

AGENDA MEMORANDUM

SUBJECT

Motion to authorize the Chief Executive Officer to execute a Fish Screen Maintenance Contract with NAES Power Contractors, as the Lowest Responsible Bidder whose bid meets the specifications and evaluation criteria in response to the Lake Tapps/White River Fish Screen Maintenance and Repair Project Invitation to Bid.

BACKGROUND

The fish screens associated with the Lake Tapps/White River Project (the Project) were installed by Puget Sound Energy, Inc. (Puget) in 1996. During the time when Puget was operating the Project for hydropower, 2000 cfs was routinely diverted from the White River through the flowline to Lake Tapps. Since 2004, diversions have been substantially less than 2000 cfs and Cascade has entered into agreements with the Muckleshoot Indian Tribe (MIT) and the Puyallup Tribe of Indians (PTI) that establish maximum diversions that are substantially less than historical levels. Cascade contracted with AECOM to assess the fish screens with respect to National Marine Fishery Service (NMFS) criterion and the lower operational flows. AECOM has (1) recommended modifications to fish screens to provide for efficient operation under the lower flow regime; (2) determined that the facility does not meet NMFS requirements to be classified "passive" screens; and (3) developed a scope of work to modify the operation of the fish screens and restore the operation to NMFS standards. These activities are required under the terms of the White River Management Agreement among Cascade and the MIT and PTI.

To accomplish these tasks, Cascade issued the Lake Tapps/White River Fish Screen Maintenance and Repair Project Invitation to Bid on September 20, 2010. The Fish Screen ITB seeks bids from firms to perform the maintenance and repair tasks identified by AECOM that are necessary to modify the operation of the fish screens and restore the operation to NMFS standards. The ITB was advertised in the Seattle Times and Tacoma News Tribune and posted on the Cascade website. A Mandatory Pre-Bid Site Meeting was held on September 8, 2010. Supplemental Information was distributed to all attendees at the Mandatory Pre-Bid Meeting on October 5, 2010. An optional site visit was held on October 8, 2010 and the Bid Submittal Date was extended from October 12 to October 14, 2010.

On October 14, 2010, Bids were received from NAES Power Contractors (NAES) and Rognlin's, Inc. (Rognlin's) prior to the time for submittal specified in the ITB. Only Cascade staff and consultants were present at the Bid opening. Following the Bid Opening, Cascade staff and consultants reviewed the Bids and concluded that the Bid submitted by Rognlin's was incomplete and therefore not responsive to the ITB. Specifically, Rognlin's failed to specify the subcontractors to be used for the Project as required by the ITB.

The Bid submitted by NAES was considered complete and responsive; however there were a number of items that required clarification and confirmation. A request for clarification information was sent to NAES on October 18, 2010 with response due (and received) on October 19, 2010.

The Bid submitted by NAES was through and complete and staff recommends Cascade contract with NAES for the Fish Screen Project, utilizing the draft Fish Screen Maintenance Contract which was part of the Fish Screen ITB and including a not to exceed compensation amount of \$512,339 and authorize a contingency amount not to exceed \$50,000, which can only be authorized by written amendment of the Contract (total authorization of \$562,339).

FISCAL IMPACT

Sufficient funds are available in the 2010 and 2011 Budgets (the schedule for the work extends though January 2011).

OPTIONS

1. Authorize the Chief Executive Officer to execute a Fish Screen Maintenance Contract with NAES Power Contractors, as the Lowest Responsible Bidder whose bid meets the specifications and evaluation criteria in response to the Lake Tapps/White River Fish Screen Maintenance and Repair Project Invitation to Bid, with a not to exceed compensation amount of \$512,339 and in addition authorize a contingency amount not to exceed \$50,000, which can only be utilized by written amendment to the Contract (total authorization of \$562,339).
2. Do not authorize the Chief Executive Officer to execute a Fish Screen Maintenance Contract with NAES Power Contractors and provide alternate direction.

RECOMMENDED ACTION

Authorize the Chief Executive Officer to execute a Fish Screen Maintenance Contract with NAES Power Contractors, as the Lowest Responsible Bidder whose bid meets the specifications and evaluation criteria in response to the Lake Tapps/White River Fish Screen Maintenance and Repair Project Invitation to Bid, with a not to exceed compensation amount of \$512,339 and in addition authorize a contingency amount not to exceed \$50,000, which can only be utilized by written amendment to the Contract (total authorization of \$562,339).

ATTACHMENTS

None