



SOUTHEAST ALASKA POWER AGENCY

Minutes of Special Meeting

July 7, 2015

Southeast Alaska Power Agency Offices
via Teleconference | Ketchikan, Alaska

(An audio recording of this meeting is available on SEAPA's website at www.seapahydro.org)

1) Call to Order

A. *Roll Call.* Chairman Jensen called the meeting to order at 10:00 a.m. AKDT on July 7, 2015. The following directors and alternates were present, thus establishing a quorum of the board:

Director	Alternate	Representing	
Lew Williams	Bill Rotecki (telephonic)	Swan Lake	Ketchikan
Judy Zenge	Andy Donato	Swan Lake	Ketchikan
	Charles Freeman	Swan Lake	Ketchikan
Stephen Prysunka (telephonic)	Clay Hammer (telephonic)	Tyee Lake	Wrangell
Joe Nelson (telephonic)	John Jensen (telephonic)	Tyee Lake	Petersburg

The following SEAPA staff were present either in person or telephonically for all or part of the meeting:

Trey Acteson, Chief Executive Officer	Steve Henson, Operations Manager
Ed Schofield, Power System Specialist	Sharon Thompson, Executive Assistant
Lisa Maddocks, Administrative Assistant	Joel Paisner, Ascent Law Partners, LLC

2) Approval of the Agenda

➤ Motion	M/S (Williams/Zenge) to approve the agenda. Chairman Jensen requested the Agenda be amended to include Persons to be Heard. Mr. Nelson and Mr. Prysunka objected to the request. Mr. Paisner explained that a frustrated bidder wished to address a claim, and after further discussion. Chairman Jensen advised the Agenda would be amended to allow Persons to be Heard but would limit the discussion for each person to five minutes. There were no further objections.	Action 16-440
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3) Persons to be Heard

Attorney John Ahlers, representing STG, Inc., a frustrated bidder for Phase II of SEAPA's Swan-Tyee Intertie Helipad Project (Assembly and Installation) addressed the Board explaining STG's position. Mark Johnson and Brad Finney of BAM, LLC also addressed the board, explaining BAM's position on the project.

4) New Business

A. Contract Award re Swan Lake Powerhouse Roof Membrane Project.

Mr. Schoefield explained that the Swan Lake Powerhouse Roof Membrane project had gone out to bid and that after SEAPA issued a Notice of Recommendation of Award to CBC Construction, Inc. that one of the other bidders appealed SEAPA's recommendation of award to CBC. Mr. Paisner spoke to the circumstances of the appeal. Following further discussion on the project and the appeal, Chairman Jensen requested a motion.

➤ Motion	M/S (Williams/Zenge) to authorize staff to enter into a contract with CBC Construction Inc. for the not-to-exceed value of \$396,080 for the removal of the existing powerhouse roofing system and installation of a new PVC membrane roofing system for SEAPA's Swan Lake Powerhouse Roof Membrane Project. Mr. Nelson expressed concerns with the flat roof design and range of bids received, which prompted further considerable discussion on the project. Following that discussion, the motion passed 4 to 1 with Mr. Prysunka, Mr. Freeman, Ms. Zenge, and Mr. Williams voting yes, and Mr. Nelson voting no.	Action 16-441
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B. Increase to Contract re Swan Lake Exciter Replacement Project.

➤ Motion	M/S (Prysunka/Williams) to authorize staff to increase the not-to-exceed value for the Purchase Order Contract with Basler Electric for the design and purchase of Basler Hardware for SEAPA's Swan Lake Exciter Replacement Project by \$143,575 for a total not-to-exceed value of \$427,133 for the Purchase Order Contract. Motion approved unanimously by polled vote.	Action 16-442
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C. Executive Session.

➤ Motion	M/S (Williams/Zenge) to recess into Executive Session to facilitate discussions relating to obtaining legal advice regarding an appeal of the Agency's Recommendation of Award to BAM LLC for its Swan-Tyee Helipad Project (Assembly and Installation of Phase II Helipads), and to discuss the Agency's legal strategy regarding the Mahoney Lake Hydroelectric Project. The Executive Session will be conducted pursuant to SEAPA's Bylaws, which are consistent with Alaska Statute 44.62.310 as the discussions will involve matters discussed with an attorney retained by the board, the immediate knowledge of which could have an adverse effect upon the finances and legal position of the Agency, the Projects, or any of the Member Utilities represented on the board. Motion approved unanimously by polled vote.	Action 16-443
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The meeting recessed at 10:41 a.m. for an executive session. The meeting resumed into regular session at 11:20 a.m. and the following motion was made:

➤ Motion	M/S (Williams/Zenge) that at its June 10, 2015 board meeting, the SEAPA Board of Directors authorized staff to enter into a contract with BAM, LLC for Phase II of SEAPA's Swan-Tyee Intertie Helipad Project (Assembly and Installation) for the not-to-exceed value of \$2,148,100. STG Incorporated timely appealed the award. The Board having met in Executive Session and considered STG's appeal and responses thereto, finds that STG's appeal is denied. BAM's bid is not rendered non-responsive by its failure to timely file its corporate Biennial Report and BAM, LLC did not gain any significant advantage over other bidders by virtue of its noncompliance with that requirement. The Board upholds its authorization to SEAPA staff to enter into a contract with BAM, LLC for Phase II of SEAPA's Swan-Tyee Intertie Helipad Project (Assembly and Installation) for the not-to-exceed value of \$2,148,100 as unanimously approved by a polled vote at its June 10, 2015 board meeting. Motion approved unanimously by polled vote.	Action 16-444
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5) **Adjourn**

Chairman Jensen requested a motion to adjourn.

➤ Motion	M/S (Freeman/Zenge) to adjourn the meeting. There were no objections to the motion.	Action 16-445
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Chairman Jensen adjourned the meeting at 11:23 a.m. AKDT.