

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a contract and additional funds for **Mercury Total Maximum Daily Load (Hg TMDL) Implementation Support with Geosyntec Consultants, Inc.**

Board Meeting Date: April 2, 2024
Project Name/Contract #: Hg TMDL Implementation Support / 23-021-PSC
Manager: Lisa Krentz Ext. 7450
Executive Officer: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$100,000 (Not previously approved by Board)
Additional \$ Previously Approved: \$0
Spend over last approval: \$0
Amount this Request: \$358,000 (Original \$100,000 plus an increase of \$258,000)
% Increase over last approval: NA
Resulting Cumulative Total: **\$358,000**

Contracting Method:

Method of Solicitation: Direct Negotiation
If applicable, basis for exemption: EWEB Rule 3-0275 (Sole Source Procurements)
Term of Agreement: 5-Years (February 8, 2023 – January 31, 2028)
Option to Renew? No
Approval for purchases “as needed”: Yes No
Proposals/Bids Received (Range): NA
Selection Basis: Sole Source (SS-480)
Narrative:

Operational Requirement and Alignment with Strategic Plan

In 2019, EWEB and other reservoir managers in the Willamette Basin were tasked by the Oregon Department of Environmental Quality (DEQ) to develop Total Maximum Daily Load (TMDL) Implementation Plans for Mercury. This new regulatory mandate extended to the US Army Corps of Engineers, Portland General Electric, the US Bureau of Reclamation and EWEB, representing the four largest owners and operators of reservoirs in the Willamette Basin, based on storage volume. The Implementation Plans were required to evaluate and address factors related to inorganic mercury methylation and to identify best management practices (BMPs) for managing mercury methylation rates in the managed reservoirs. Methylmercury is a potent neurotoxin and is known to bioaccumulate in fish tissue. The consumption of fish with elevated concentrations of methylmercury represents a known human health risk in the Willamette Basin. In some lakes and reservoir systems, like the ones managed by EWEB, the microbial activity in sediment beds has been shown to foster the conversion of inorganic mercury to the more toxic methylmercury. EWEB contacted numerous environmental consulting firms to determine if they had the necessary expertise to assist us with mercury fate and transport. The only firm that we were able to find with the needed expertise was Geosyntec consultants. EWEB contracted with Geosyntec (Contract No. 23-021-

PSC) for Mercury TMDL Implementation support. In January 2024, EWEB submitted to the DEQ the TMDL Implementation Plan for Mercury, developed for us by Geosyntec Consultants. The Implementation Plan was approved by the DEQ later that month.

The Implementation Plan commits EWEB to a year’s worth of monitoring to assess mercury dynamics in the reservoirs that we manage (Smith, Carmen Diversion, Trail Bridge, Leaburg Lake etc.) The mercury data will be used to develop surrogates and to refine the Conceptual Site Model that was developed by Geosyntec as part of the Implementation Planning effort. This next phase of work includes the quarterly monitoring for mercury, the refinement of the Conceptual Site Model, the justification for the use of surrogates for future monitoring, and the evaluation of potential BMPs. This work builds on the earlier work performed for EWEB by Geosyntec.

Contracted Goods or Services

The work is highly specialized and few companies in the country are equipped to perform the required field work and to refine the conceptual site model that was previously developed. Geosyntec has unique insight into what is required by EWEB and how we are addressing the DEQ’s regulatory mandate. They also have the unique skills and expertise to do the work and they already have a working relationship with us that would be difficult for another firm to replicate. Geosyntec is working with EWEB on the Leaburg decommissioning effort and they have first-hand knowledge of our operations and reservoirs. Even if there were other firms equipped to do the work, there are many efficiencies to be realized by EWEB in working with them on the mercury monitoring effort. They are uniquely situated to help us with the next phase of this project.

Purchasing Process

EWEB initially contracted with Geosyntec Consulting to help develop the Mercury TMDL plan, as no other firm was equipped to perform the needed services. This continues to be the case, and for this reason, Staff has deemed Geosyntec to be a sole source provider for the purchase of Mercury TMDL Implementation services. Additional funds are required for the continuation of the project.

Competitive Fair Price (If less than 3 responses received)

No firm other than Geosyntec Consulting was found to be equipped to do the work in question. Therefore, Sole Source Findings were established for these services.

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
23-073-PSC	Second Source Water Quality Permitting Services	NA	May 3, 2023 – December 31, 2023	\$27,000	\$27,000	
23-021-PSC	Hg TMDL Implementation Plan	NA	February 8, 2023 – January 31, 2028	\$100,000	\$100,000	
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 the contract and additional funds with Geosyntec Consultants, Inc. for Mercury Total Maximum Daily Load (Hg TMDL) Implementation Support. Approximately \$198,000 was planned for these services in the Generation Division 2024 O&M budget of \$15.7 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 Construction Task Order (CTO) with **Wildish Building Company** for **Habitat Enhancements in the Carmen-Smith Spawning Channel**.

Board Meeting Date: April 2, 2024
Project Name/Contract #: Spawning Channel Habitat – CTO #26, CM/GC 002-2011
Manager: Lisa Krentz Ext. 7450
Executive Officer: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$315,000
Additional \$ Previously Approved: \$0
Spend over last approval: \$0
Amount this Request: \$315,000
% Increase over last approval: NA
Resulting Cumulative Total: **\$315,000**

Contracting Method:

Method of Solicitation: CM/GC Guaranteed Maximum Price
If applicable, basis for exemption: NA
Term of Agreement: Completion by August 30, 2024
Option to Renew? No
Approval for purchases “as needed”: Yes No
Proposals/Bids Received (Range): NA
Selection Basis: Guaranteed Maximum Price
Narrative:

Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve Construction Task Order (CTO) #26 of the CM/GC Contract (002-2011) with the Wildish Building company of Eugene, Oregon to install large woody debris, habitat boulders, and spawning gravel in the Carmen-Smith Spawning Channel as required by the Carmen Smith Hydroelectric License and the Amended and Restated Settlement Agreement. Additionally, this CTO #26 includes placement of spawning gravel in the mainstem McKenzie River adjacent to the spawning channel as required mitigation for lost habitat resulting from the construction of the Operations boat ramp and new debris boom in Trail Bridge Reservoir. Improving spawning and rearing habitat for Chinook salmon directly aligns with the Strategic Plan initiatives related to cost improvement and safe and reliable delivery of services as well as Organizational Goal #2 Compliance Adherence.

Contracted Goods or Services

This contract includes the furnishing of all labor, materials, and equipment for the habitat enhancement work in the spawning channel. The responsibilities of the contractor include, but are not limited to, construction site preparation, access control, sourcing habitat boulders and spawning gravel, sorting and felling of EWEB supplied

large wood, placement of large wood; boulders; and gravel, erosion control, site rehabilitation, site cleanup, complying with all permit conditions, and incidental work as required in the contract solicitation.

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 March 18, 2024.

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 5, 2024) 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 Construction Task Order #26 of the CM/GC contract with Wildish, for the guaranteed maximum price of \$315,000. The primary component of this project will cost approximately \$240,000 and is a requirement of the Aquatics Management Plan of the Carmen Smith Hydroelectric License. Approximately \$100,000 was included in the 2024 Carmen Smith License Deployment budget for the habitat improvement portion based on the 2022 Engineer's estimate of the project. Approximately \$75,000 of the cost of this project is unplanned and required mitigation for habitat impact at Trail Bridge Reservoir that was not included in the budget. These variances will be offset by delayed projects or projects that are under budget within the \$25 million 2024 Carmen Smith Deployment budget and managed in accordance with Board Policy.

EWEB Board Consent Calendar Request

For Contract Awards, Renewals, and Increases

The Board is being asked to approve a Construction Task Order (CTO) with **Wildish Building Company** for **Habitat Installation in the Carmen-Smith Spawning Channel, Trail Bridge Reservoir and Smith Reservoir**.

Board Meeting Date: April 2, 2024
Project Name/Contract #: Trail Bridge and Smith Reservoirs Habitat Enhancements – CTO #27, CM/GC 002-2011
Manager: Lisa Krentz Ext. 7450
Executive Officer: Karen Kelley Ext. 7153

Contract Amount:

Original Contract Amount: \$823,000
Additional \$ Previously Approved: \$0
Spend over last approval: \$0
Amount this Request: \$823,000
% Increase over last approval: NA
Resulting Cumulative Total: **\$823,000**

Contracting Method:

Method of Solicitation: CM/GC Guaranteed Maximum Price
If applicable, basis for exemption: NA
Term of Agreement: Completion by September 30, 2024
Option to Renew? No
Approval for purchases “as needed”: Yes No
Proposals/Bids Received (Range): NA
Selection Basis: Guaranteed Maximum Price

Narrative:

Operational Requirement and Alignment with Strategic Plan

The Board is being asked to approve Construction Task Order (CTO) #27 of the CM/GC Contract (002-2011) with the Wildish Building Company of Eugene, Oregon to assemble and install habitat structures in Trail Bridge and Smith Reservoirs. These Habitat Protection, Mitigation and Enhancements are part of the Carmen-Smith Hydroelectric License and directly align with the Strategic Plan initiatives related to cost improvement and safe and reliable delivery of services as well as Organizational Goal #2 Compliance Adherence.

Contracted Goods or Services

This project includes the furnishing of the labor, materials, and equipment for the installation of submerged large wood habitat structures in both Trail Bridge and Smith Reservoirs. The responsibilities of the Contractor include, but are not limited to, construction site preparation; access control; sourcing ballast boulders, sorting of Owner supplied large wood, assembly of large wood structures, deployment of large wood structures within the reservoir in a submerged environment, erosion control, site rehabilitation, site cleanup; complying with all permit conditions.

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 March 18, 2024.

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 26, 2024) 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 Construction Task Order #27 of the CM/GC contract with Wildish, for the guaranteed maximum price of \$823,000. This project is a required step in delivering aquatic habitat enhancements required by the Carmen Smith Hydroelectric License. Approximately \$1.2 million was included in the 2024 Carmen Smith License Deployment budget for the reservoir habitat improvement projects. Variances from the budget will be managed in accordance with Board Policy.