

**DEPARTMENT OF WATER SUPPLY
COUNTY OF HAWAI‘I
WATER BOARD MEETING
AGENDA**

DATE: December 21, 2021

TIME: 10:00 a.m.

PLACE: Via web conferencing. Host location: 345 Kekūanaō‘a Street, #20, Hilo, Hawai‘i. The public may view the meeting via live stream at <https://www.facebook.com/HawaiiDWS>

Written Testimony: Anyone wishing to provide testimony on an agenda item may also do so by email to dws@hawaiiidws.org, facsimile to (808) 961-8657, or by mail to the Department of Water Supply at 345 Kekūanaō‘a Street, Hilo, HI 96720. Written testimony should be submitted no later than 12 noon, Monday, December 20, 2021, to be acknowledged at the board meeting. All written testimony, regardless of time of receipt, will be part of the permanent record.

Oral Testimony: Those that want to provide oral testimony during the meeting must email dws@hawaiiidws.org no later than 12 noon, Monday, December 20, 2021, with your name, phone number, email address, and the agenda item you wish to testify on. You may be asked to register and your testimony will be included via the web conference application.

- 1) CALL TO ORDER – 10:00 a.m. (*Secretary will take roll call of Board Members in attendance*)
- 2) STATEMENTS FROM THE PUBLIC
- 3) APPROVAL OF MINUTES:
Minutes of the November 23, 2021, Water Board Meeting
- 4) APPROVAL OF ADDENDUM AND/OR SUPPLEMENTAL AGENDA (if necessary)
- 5) SOUTH HILO:

A. VEHICLE BID NO. 2020-04, FURNISHING AND DELIVERING VEHICLES TO THE DEPARTMENT OF WATER SUPPLY:

The vendor, Inter Pacific Motors Inc., dba Orchid Isle Auto Center, is requesting a contract time extension of 90 calendar days for Parts B, C, D, and F of contract 2020-04. The delivery of the vehicles is being delayed due to production and shipping issues brought on by the COVID-19 pandemic. These delays are beyond the control of the vendor. *Note: There are no additional costs associated with this time extension.*

1st time extension – 90 calendar days Parts B, C, D, and F.

RECOMMENDATION: It is recommended that the Board approve a contract time extension of 90 calendar days for Parts B, C, D, and F to Inter Pacific Motors Inc., dba Orchid Isle Auto Center, for VEHICLE BID NO. 2020-04. If approved, the contract completion date will be revised from December 24, 2021, to March 23, 2022, for Parts B, C, D, and F.

6) SOUTH KOHALA:

A. **JOB NO. 2020-1160, PARKER #2 DEEPWELL REPAIR – REQUEST FOR ADDITIONAL FUNDS AND TIME EXTENSION:**

The Contractor, Beylik Drilling & Pump Service, Inc., is requesting a contract change order for the additional work for replacement of the existing discharge head due to the column assembly exceeding the lifting capacity of the Contractor’s pump rig, which was beyond the control of the Contractor. Additionally, the Contractor was forced to cut several column pipes in which they were unable to mechanically break the joints. The description of the additional work and associated fees are as follows:

ITEM	DESCRIPTION	AMOUNT
1.	Removal of the existing discharge head, furnish new discharge head and all appurtenances and installation.. Inclusive of labor, shipping and other related costs.	\$83,230.00
2.	Replacement of 9 damaged 10” x 20’ long galvanized steel column pipes. Inclusive of shipping.	\$36,770.00
	TOTAL	\$120,000.00

Original Contract Amount: \$783,000.00
 Original Contingency Amount: \$78,000.00
 1st Additional Funds Request: \$42,000.00
Total Revised Contract Amount: \$903,000.00

The Contractor is also requesting a contract time extension of 63 calendar days, due to the replacement of the discharge head. This delay was beyond the control of the Contractor.

Staff reviewed the request for the additional funds and time extension and found that the \$120,000.00 and 63 calendar days can be considered justified. *Note: There is \$78,000.00 remaining in the original project contingency. Payment of this work shall be performed by force account.*

1st time extension – 63 calendar days

RECOMMENDATION: It is recommended that the Board approve an increase in contingency of \$42,000.00 to Beylik Drilling & Pump Service, Inc., for a total project cost of \$903,000.00, and approve a contract time extension of 63 calendar days for JOB NO. 2020-1160, PARKER #2 DEEPWELL REPAIR. If approved, the contract completion date will be revised from February 28, 2022, to May 2, 2022.

7) MISCELLANEOUS:

A. **DEDICATIONS:**

We received the following documents for action by the Water Board:

1. **Grant of Easement**

Makana Aloha Plantation Subdivision
 Grantor: Frank Ornellas, Jr. and Susan McCalla Ornellas
 Tax Map Key: (3) 7-5-016:103 (Lot 2-J) portion
 Kahului 2nd, North Kona, Island of Hawai‘i, Hawai‘i

2. Grant of Easement

Makana Aloha Plantation Subdivision
Grantor: Allan H. Stuart, Jr. and Hydi R. Reddick Stuart
Tax Map Key: (3) 7-5-016:102 (Lot 2-H) portion
Kahului 2nd , North Kona, Island of Hawai‘i, Hawai‘i

RECOMMENDATION: It is recommended that the Water Board accept these documents subject to the approval of the Corporation Counsel, as to form and legality, and that either the Chairperson or the Vice-Chairperson be authorized to sign the documents.

B. JOB NO. 2018-1093, SOLAR PHOTOVOLTAIC ENERGY GENERATION SYSTEM AT FIVE (5) DEPARTMENT OF WATER SUPPLY LOCATIONS – POWER PURCHASE AGREEMENT – REQUEST FOR TIME EXTENSION:

The contractor, EnRG Hawaii Solutions, LLC, is requesting a contract time extension of 185 calendar days due to unforeseen delays in getting the building permit to start construction. This is the fourth time extension request for this project.

Ext. #	From (Date)	To (Date)	Days (Calendar)	Reason
1	7/2/21	9/8/2021	68	Statewide “stay-at-home” order and suspension of all on-site work (approved at the June 2020 Water Board Meeting).
2	9/8/2021	9/23/2021	15	Statewide “stay-at-home” order (approved at the July 2020 Water Board Meeting).
3	9/23/2021	1/15/2022	114	Delays in receiving the building permit at Kona, Waimea and Main Office sites (approved at the August 2021 Water Board Meeting).
4	1/15/2022	7/19/2022	185	Delays in receiving the building permit at Hilo and Water Quality Building
Total Days (including this request)			382	

Staff reviewed the request for the contract time extension and the accompanying supporting documentation and finds the 185 calendar days justified. *Note: There are no additional costs associated with this time extension.*

RECOMMENDATION: It is recommended that the Board approve this contract time extension of 185 calendar days to EnRG Hawaii Solutions, LLC, for JOB NO. 2018-1093, SOLAR PHOTOVOLTAIC ENERGY GENERATION SYSTEM AT FIVE (5) DEPARTMENT OF WATER SUPPLY LOCATIONS – POWER PURCHASE AGREEMENT. If approved, the contract completion date will be revised from January 15, 2022, to July 19, 2022.

C. MONTHLY PROGRESS REPORT:

Submission of Progress Report of Projects by the Department. Department personnel will be available to respond to questions by the Board regarding the status/progress of any project.

D. REVIEW OF MONTHLY FINANCIAL STATEMENTS:

Submission of financial statements and information relating to the financial status of the Department. Department personnel will be available to respond to questions by the Board relating to the financial status of the Department.

E. ADOPTION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION AND ORDER FOR NOVEMBER 23, 2021, CONTESTED CASE HEARING REGARDING WATER SERVICE ACCOUNT NO. 002-50001000-11 (IN THE MATTER OF THE APPEAL OF ALICIA D. WILLS)

The above Contested Case Hearing took place on November 23, 2021, in accordance with Chapter 91 of the Hawai'i Revised Statutes and Rule 2-5 of the Rules and Regulations of the Department of Water Supply. For review and adoption by the Board of the Findings of Fact, Conclusions of Law and Decision and Order.

F. MANAGER-CHIEF ENGINEER'S REPORT:

The Manager-Chief Engineer to provide an update on the following:

1. North Kona Wells
2. COVID-19 Update
3. 2022 Water Board Schedule
4. Retiree of the Department of Water Supply

G. EXECUTIVE SESSION: MANAGER-CHIEF ENGINEER AND DEPUTY EVALUATION AND COMPENSATION FOR CALENDAR YEAR 2021:

The Board anticipates convening an executive meeting to consider the evaluations of the Manager-Chief Engineer and Deputy for its annual performance review, as authorized by Hawai'i County Charter Section 7-4.6(d) and Hawai'i Revised Statutes ("HRS"), Sections 92-4 and 92-5(a)(2). The Board wishes to have its attorney present, in order to consult with the board's attorney on its questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities pursuant to HRS Section 92-5(a)(4). A two-thirds vote of the members present, pursuant to HRS Section 92-4, is necessary to hold an executive meeting, provided that the affirmative vote constitutes a majority of the board.

H. MANAGER-CHIEF ENGINEER AND DEPUTY EVALUATION AND COMPENSATION FOR CALENDAR YEAR 2021:

Discussion/action on Manager-Chief Engineer and Deputy evaluation and compensation.

I. CHAIRPERSON'S REPORT:

1. Chairperson to report on matters of interest to the Board.
2. Outgoing Water Board Members (terms ending December 31, 2021):
 - Mr. William Boswell, Jr., District 8, appointed April 13, 2017
 - Mr. Eric Scicchitano, District 4, appointed May 19, 2017

8) ANNOUNCEMENTS:

1. **Next Meeting:** - January 25, 2022, 10:00 a.m., via Web Conferencing

9) ADJOURNMENT

Anyone requiring an accommodation or auxiliary aid and/or services to participate in this meeting (i.e. sign language, interpreter, large print), please contact the Board Secretary, at 961-8050 as soon as possible, but no later than five days before the scheduled meeting.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai‘i County Clerk within five days of becoming a lobbyist. {Article 15, Section 2-91.3(b), Hawai‘i County Code} A lobbyist means “any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.” {Article 15, Section 2-91.3(a)(6), Hawai‘i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, Hilo, Hawai‘i.

“The Department of Water Supply is an Equal Opportunity provider and employer.”