Responsible Bidder

Narrative:

#### Operational Requirement and Alignment with Strategic Plan

The rebuild of Thurston to BPA tap transmission line will require eight (8) tubular steel transmission structures. The existing transmission line is 54 years old and the laminated wood structures are deteriorating. These structures support three circuits and cross the McKenzie River, passing through an area that is inaccessible for much of the year. Should one of these deteriorating structures fail it could be months before we could repair the circuits, depending on the time of year. The new structures won't be susceptible to rot and replacing these wooden structures with steel presents increased resiliency in case of a wildfire. The steel poles are necessary to rebuild these transmission lines.

#### Contracted Goods or Services

The initial order will consist of eight (8) tubular steel structures comprised of fourteen (14) tubular steel poles, with associated crossarms and braces. This contract covers the design, fabrication, and delivery of these structures. No field services are included with this contract. There are two (2) additional structures that are pending BPA approval and the contract includes the funds for this purchase. Additional funds have been allocated to include any potential future orders of poles for other projects or pole replacements.

Purchasing Process

In September 2023, EWEB issued a formal Invitation to Bid (ITB) for tubular steel pole structures and advertised in the State of Oregon’s website, OregonBuys. Five (5) bids were received, and Western Utility Telecom Inc. was deemed to be the lowest bidder that was responsive and responsible. At the time of the bid opening, the lowest two bids and the highest bid did not provide the required documentation to be determined responsive.

Bids Received

Vendor Name	City, State	Offered Price
Continental Poles – Skipper Limited	Kolkata, India	\$494,776
Klute Steel	York, Nebraska	\$862,912
MVA Power Inc.	Montreal, Quebec	\$453,722
Valmont Utility	Omaha, Nebraska	\$804,066
Western Utility / Telecom Inc.	Salem, OR	\$565,944

Prior Contract Activities

EWEB Contract	Project Name (Description)	Board Approved Date	Project Duration (Start to Close)	Original Amount	Final Amount	Reason Code
22-105-G	Deadend Structures for Currin Substation	8/2/2022	8/11/22 – 8/31/23	\$288,430	\$310,887	AM
22-171-G	Steel Transmission Pole	N/A	8/31/22 -11/15/22	\$43,036	\$43,036	

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 Western Utility Telecom Inc. for tubular steel pole structures. Funds for these structures are planned for in the 2024 Electric Capital budget of \$69.9 million. Variances will be managed within the budget process and Board policy.