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# Commission Agenda

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**Date:** September 23, 2022  
**Subject:** NCPA Commission Meeting  
**Location:** **The Resort at Squaw Creek, 400 Squaw Creek Road, Olympic Valley, CA – Monument Peak Conference Space**  
**Time:** 10:00 am

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The Commission may take action on any of the items listed on this Agenda regardless of whether the matter appears on the Consent Calendar or is described as an Action Item, a Report or an Informational Item. This agenda is supplemented by Staff Reports which are available to the public upon request. Pursuant to California Government Code Section 54957.5, the following is the location at which the public can view Agendas and other public writings: NCPA Offices, 651 Commerce Drive, Roseville, California, or [www.ncpa.com](http://www.ncpa.com).

Time estimates are provided as part of the Commission's effort to manage its time at Commission meetings. Listed times are estimated only and are subject to change at any time, including while the meeting is in progress. The Commission reserves the right to use more or less time on any item, to change the order of items, and/or to continue items to another meeting.

Particular items may be heard before or after the time estimated on the agenda. This may occur in order to best manage the time at a meeting or to adapt to the participation of the public. To ensure participation in a particular item, we suggest arriving at the beginning of the meeting and remaining until the item is called.

Persons requiring accommodations in accordance with the Americans with Disabilities Act in order to attend or participate in this meeting are requested to contact the NCPA Secretary at 916 781-3636 in advance of the meeting to arrange for such accommodations.

## REVIEW SAFETY PROCEDURES

1. *Call Meeting to Order, Introductions and Roll Call (10:00 am)*
2. *Approve Minutes of the August 28, 2022, Regular Commission Meeting (10:05 – 10:10 am)*

## PUBLIC FORUM

Any member of the public who desires to address the Commission on any item considered by the Commission at this meeting before or during the Commission's consideration of that item shall so advise the Chair and shall thereupon be given an opportunity to do so. Any member of the public who desires to address the Commission on any item within the jurisdiction of the Commission and not listed on the Agenda may do so at this time.

## **OPEN SESSION**

### **REPORTS AND COMMITTEE UPDATES (10:10 am – 10:45 am)**

3. General Manager's Business Progress Report and Update
4. Executive Committee
5. Facilities Committee
6. Finance Committee
7. Legal Committee
8. Legislative & Regulatory Affairs Committee
9. Members' Announcements & Meeting Reporting

### **CONSENT CALENDAR (10:45 am – 10:55 am)**

All items on the Consent Calendar are considered routine and will be approved without discussion by a single roll call vote. Any Commissioner or member of the public may remove any item from the Consent Calendar. If an item is removed, it will be discussed separately following approval of the remainder of the Consent Calendar. Prior to the roll call vote to approve the Consent Calendar, the Commissioners will be polled to determine if any Member wishes to abstain from one or more items on the Consent Calendar.

10. ***NCPA's Financials for the Month Ended August 31, 2022*** – approval by all members.
11. ***Treasurer's Report for the Month Ended August 31, 2022*** – accept by all members.
12. ***Disposal of Northern California Power Agency Surplus Property*** – note and file the report by all members for the disposal of the following: Scrap metal from the Lodi Energy Center.
13. ***Resolution 22-98, Modesto Industrial Electrical Co., Inc. dba Industrial Electrical Co., Inc. – Five Year Multi-Task General Services Agreement for Motor Maintenance Services; Applicable to the following: All Northern California Power Agency (NCPA) Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members*** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task General Services Agreement with Modesto Industrial Electrical Co., Inc., dba Industrial Electrical Co., Inc. for motor maintenance services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$500,000 over five years, for use at any facilities owned and/or operated by NCPA, NCPA Members, by SCPPA and SCPPA Members.  
**Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$500,000 over five years.

- 14. Resolution 22-99, Nooter Eriksen, Inc. – Five Year Multi-Task General Services Agreement and Agreement for Purchase of Equipment, Materials and Supplies for Heat Recovery Steam Generator (HRSG) Support Services and Parts; Applicable to the following: All Northern California Power Agency (NCPA) Facilities** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task General Services Agreement and Agreement for Purchase of Equipment, Materials and Supplies with Nooter Eriksen, Inc., for heat recovery steam generator (HRSG) support services and parts, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$500,000 over five years, for use at any facilities owned and/or operated by NCPA.  
**Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$500,000 over five years.
- 15. Resolution 22-100, Unique Scaffold – Five Year Multi-Task General Services Agreement for Scaffold Related Services; Applicable to the following: All Northern California Power Agency (NCPA) Facilities, NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task General Services Agreement with Unique Scaffold for scaffold related services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$4,000,000 over five years, for use at any facilities owned and/or operated by NCPA, NCPA Members, by SCPPA and SCPPA Members.  
**Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$4,000,000 over five years.
- 16. Resolution 22-101, Ford Construction Company, Inc. – Five Year Multi-Task General Services Agreement for General Maintenance Related Services; Applicable to the following: All Northern California Power Agency (NCPA) Facilities (except the Lodi Energy Center), NCPA Members, Southern California Public Power Authority (SCPPA), and SCPPA Members** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task General Services Agreement with Ford Construction Company, Inc., for general maintenance services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$3,000,000 over five years, for use at any facilities owned and/or operated by NCPA (except the Lodi Energy Center), NCPA Members, by SCPPA, and SCPPA Members.  
**Fiscal Impact:** Upon execution, the total cost of the agreement is not to exceed \$3,000,000 over five years.
- 17. Resolution 22-102, Rejection of All Original Bids Received on July 1, 2021 for the NCPA Geothermal Plants #1 and #2 Emergency Shower and Eyewash Stations Replacement Project; Applicable to the following: NCPA Geothermal Facility – adopt resolution by all members delegating authority to the General Manager or his designee** to reject all original bids received on July 1, 2021, for the Geothermal Plants #1 and #2 Emergency Shower and Eyewash Stations Replacement Project.  
**Fiscal Impact:** At the time of original bidding, there was \$200,000 allocated for this work in the FY 2022 budget. Thus, there were not sufficient funds available for NCPA to move forward with this project based on the bids received. Geothermal project staff determined that delaying the project until the next fiscal year would allow time for additional funds to be allocated to perform this work.

**18. Resolution 22-106, Authorize Northern California Power Agency General Manager to Execute Confirmation Number 0269 for Cooperative Response Center, Inc. Services to the City of Lodi/Lodi Electric Utility and Issue a Corresponding Purchase Order Under the Support Services Program** – adopt resolution by all members authorizing the NCPA General Manager or his designee to execute Confirmation Number 0269, with any non-substantive changes as approved by the NCPA General Counsel, and issue a corresponding Purchase Order to Cooperative Response Center, Inc., for after-hours answering services and energy dispatch services for the City of Lodi/Lodi Electric Utility.

**Fiscal Impact:** There is no fiscal impact to NCPA. The services provided by Cooperative Response Center, Inc., to Lodi will be billed to and paid by Lodi pursuant to the terms of the Support Services Program Agreement. NCPA's administrative costs will be reimbursed by Lodi.

**19. Resolution 22-107, Approval of Northern California Power Agency's (NCPA) Casualty Insurance Program Extension** – adopt resolution by all members authorizing the General Manager to extend the expiration of the Agency's Casualty insurance coverage from 12/31/2022 to 2/28/2023 at a not-to-exceed premium of \$347,000.

**Fiscal Impact:** The total cost to extend the current liability insurance program is estimated not-to-exceed \$347,000. This cost is equal to the current pricing of the 2022 premium prorated for the two-month extension plus a small contingency for unexpected expenses.

**Consent Items pulled for discussion:** \_\_\_\_\_

#### **DISCUSSION / ACTION ITEMS (10:55 am – 11:15 am)**

**20. Resolution 22-103, NCPA Geothermal Plants #1 and #2 Emergency Shower and Eyewash Stations Replacement Project; Applicable to the following: NCPA Geothermal Facility** – adopt resolution by all members authorizing the Geothermal Plants #1 and #2 Emergency Shower and Eyewash Stations Replacement Project and delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project in accordance with NCPA purchasing policies and procedures, without further approval by the Commission, for a total not exceed \$915,000, and authorizing the use of \$558,000 from the FY 2023 Geothermal Facility Project Budget, \$117,000 from FY 2022 encumbered funds, \$140,000 from the Maintenance Reserve, and \$100,000 from the FY 2023 Geothermal Facility Operations and Maintenance Budget to fund the project.

**Fiscal Impact:** Total cost of this project is not to exceed \$915,000. This amount includes \$142,186.86, or approximately 18%, in contingency funds. No cash collection or budget augmentation is required for this work. Additional Maintenance Reserve collections are not anticipated in future budget years to refund the Reserve.

**21. Resolution 22-104, NCPA Geothermal Plant #2 Cooling Tower Basin Clean Out Project; Applicable to the following: NCPA Geothermal Facility** – adopt resolution by all members authorizing the Geothermal Plant #2 Cooling Tower Basin Clean Out Project and delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project in accordance with NCPA purchasing policies and procedures, without further approval by the Commission, for a total not exceed \$620,024, and authorizing the use of \$150,024 from the Maintenance Reserve to fund this project.

**Fiscal Impact:** The total cost of this project is not to exceed \$620,024. This amount includes \$103,337, or approximately 20%, in contingency funds and \$10,600 for a Performance Bond. \$470,000 for the Geothermal Plant 2 Cooling Tower Basin Clean Out Project was approved in

the FY 2023 budget. An additional \$150,024 will come from the Maintenance Reserve to fund this project. No cash collection or budget augmentation are required for this work.

**22. Resolution 22-105, NCPA Geothermal H-Line Pipeline Repairs Project; Applicable to the following: NCPA Geothermal Facility** – adopt resolution by all members authorizing the Geothermal H-Line Pipeline Repairs Project and delegating authority to the General Manager or his designee to award bids, execute agreements, and to issue purchase orders for the project in accordance with NCPA purchasing policies and procedures, without further approval by the Commission, for a total not exceed \$280,000 and authorizing the use of \$67,500 of encumbered funds from the FY 2022 budget and \$212,500 from the FY 2023 Geothermal Facility Operations and Maintenance Budget to fund the project.

**Fiscal Impact:** The total cost of this project is not to exceed \$280,000. This amount includes \$36,446, or approximately 15%, in contingency funds. Funds for this project were included in the approved FY 2023 Geothermal Facility Budget as Steam Field Pipe Supports – Engineering. \$67,500 of encumbered funds from the FY 2022 budget and \$212,500 from the FY 2023 Geothermal Facility Operations and Maintenance Budget will be used to fund this project. No cash collection or budget augmentation is required for this work.

## **CLOSED SESSION ITEMS (11:15 am – 12:00 pm)**

### **23. CONFERENCE WITH LEGAL COUNSEL**

A. Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation, three (3) cases:

- 1) Case Name: *Northern California Power Agency, City of Redding, City of Roseville, and City of Santa Clara v. the United States*, Court of Federal Claims No. 14-817C.
- 2) Case Name: *City of Santa Clara dba Silicon Valley Power and Northern California Power Agency v. California Department of Water Resources*, Sacramento County Superior Court, Case No. 34-2022-00323425.
- 3) Case Name: *In Re PG&E Corporation and Pacific Gas and Electric Company: United States District Court, Northern District of California*, Case No. 4:22-cv-02833-HSG.

B. Pursuant to Government Code Section 54956.9(d)(2) – Potential Litigation, two (2) cases:

## **OPEN SESSION**

## **REPORT FROM CLOSED SESSION**

## **NEW BUSINESS**

## **ADJOURNMENT**