

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

MEETING DATE: January 24, 2023

TIME: 10:00 a.m.

PLACE: Department of Water Supply, Hilo Operations Baseyard, 889 Leilani Street,
Hilo, Hawai‘i

Due to the expiration of Governor Ige’s COVID-19 Emergency Proclamation, members of the public are encouraged to continue face masking, physical distancing, and sanitizing, as outlined in the County of Hawai‘i Coronavirus Best Practices, Living with Coronavirus in our Community.

Public testimony may be done in person or in writing by email (dws@hawaiiidws.org), fax (808-961-8657), or by mail: 345 Kekūanaō‘a Street, Suite 20, Hilo, HI 96720. Please indicate agenda item submitting for. All testimony, regardless of time of receipt, will be part of the permanent record.

- 1) CALL TO ORDER – 10:00 a.m. (*please turn cell phones off or set to silent*)
- 2) STATEMENTS FROM THE PUBLIC – Pursuant to HRS §92-3, oral testimony may be provided entirely at the beginning of the meeting, or immediately preceding the agenda item.
- 3) APPROVAL OF MINUTES:
 - Minutes of the December 20, 2022, Public Hearing on the Power Cost Charge
 - Minutes of the December 20, 2022, Water Board Meeting
- 4) APPROVAL OF ADDENDUM AND/OR SUPPLEMENTAL AGENDA (if necessary)
(Note: Roll Call Required)
- 5) NORTH KONA:

Chair: Is there any testimony for this item?

A. JOB NO. 2022-1205, PALANI DEEPWELL REPAIR

This project generally consists of furnishing all labor, materials, tools and equipment necessary to remove the existing pump, motor, and column assembly; install new submersible pump, slim-line motor, column assembly, power cable, sounding tubes, and all appurtenant materials; chlorination of the well and pumping assembly; daily clean-up of the job site at the conclusion of each work day; complete an efficiency test; and perform all incidental work necessary to complete repair in accordance with the specifications.

Bids for this project were opened on January 12, 2023, at 2:30 p.m., and the following are the bid results:

Bidder	Bid Amount
Beylik/Energetic A JV	\$649,770.00
Derrick’s Well Drilling and Pump Services, LLC	\$595,000.00

Project Costs:

1) Low Bidder (Derrick’s Well Drilling & Pump Services, LLC)	\$ 595,000.00
2) Contingencies (10%)	\$ 59,500.00
Total Cost:	<u>\$ 654,500.00</u>

Funding for this project will be from DWS’s CIP Budget under Deepwell Pump Replacement. The contractor will have 90 calendar days for Parts “A” – “D” to complete the well repair with the Contractor’s furnished equipment and 150 calendar days for Part “E” to complete the pumping assembly refurbishment. The Engineering estimate for this project was \$660,000.00.

Well History:

Palani Deepwell:

Original Installation: September 2013

Repaired: October 2017

Repaired: December 2019

Repaired: August 2021

RECOMMENDATION: It is recommended that the Board award the contract for JOB NO. 2022-1205, PALANI DEEPWELL A REPAIR, to the lowest responsible bidder, Derrick’s Well Drilling and Pump Services, LLC, for their bid amount of \$595,000, plus \$59,500.00 for contingencies, for a total contract amount of **\$654,500.00**. It is further recommended that either the Chairperson or the Vice-Chairperson be authorized to sign the contract, subject to review as to form and legality by Corporation Counsel.

6) SOUTH KOHALA:

A. JOB NO. 2021-1171 (REBID), LĀLĀMILO B DEEPWELL REPAIR– REQUEST FOR TIME EXTENSION:

Chair: Is there any testimony for this item?

The Contractor, Derrick’s Well Drilling and Pump Services, LLC is requesting a contract time extension of 76 calendar days, due to delays from the Manufacturer. This was beyond the control of the Contractor.

Staff reviewed the request for the time extension and the accompanying supporting documentation and found the 76 calendar days to be justified. *Note: There are no additional costs associated with this time extension.*

Ext. #	From (Date)	To (Date)	Days (Calendar)	Reason
1	02/28/2023	05/15/2023	76	Delays from Manufacturer.
Total Days (including this request)			76	

RECOMMENDATION: It is recommended that the Board approve a contract time extension of 76 calendar days to Derrick’s Well Drilling and Pump Services, LLC, for JOB NO. 2021-1171 (REBID), LĀLĀMILO B DEEPWELL REPAIR. If approved, the contract completion date will be revised from February 28, 2023, to May 15, 2023.

B. AMENDMENT TO AGREEMENT BETWEEN THE WATER BOARD OF THE COUNTY OF HAWAI’I AND PARKER LAND TRUST:

Chair: Is there any testimony for this item?

Parker Land Trust is proposing an amendment to the Agreement between the Water Board of the County of Hawai’i and the Parker Land Trust. The required Parker Ranch Well No. 1 and transmission improvements were completed and dedicated to the Water Board in February 2003. As stated in the proposed amendment, Parker Land Trust was not able to proceed with the full implementation of rezoning Ordinance No. 02-25 however, is currently proceeding with development of the Waimea Town Center and other related developments. The existing Agreement allows for the allocation of water to the Parker Land Trust until February 2023 thus, Parker Land Trust desires additional time to complete its plans and allocate the available water from Parker Ranch Well No. 1 accordingly.

Staff has reviewed the proposed Amendment to Agreement and finds that an extension of three (3) years to allocate the remaining balance from Parker Ranch Well No. 1 to the Parker Land Trust development area is acceptable.

RECOMMENDATION: It is recommended that the Water Board approve the Amendment to Agreement between the Water Board and Parker Land Trust and authorize the Chairperson or Vice-Chairperson to execute the document subject to the review and approval of the Corporation Counsel.

7) **SOUTH KONA:**

A. JOB NO. 2021-1179, KE’EI #2A & #3B BOOSTER REPAIR (REQUEST FOR TIME EXTENSION)

The Contractor, Beylik/Energetic A JV is requesting a contract time extension of 175 calendar days, due to delays from the Manufacturer This was beyond the control of the Contractor.

Staff reviewed the request for the time extension and the accompanying supporting documentation and found the 175 calendar days to be justified. *Note: There are no additional costs associated with this time extension.*

Ext. #	From (Date)	To (Date)	Days (Calendar)	Reason
1	01/13/2023	07/07/2023	175	Delays from Manufacturer .
Total Days (including this request)			175	

RECOMMENDATION: It is recommended that the Board approve a contract time extension of 175 calendar days to Beylik/Energetic A JV, for JOB NO. 2021-1179, KEEI #2A & #3B BOOSTER REPAIR. If approved, the contract completion date will be revised from January 13, 2023, to July 7, 2023.

8) MISCELLANEOUS:

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

Chair: Is there any testimony for this item?

The contractor, EnRG Hawaii Solutions, LLC., is requesting a contract time extension of 42 calendar days due to unforeseen delays in getting a witness verification test from Hawaiian Electric. This is the fifth time extension request for this project.

	From (Date)	To (Date)	Days (Calendar)	Reason
Ext. #1	7/2/21	9/8/2021	68	Statewide “stay-at-home” order and suspension of all on-site work.
Ext. #2	9/8/2021	9/23/2021	15	Statewide “stay-at-home” order.
Ext. #3	9/23/2021	1/15/2022	114	Delays in receiving the building permit at Kona, Waimea and Main Office sites.
Ext. #4	1/15/2022	7/19/2022	185	Delays in receiving the building permit at Hilo and Water Quality Bldg sites.
Susp. #1	7/19/2022	12/17/2022	151	Contract suspension per HAR 3-125-7(1) due to conflict with the DWS Hilo Baseyard generator project work.
Susp. #2	12/17/2022	1/26/2023	40	Contract suspension per HAR 3-125-7(1) due to conflict with the DWS Hilo Baseyard generator project work.
Ext. #5	1/26/2023	3/9/2023	42	Delays in Hawaiian Electric scheduling Witness Verification Test at Hilo Baseyard.
Total Days (including this request)			615	

Staff reviewed the request for the contract time extension and the accompanying supporting documentation and finds the 42 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 42 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 26, 2023, to March 9, 2023.

B. MONTHLY PROGRESS REPORT:

Chair: Is there any testimony for this item?

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.

C. REVIEW OF MONTHLY FINANCIAL STATEMENTS:

Chair: Is there any testimony for this item?

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.

D. 2023 WATER BOARD SCHEDULE:

Chair: Is there any testimony for this item?

For discussion and possible action.

E. MANAGER-CHIEF ENGINEER'S REPORT:

Chair: Is there any testimony for this item?

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

1. North Kona Wells

F. EXECUTIVE SESSION REGARDING OPEN LITIGATION FOR CIVIL NO. 19-1-0215K, BODELL CONSTRUCTION COMPANY:

The Board anticipates convening an executive meeting for the purposes of discussing the legal rights, duties and liabilities of the Board concerning open litigation against the Board, as authorized by Hawai'i County Charter Section 74.6 and Hawai'i Revised Statutes ("HRS"), Section 92-4 and 92-5(a)(4). 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.

G. CHAIRPERSON'S REPORT:

Chairperson to report on matters of interest to the Board.

9) **ANNOUNCEMENTS:**

A. **NEXT MEETING:** February 28, 2023, 10:00 a.m., at the Department of Water Supply, Hilo Operations Baseyard, 889 Leilani Street, Hilo, Hawai'i

10) **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 (808) 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.

Board Packet Pursuant to Hawai'i Revised Statutes, Section 92-7.5, the board packet provided to members of the board for this meeting is available for public inspection during regular business hours at the Department of Water Supply office, 345 Kekūanaō'a Street, Suite 20, Hilo, Hawai'i.

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