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Agenda

Date: June 28, 2018

Subject: NCPA Commission Meeting

Location: Alameda Municipal Power, 2000 Grand Street, Alameda, California (*Council Chambers*)

Time: 9:00 am

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.

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.

1. *Call Meeting to Order and Introductions (9:00 – 9:05 am)*
2. *Approve minutes of the May 24, 2018, Regular Commission Meeting (9:10 – 9:15 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 (9:15 – 9:45 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 (9:45 – 10:00 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 May 31, 2018*** – approval by all members.
11. ***Treasurer's Report for the Month Ended May 31, 2018*** – accept by all members.
12. ***Sale or Disposal of Surplus Property*** – note and file report by all members for the disposal of approximately 601 pounds of electronic waste.
Fiscal Impact: This report has no direct fiscal impact to the Agency.
13. ***Fiscal Year 2022 Western O&M Funding Commitment and Contribution Report*** – note and file report by Assignment Members, as directed pursuant to Commission Resolution 15-49, confirming receipt of Revision 22 to Exhibit C of the Western O&M Funding Agreement.
Fiscal Impact: This report has no direct fiscal impact to the Agency.
14. ***Resolution 18-43, Approval of Performance Mechanical, Inc. – Five Year Multi-Task General Services Agreement for general T&M maintenance services; Applicable to the following projects: All NCPA Facility Locations, Members, 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 Performance Mechanical, Inc. for general T&M maintenance services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$2,000,000.00 over five years, for use at all facilities owned and/or operated by NCPA, its Members, by the Southern California Public Power Authority ("SCPPA"), or by SCPPA Members.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$2,000,000.00 over five years, to be used out of NCPA approved budgets as services are rendered. Purchase orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.

- 15. Resolution 18-44, Approval American Crane Rental, Inc. – Five Year Multi-Task General Services Agreement for crane services; Applicable to the following projects: All NCPA Facility Locations, Members, 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 American Crane Rental, Inc. for crane services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$500,000.00 over five years, for use at all facilities owned and/or operated by NCPA, its Members, by the Southern California Public Power Authority (“SCPPA”), or by SCPPA Members.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$500,000.00 to be used out of the NCPA approved budget. Purchase orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.

- 16. Resolution 18-45, Approval of OST Trucks & Cranes, Inc. – Five Year Multi-Task General Services Agreement for trucking and crane services; Applicable to the following projects: All NCPA Facility Locations, Members, 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 OST Trucks and Cranes, Inc. for trucking and crane services, with any non-substantial changes recommended and approved by the NCPA General Counsel, which shall not exceed \$500,000.00 over five years, for use at all facilities owned and/or operated by NCPA, its Members, by the Southern California Public Power Authority (“SCPPA”), or by SCPPA Members.

Fiscal Impact: Upon execution, the total cost of the agreement is not to exceed \$500,000.00 to be used out of the NCPA approved budget. Purchase orders referencing the terms and conditions of the Agreement will be issued following NCPA procurement policies and procedures.

- 17. Resolution 18-47, Approval of Baker-Tilly Virchow Krause, LLP MTPSA – recommend approval of the two year MTPSA for an amount not to exceed \$500,000 for audit services for FY18 and FY19 for use by NCPA, Member, and SCPPA** – adopt resolution by all members authorizing the General Manager or his designee to enter into a Multi-Task Professional Services Agreement with Baker Tilly Virchow Krause, LLP (Baker Tilly) for annual audit services, which shall not exceed \$500,000 over two years for use by NCPA, its Members, Southern California Public Power Authority (SCPPA), or by SCPPA Members. At the Agency’s option, the term of the Agreement may be extended for two additional three-year terms, which options may be exercised by the Agency by providing written notice to the Consultant no less than four (4) months in advance of expiration of the agreement.

Fiscal Impact: The total two-year cost of this agreement is \$500,000. The audit fee for fiscal years 2018 and 2019 are \$70,000 and \$72,100, respectively. The proposed agreement contains a contingency of \$357,900 for additional services such as the biennial Commercial Compliance Audit, OMB A- 133 audit for Federal Grants received in excess of \$750,000, other miscellaneous services as needed, and for utilization by NCPA Members, SCPPA, and/or SCPPA Members. Upon extension of the agreement for the two subsequent three-year period, the audit fees would be subject to annual escalation based on the consumer Price Index for All Urban Consumers, U.S. City Average, with a cap of 5%. This agreement was included in the current fiscal year budget, and funds are available in General Allocations-

Related to Programs portion of the Annual Budget and Ten-Year Forecast. Such General Costs are proportionally allocated to all programs (equalized for debt service, property taxes, and other costs that would otherwise unfairly skew the results of the allocation).

Consent Items pulled for discussion: _____

CLOSED SESSION (10:00 – 10:30 am)

18. Conference with Legal Counsel – Existing litigation pursuant to Government Code Section 54956.9(d)(1): Name of case: 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.

19. Conference with Legal Counsel – Anticipated Litigation pursuant to California Government Code Section 54956.9(d)(2): one case

DISCUSSION / ACTION ITEMS (10:30 – 11:00 am)

20. Resolution 18-48, Approval of Delegate Authority to the General Manager to enter into agreements and issue purchase orders necessary for turbine maintenance of Alameda CT Unit 1; Applicable to the following projects: NCPA CT1 Facility – adopt resolution by all members authorizing the General Manager to enter into agreements and issue purchase orders necessary to restore Alameda CT Unit 1 to service, for a total cost not to exceed \$2,000,000, and to increase the CT1 FY19 budget.

Fiscal Impact: In 2015, major service of the unit at that time cost approximately \$900,000. It did not require the unit to be shipped offsite and needed very few new parts. While early in the procurement process, staff is estimating that this service will cost approximately \$2,000,000. Staff will be working with insurance to determine if this incident is a valid property damage claim. If so, financial liability may be limited to the insurance deductible of \$500,000. The funds for this service have not been budgeted and an augmentation will be required to perform the work.

21. Resolution 18-42, Approval of Resolution Commending David Dockham – adopt resolution by all members commending David Dockham.

22. Resolution 18-46, Approval of Resolution Commending Madeline Deaton – adopt resolution by all members commending Madeline Deaton.

NEW BUSINESS

ADJOURNMENT