



RESOLUTION NO. U-11249

1 A RESOLUTION related to the purchase of materials, supplies, equipment and
2 the furnishing of services; authorizing the City officials to enter into
3 contracts and, where specified, waive competitive bidding requirements,
4 authorize sale of surplus property, or increase or extend existing
5 agreements.

6 WHEREAS the City of Tacoma, Department of Public Utilities, requested
7 bids/proposals for the purchase of certain materials, supplies, equipment and/or
8 the furnishing of certain services, or proposes to purchase off an agreement
9 previously competitively bid and entered into by another governmental entity, or
10 for the sales of surplus, or desires to increase and/or extend an existing
11 agreement, all as explained by the attached Exhibit "A," which by this reference
12 is incorporated herein, and

13 WHEREAS in response thereto, bids/proposals (or prices from another
14 governmental agreement) were received, all as evidenced by Exhibit "A," and

15 WHEREAS the Board of Contracts and Awards and/or the requesting
16 division have heretofore made their recommendations, which may include
17 waiver of the formal competitive bid process because it was not practicable to
18 follow said process, or because the purchase is from a single source, or there is
19 an emergency that requires such waiver, and/or waiver of minor deviations, and
20 in the case of sale of surplus, a declaration of surplus has been made certifying
21 that said items are no longer essential for continued effective utility service, as
22 explained in Exhibit "A," Now, therefore,
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BE IT RESOLVED BY THE PUBLIC UTILITY BOARD OF THE CITY OF TACOMA:

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That the Public Utility Board of the City of Tacoma hereby concurs and approves the recommendations of the Board of Contracts and Awards and/or the requesting division, and approves, as appropriate: (1) the purchase and/or furnishing of those materials, supplies, equipment or services recommended for acceptance; (2) the sale of surplus materials, supplies or equipment recommended for acceptance; (3) the Interlocal agreement that authorizes purchase off another governmental entity's contract; (4) the increase and/or extension of an existing agreement, and said matters may include waiver of the formal competitive bid process and/or waiver of minor deviations, all as set forth on Exhibit "A," and authorizes the execution, delivery and implementation of appropriate notices, contracts and documents by the proper officers of the City for said transactions.

Approved as to form:

/s/
Chief Deputy City Attorney

Chair

Secretary

Clerk

Adopted _____



TO: Board of Contracts and Awards
FROM: **Andy Cherullo, Director, Department of Finance**
Debra Casparian, City Attorney's Office
COPY: Public Utility Board, Director of Utilities, Board Clerk, City Council, City Manager, City Clerk EIC Coordinator, LEAP Coordinator, and Tad Carlson, Finance/Purchasing
SUBJECT: **Increase Contract with Pacifica Law Group for Bond Council, Citywide Contract No. CW2222782**
Utility Board – April 28, 2021 and City Manager
DATE: April 5, 2021

Pursuant to the City of Tacoma March 12, 2020, state of emergency proclamation in response to COVID-19, made in accordance with Tacoma Municipal Code Chapter 1.10., contract awards for purchases must be approved by the City Manager or delegee.

RECOMMENDATION SUMMARY: The Finance Department and City Attorney's Office request approval to increase Citywide Contract No. CW2222782 with Pacifica Law Group, Seattle, WA, by \$300,000 plus any applicable taxes, for additional bond counsel services. This increase will bring the contract to a cumulative total of \$600,000, plus any applicable taxes.

STRATEGIC POLICY PRIORITY:

Seeking outside legal counsel for bond related issues best supports the City and its residents by allowing the city to issue bonds as necessary in the most effective and efficient manner.

- Strengthen and support a safe city with healthy residents.
- Ensure all Tacoma residents are valued and have access to resources to meet their needs.
- Assure outstanding stewardship of the natural and built environment.
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

BACKGROUND:

The City contracted with Pacifica Law Group in October 2017 and has since amended the contract twice to extend the original termination date, specifically outline that Pacifica will provide legal services to not only General Government but to also Tacoma Public Utilities, and to increase the amount of compensation. The Finance Department has identified a need to increase the amount under this contract to adequately compensate Pacifica Law Group for their services, and for services Pacifica will provide later this year. The City is also administratively extending the contract by one year. This would be the second of three term extensions authorized in the original contract.

ISSUE: Whether the City wishes to increase the compensation under this contract for legal services Pacifica Law Group provides on bond related issues.



ALTERNATIVES: The City would choose not to amend this contract, which means that the City would not obtain the legal advice it needs to issue or refund bonds.

COMPETITIVE SOLICITATION: This service was put out to bid in 2011 which resulted in a contract with Pacifica that was executed in 2011 and terminated in 2017. Based upon the performance of Pacifica over that term, a direct negotiation was authorized in 2017 to directly negotiate with Pacifica for a replacement contract.

CONTRACT HISTORY: This contract was originally awarded, on October 1, 2017, to Pacifica Law Group as a result of the 2017 direct negotiation waiver authorizing a three year initial term with three one year options to extend the contract term. Amendment 1, effective January 16, 2018 amended sections 1 and 4 of the contract (to include services for TPU). Amendment 2, effective October 1, 2020 executed the first of three one year renewal options.

EIC/LEAP COMPLIANCE: Not applicable.

FISCAL IMPACT:

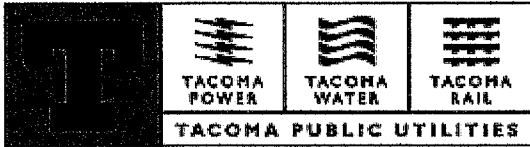
EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Various	Various	5310100	\$300,000
TOTAL			Up to \$300,000

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$ 300,000

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes,

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED. N/A



RESOLUTION NO.: U-11249

ITEM NO.: 2

MEETING DATE: APRIL 28, 2021

TO: Board of Contracts and Awards
FROM: Chris Robinson, Power Superintendent, Tacoma Power
Sharon Roach, Assistant Chief Dam Safety Engineer, Tacoma Power/Generation
COPY: Public Utility Board, Director of Utilities, Board Clerk, EIC Coordinator, LEAP
Coordinator, and Samol Hefley Finance/Purchasing
SUBJECT: Cushman No. 1 River Outlet Valve Replacement Design
Request for Qualifications, PG19-0042F, Cushman No. 1 River Outlet Valve
Replacement Design, Contract No. 4600013944 - April 28, 2021
DATE: April 15, 2021

RECOMMENDATION SUMMARY:

Tacoma Power requests approval to increase Contract No. 4600013944 to Black & Veatch Corporation, Oswego, OR, by \$3,205,000.00, plus any applicable taxes, for Engineering Services to support the Cushman No. 1 River Outlet Valve Replacement Design Project. This increase will bring the contract to a cumulative total of \$3,705,000.00, plus any applicable taxes.

The cost breakdown of the total consultant fees are as follows:

Owner's Administration	\$988,000.00
Environmental Compliance/Permitting	\$247,000.00
Engineering & Design	\$1,235,000.00
Construction Management	\$1,235,000.00

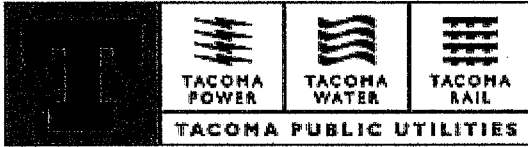
BACKGROUND:

Cushman Dam No. 1 is a part of the Cushman Hydroelectric Project on the North Fork of the Skokomish River in Mason County, Washington, and impounds Lake Cushman. Construction of the facility was completed in 1926.

The Low Level Outlet Works (LLOW) at the base of Cushman #1 Dam is original equipment and has been used to pass flows. It is the sole means to fully lower the reservoir in case of emergencies. The LLOW currently includes a Johnson valve, an accompanying butterfly guard valve and a trash rack on the upstream face. There is significant corrosion on the exposed portion of the steel piping upstream of the guard valve that cannot be completely addressed. Additionally, the Johnson valve design can be precarious to operate and has been known to fail catastrophically. Utilities are now replacing the Johnson Valves with safer, more reliable valves. The LLOW, including the Johnson valve, are currently tagged out of service for these safety reasons.

ISSUE:

There are two primary issues that will be addressed with this project.



1. The current infrastructure is showing signs of degradation. This is attributed to the age of the project nearing 100 years. The degradation will eventually lead to a failure of the system (estimated to be within five (5) years). Refurbishment and replacement of the components will provide at least another 100 years of service life.
2. The Johnson valve, while popular at the time of construction, is now known for being dangerous to operate leading to personnel safety issues. Installing a modern valve will address safety risks and restore the operation of the valve.

ALTERNATIVES:

Several alternatives were considered during the planning phases of this project. The range of alternatives were weighed against the risk tolerance of the utility, impacts to wildlife/fish, fiscal impacts and regulatory compliance. The chosen alternative allows for safe continued use of the LLOW and has the least impact to the juvenile sockeye salmon population.

COMPETITIVE SOLICITATION:

Request for Qualifications Specification No. PG19-0042F was opened March 19, 2019. Nine (9) submittals were received. The four (4) most qualified consultant teams were selected via a Selection Advisory Committee (SAC) on April 4, 2019. Each of the four (4) candidates were given the opportunity to provide a detailed engineered solution. Three (3) of the four (4) candidates presented their best-engineered design solution to replace the LLOW. The fourth candidate became non-responsive. The SAC again deliberated and selected the most responsive and most qualified candidate to proceed forward with the full evaluation of alternatives and ultimately the design and installation of the proposed LLOW.

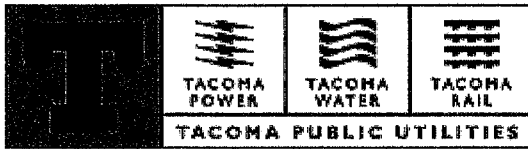
<u>Respondent</u>	<u>Location</u> <i>(city and state)</i>	<u>Score</u>
Black & Veatch	Oswego, OR	9
Deere and Ault	Longmont, CO	7
Stantec	Chicago, IL	4
GEI Consultants	Oakland, CA	0

COMPETITIVE ANALYSIS:

CONTRACT HISTORY: Existing Contract.

The initial contract was executed on August 28, 2019 for \$25,000.00.

The contract was amended (Amendment #1) on December 31, 2019 to increase the contract amount by \$100,000.00 to a total of \$125,000.00 and extend the termination date to June 30, 2021. Amendment #1 allowed the consultant to begin preliminary design and analysis of alternatives.



The contract was again amended (Amendment #2) on November 1, 2020 to increase the contract amount by \$375,000.00 to a total of \$500,000.00. Amendment #2 allowed the consultant to continue engineering design work and perform field investigations.

FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
4700 – POWER	PWR-01001-02	NA	\$3,705,000.00
TOTAL			3,705,000.00

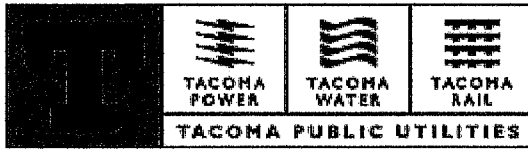
REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
TOTAL			

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$3,705,000.00

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED. N/A



RESOLUTION NO.: U-11249

ITEM NO.: 3

MEETING DATE: APRIL 28, 2021

TO: Board of Contracts and Awards
FROM: Chris Robinson, Power Superintendent, Tacoma Power
Toby Brewer, Project Engineer, Tacoma Power/Generation
COPY: Public Utility Board, Director of Utilities, Board Clerk, EIC Coordinator, LEAP
Coordinator, and Tina Eide, Finance/Purchasing
SUBJECT: Augmented Labor and Maintenance Services
Request for Proposal Specification No. PG20-0070F – April 28, 2021
DATE: April 16, 2021

RECOMMENDATION SUMMARY:

Tacoma Power recommends a contract be awarded to NAES Power Contractors, Inc., Cranberry Township, PA, to furnish the labor and supervision to perform maintenance, repairs, renovations and other mutually agreed work at Tacoma Power's facilities, in the amount of \$2,250,000, plus applicable taxes, for an initial contract term of three (3) years with the option to renew for an additional two (2) year period if mutually agreed upon at that time.

BACKGROUND:

Tacoma Power has used maintenance services contractors since 1991 to augment in-house staff on significant projects during peak maintenance activities. The contractors are used to provide skilled craft personnel to work along side Tacoma Power employees to complete an array of complex and critical projects. The contracts were also used in lieu of fixed cost bidding when bidding would carry unusually high risks or when regulatory requirements could not be met by any other practical means. Tacoma Power has found the mix of contract and City forces to be an effective way of controlling costs and receiving the best overall product.

ISSUE:

We are asking for approval to establish a new three (3) year contract to continue to utilize augmented labor for complex work during peak maintenance periods.

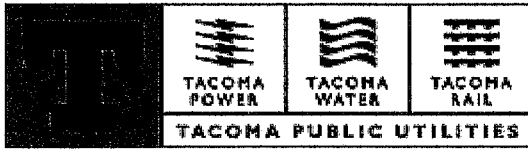
ALTERNATIVES:

The alternative to awarding this contract is slower response time when emergent maintenance occurs and hiring a larger workforce that is only fully utilized during peak maintenance periods.

COMPETITIVE SOLICITATION:

Request for Proposals Specification No. PG20-0070F was opened March 9, 2021. Thirty (30) companies were invited to bid in addition to normal advertising of the project. One (1) submittal was received.

NAES Power Contractors submitted a bid that resulted in the lowest evaluated submittal after consideration of EIC participation goals.



<u>Respondent</u>	<u>Location</u> <i>(city and state)</i>	<u>Score</u>
NAES Power Contractors	Cranberry Township, PA	93

COMPETITIVE ANALYSIS:

A three (3) member Selection Advisory Committee (SAC) recommends awarding the contract to NAES Power Contractors.

CONTRACT HISTORY: New contract.

EIC/LEAP COMPLIANCE:

EIC requirements were not applicable. The Local Employment and Apprenticeship Training Program (LEAP) requirements are Apprentice Utilization Goal of 15%.

FISCAL IMPACT:

Funds for this contract are available in the Capital and Maintenance Budgets of Tacoma Power.

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
4700 – Power	Various	NA	\$ 2,250,000.00
TOTAL			\$2,250,000.00

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
TOTAL			

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$ 1,500,000.00

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED. Not applicable.

Selection Advisory Committee (SAC) Criteria Ranking

**Augmented Labor & Maintenance Services
PG20-0070F
April 2021**

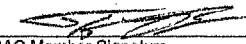
RFP Proposer (Firm/City-State)	Estimated Cost <i>(20 points)</i>	Qualifications and Experience <i>(20 points)</i>	Staff and Availability of Resources <i>(10 points)</i>	Approach and Methodology <i>(15 points)</i>	Firm's Answers to Appendix B <i>(15 points)</i>	Mark-Up on Subcontractors Contracts <i>(10 points)</i>	Responsiveness to RFP and Quality of Proposal <i>(10 points)</i>	Overall Ranking
NAES Power Contractors, Issaquah, WA	20	20	10	15	15	10	10	1

SAC Members (Proposed):

Toby Brewer, Tacoma Power/Generation, Chief Dam Safety Engineer
 Chad Chalmers, Tacoma Power/Generation/Cowlitz Project, Project Manager
 Mike McCoy, Tacoma Power/Generation/Cushman Project, Assistant Project Manager

Toby Brewer

 SAC Member Name



 SAC Member Signature

12 Apr 21

 Date

Selection Advisory Committee (SAC) Criteria Ranking

**Augmented Labor & Maintenance Services
PG20-0070F
April 2021**

RFP Proposer (Firm/City-State)	Estimated Cost (20 points)	Qualifications and Experience (20 points)	Staff and Availability of Resources (10 points)	Approach and Methodology (15 points)	Firm's Answers to Appendix B (15 points)	Mark-Up on Subcontractors Contracts (10 points)	Responsiveness to RFP and Quality of Proposal (10 points)	Overall Ranking
NAES Power Contractors, Issaquah, WA	15	20	10	12	13	10	8	1

SAC Members (Proposed):

Toby Brewer, Tacoma Power/Generation, Chief Dam Safety Engineer
 Chad Chalmers, Tacoma Power/Generation/Cowlitz Project, Project Manager
 Mike McCoy, Tacoma Power/Generation/Cushman Project, Assistant Project Manager

Chad Chalmers
 SAC Member Name


 SAC Member Signature

04/09/2021
 Date

Selection Advisory Committee (SAC) Criteria Ranking

**Augmented Labor & Maintenance Services
PG20-0070F
April 2021**

RFP Proposer (Firm/City-State)	Estimated Cost (20 points)	Qualifications and Experience (20 points)	Staff and Availability of Resources (10 points)	Approach and Methodology (15 points)	Firm's Answers to Appendix B (15 points)	Mark-Up on Subcontractors Contracts (10 points)	Responsiveness to RFP and Quality of Proposal (10 points)	Overall Ranking
NAES Power Contractors, Issaquah, WA	18	19	10	14	13	8	8	90

SAC Members (Proposed):

- Toby Brewer, Tacoma Power/Generation, Chief Dam Safety Engineer
- Chad Chalmers, Tacoma Power/Generation/Cowlitz Project, Project Manager
- Mike McCoy, Tacoma Power/Generation/Cushman Project, Assistant Project Manager

Mike McCoy
SAC Member Name

[Signature]
SAC Member Signature

4-13-21
Date