



PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP -or- Program)

Finance Committee (FC) Virtual Meeting

Tuesday, February 23, 2021; 1:00-2:00 PM CST

Meeting held online via MS Teams

Finance Committee (FC)

State of Wyoming

Brandon Gebhart (2021 FC Vice Chair)

Bureau of Reclamation (Reclamation)

Brock Merrill

State of Colorado

Jojo La (2021 FC Chair)

U.S. Fish and Wildlife Service (Service)

Matt Rabbe

Tom Econopouly

State of Nebraska

Tom Riley

Environmental Entities

John Denton (Ducks Unlimited)

Upper Platte Water Users

n/a

Colorado Water Users

Alan Berryman

Rich Belt

Downstream Water Users

Devin Brundage

Executive Director's Office (EDO)

Jason Farnsworth, ED

Chad Smith

Tim Tunnell



WELCOME & ADMINISTRATIVE

Introductions – Chair Jojo La called the meeting to order at 11:04 AM Central Time. La greeted the group and asked Rich Belt to introduce himself as a representative of Colorado Water Users.

Agenda – No modifications offered.

Minutes:

FC Motion: *Riley moved and Econopouly seconded to approve the January 4, 2021 FC Virtual Meeting minutes as amended (deletion of extraneous sentence) .* **Minutes approved.**

FC Action Item Table – Farnsworth previewed the items to be discussed with the FC during the virtual meeting today.

ISAC

Smith discussed the ISAC contract amendments for 2020 and gave a brief overview of the EDO's plans for ISAC membership moving forward. Econopouly asked if an ISAC of six members is too large and if the Program should consider a smaller number of members. Smith said the GC settled on six members at the beginning of the Program and that number has remained constant. Smith said he will talk with the TAC and GC about whether six members is still the right amount or if the Program should consider a smaller ISAC. Econopouly asked about the ISAC hourly rate increasing up to \$200/hr. Smith said the EDO proposed increasing the rate to \$200/hr in the FY 2021 budget over the previous amount of \$180/hr to better reflect the market rate for PhD-level independent scientists. This rate change was approved by the GC in December 2020. La asked about engaging with the ISAC more and whether more in-person engagement is expected in 2021. Smith said when the budget and work plan were developed in late 2020, the pandemic was still in effect and the Program made the decision to change the February 2021 AMP Reporting Session to a virtual session. Smith also informally polled ISAC members about their travel prospects and availability in 2021 and the general consensus was it would be hard to forecast travel availability. So, the ISAC budget for 2021 was built on all virtual engagement but incorporated a significant increase in the level of Program engagement with the ISAC (quarterly ISAC meetings, ISAC members attend and present at all GC meetings, smaller ISAC sessions on focused topics, etc.). Brundage asked about areas of expertise that may need to be represented on the ISAC. Smith said the Program should consider adding some more experience with vegetation (relative to issues related to channel width and germination suppression), maybe fish expertise (pallid sturgeon), and other areas of expertise based on discussions with the TAC and GC.

FC Motion: *Econopouly moved and Berryman seconded to approve the 2021 contract amendments for the six (6) ISAC members.* **Contract amendments approved.**

COTTONWOOD RANCH BSR PROJECT FENCING

Tunnell discussed Econopouly asked about the potential of work being done by May 1. Tunnell said that will be a function of how contractors reply to the RFQ, costs, and how quickly things can be completed as to whether that date can be met. Denton asked about the top wire being smooth and if that means the fencing will be wildlife-friendly. Tunnell said the plan at this time is to do all barbed wire. If there was smooth wire, it would be on the bottom. Farnsworth said if there is interest in helping work through the bids to see if there are options to select a contractor that will use smooth wire. Denton will receive the bid tab sheet to help review the bids. Gebhart asked about the completion date and whether the



EDO anticipates adding an alternate completion date as a possibility. Tunnell said we have not had issues with contractors before, we will ask for an estimated completion dates with the quotes to help compare bids. Gebhart asked if it would be worth a price comparison between completing in May and completing at their discretion. Tunnell said we want to get this done as quickly as possible, our pool of contractors is local, and he does not see impediments at this time to getting the work done by May 1.

Riley said he does not see a Section 11 as referenced on Page 8 in Spec 92. Tunnell agreed there are only 10 sections and the RFQ will be adjusted accordingly. Riley said the spec on 585 does not appear to up to date. Farnsworth said the EDO will update all the language accordingly with the most up-to-date specs. Denton said he has to operate with federal funding sources that require DU to use install wildlife-friendly fencing and wondered if the Program must follow the same requirements. Farnsworth said no, we do not have those limits based on the way the Program is funded. Tunnell and Farnsworth said we can change the RFQ to call for smooth wire on the bottom. Rabbe asked if this property is open in the PRRA. Tunnell said just the south quarter section. Rabbe said at least the portion open to PRRA should be fenced as wildlife-friendly.

FC Motion: Riley moved and Denton seconded to approve the Cottonwood Ranch BSR Project fencing RFQ (spec language for wood treatment, Section 11 references, bottom wire will be smooth wire to make it more wildlife-friendly). **RFQ approved.**

PREDATOR FENCING

Tunnell discussed the potential for installing turtle exclusion fence (woven wire) at the Broadfoot South lease tern/plover nesting site via a Sole Source Selection. This will be less wood posts and more T-posts and used for the predation study. Farnsworth said the PRRIP Procurement Policy does allow for Sole Source but we use this tool infrequently. This is a scenario where under the Procurement Policy, the EDO can get quotes on work that is under \$25,000. We weren't sure what this work would cost, the EDO developed a rough design and asked a specific contractor that does good work on sand to give an estimate. The quote came back at \$30,000 so we can either go out with a full bid package and we might miss this nesting season or we can do the work via Sole Source with the contractor that is likely to win a bid process and get the fencing work done before this summer's nesting season begins. Merrill asked if Nuttelman has built fencing like this for the Program before under contracts/bids. Tunnell said yes, almost all of the nesting-site related predator fencing. This would be temporary fencing so the cost is lower. Merrill said he would like to see the Sole Source memo include more information about the history with this contractor and the work he has done for the Program previously. Farnsworth agreed and said that detail would be added for the upcoming GC meeting. Gebhart asked if we are regulated by state statute for procurement. Farnsworth said the Program has its own Procurement Policy that is an amalgam of the federal process and the state processes.

La asked about the process of getting the quote from Nuttelman and if that followed the required process. Farnsworth said we went directly to this contractor because he is the only person in the area that does this type of fencing, and the EDO need his expertise to think about design and how to make predator fencing at this location. La asked how much we might lost if we tried to push this quote down to \$25,000 or lower. Farnsworth said we wouldn't ask him to do that, he has already pushed the cost hard to get a good value at an efficient cost. Tunnell said we could ask for a quote with a reduced footage of fence to lower the price but that would impact the effectiveness of this site for research purposes. Riley said the local component drives many of these projects, costs like mobilization /



demobilization would make other contractors much more expensive. On the linear foot price, do you typically build in material and installation? Tunnell said yes, that is how we have typically done it but we can ask him to separate those costs out.

PRRIP PROCUREMENT

Farnsworth discussed the PRRIP Procurement Policy and how it relates to the unique structure of the Program and the use of a Financial Management Entity. La said this has the propensity to get caught up in the Colorado system so it may take a while to get comments. Farnsworth said we can take our time on this, no need to hurry to try to get this in front of the GC in March. Riley asked if this had been sent before for review. Farnsworth clarified that it was sent to the cash contributors (DOI, CO, and WY). Riley said he will ponder whether we need to move this through getting comments relative to Nebraska's procurement policies. Gebhart asked whether we have looked into how money is obligated and whether Wyoming's procurement laws pertain to a program that is working on the ground in another state. Farnsworth said in the past this has been dealt with by noting the Program is procuring, not the states.

La asked if we should schedule a special FC meeting to discussion procurement. Farnsworth suggested we set a meeting on that topic in April with the goal of trying to get this to the GC for discussion at the June quarterly meeting. The FC agreed.

FC MEETING REVIEW & WRAP-UP

Action Items & Meeting Feedback – None.

Next FC Meeting – Farnsworth said the EDO will look to schedule the next FC meeting in April to discuss procurement.

FC MEETING END

Meeting adjourned at 12:10 PM Central Time.

Summary of Action Items/Decisions from February 23, 2021 FC Virtual Meeting

- 1) Approved January 4, 2021 FC virtual meeting minutes.
- 2) Approved the 2021 contract amendments for all ISAC members.
- 3) Approved the RFQ for Cottonwood Ranch BSR Project fencing.
- 4) Agreed to meet in April to discuss issues related to the Program's Procurement Policy.