



City of Needles, California Council Action

☒ CITY COUNCIL/NPUA ☐ BOARD OF PUBLIC UTILITIES ☒ Regular ☐ Special

Meeting Date: December 12, 2023

Title: Approval of Western Area Power Administration Agreement No. 10-DSR-12165, Exhibit B.NWD, Revision No. 4 relating to updated costs for the Nora McDowell Switchyard for fiscal years 2024 through 2026

Background: This exhibit provides for the ownership, operation, maintenance, replacement and financial responsibility for Aha Macav Power Service's Nora McDowell Switchyard. The purpose of this revision is to update the costs for Fiscal Years 2024 through 2026. Board of Public Utilities approved the recommended action December 5, 2023.

Fiscal Impact:

Description	FY 2024	FY 2025	FY 2026
Operations	1,114	1,707	1,844
Maintenance	5,572	8,536	9,219
Budget and Power Marketing Support	969	988	1,008
Total Estimated Annual Charge	\$ 7,655	\$ 11,231	\$ 12,071

Annual costs are supported by the Electric Department under Power Related Expenditures. The increases from previous 3 year term are attributed to WAPA's overhead, SCADA, IT and operating costs. The Board of Public Utilities approved the recommended action on December 5, 2023.

Recommended Action: Approval of Western Area Power Administration Agreement No. 10-DSR-12165, Exhibit B.NWD, Revision No. 4 relating to updated costs for the Nora McDowell Switchyard for fiscal years 2024 through 2026

Submitted By: Rainie Torrance, Utility Manager

City Management Review: *Peter J. [Signature]* **Date:** 12-7-2023

Approved: <input type="checkbox"/>	Not Approved: <input type="checkbox"/>	Tabled: <input type="checkbox"/>	Other: <input type="checkbox"/>
Agenda Item: <u>4</u>			

**OWNERSHIP, OPERATION, MAINTENANCE, REPLACEMENT AND
FINANCIAL RESPONSIBILITIES OF CERTAIN EQUIPMENT AT
AMPS' NORA MCDOWELL SWITCHYARD**

1. This Exhibit B.NMD, Revision No. 4 (Exhibit B.NMD), made this ____ day of _____, 20____, under and as a part of Contract No. 10-DSR-12165 (Contract), shall become effective on the ____ day of _____, 20____, and supersedes Exhibit B.NMD, Revision No. 3, dated, July 1, 2020, . This Exhibit B.NMD shall remain in effect until superseded by another exhibit B.NMD; provided this Exhibit B.NMD, or any superseding exhibit B.NMD, shall terminate upon expiration of the Contract. Capitalized terms used, whether singular or plural, but not otherwise defined in this Exhibit B.NMD shall have the meanings given to such terms in the Contract.
2. In accordance with Letter Agreement No. 08-DSR-11945, Aha Macav Power Service (Contractor) has provided Western Area Power Administration (WAPA) bi-directional transmission rights across their Nora McDowell Switchyard (Switchyard) for the purpose of serving the Contractor during emergency conditions. In accordance with Section 3, herein, WAPA owns and performs operation, maintenance, and replacement of certain equipment in the Switchyard in order to ensure the Contractor receives such emergency service.
3. The operation, maintenance, replacement, ownership, and financial responsibilities of the facilities specified pursuant to this Contract shall be as follows:

Equipment	Operation	Maintenance & Replacement	Ownership	OM&R Financial Responsibility
(2) MDS 400 MHz Radios including (2) 130vdc to 12vdc converters and (2) Yagi	WAPA	WAPA	WAPA	Contractor

Equipment	Operation	Maintenance & Replacement	Ownership	OM&R Financial Responsibility
(2) MDS 400 MHz Radios including (2) 130vdc to 12vdc converters and (2) Yagi Antennas at Topock Substation	WAPA	WAPA	WAPA	Contractor
(1) Remote Terminal Unit and Associated Equipment	WAPA	WAPA	WAPA	Contractor
Revenue Meter No. NMD920 and appurtenant equipment installed at 69-kV	WAPA	WAPA	WAPA	Contractor

4. In accordance with Section 12 of the Contract, the Contractor shall advance to WAPA an annual payment for each fiscal year period from October 1st to September 30th for the operation and maintenance of the facilities listed above.

4.1 The annual payment is as follows:

Description	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026
Operations	\$ 1,114	\$ 1,707	\$ 1,844
Maintenance	\$ 5,572	\$ 8,536	\$ 9,219
Budget and Power Marketing Support	\$ 969	\$ 988	\$ 1,008
Total Estimated Annual Charge	\$ 7,655	\$ 11,231	\$ 12,071

- 4.2 For periods of less than one (1) year, the prorated total shall be on the basis of one-twelfth of the total annual payment per month.

5. This Exhibit B.NMD shall be modified in accordance with Section 19 of the Contract and shall be reviewed at least every three (3) years and revised as necessary or as otherwise agreed upon by the Parties.
6. This Exhibit B.NMD may be executed in any number of counterparts and, upon execution and delivery by each Party, the executed and delivered counterparts together shall have the same force and effect as an original instrument as if all Parties had signed the same instrument. Any signature page of this Exhibit B.NMD may be detached from any counterpart of this Exhibit B.NMD without impairing the legal effect of any signatures thereon, and may be attached to another counterpart of this Exhibit B.NMD identical in form hereto, by having attached to it one (1) or more signature pages.
7. The Parties agree that this Exhibit B.NMD may be executed by either handwritten signature or digitally signed using Adobe Sign or Adobe E-Sign. A digital signature is the same as a handwritten signature and shall be considered valid and acceptable.

Exhibit B.NMD, Revision No. 4
Contract No. 10-DSR-12165
City of Needles, California

The Parties have caused this Exhibit B.NMD, Revision No. 4, to Contract
No. 10-DSR-12165 to be effective in accordance with Section 1, herein.

DEPARTMENT OF ENERGY
WESTERN AREA POWER ADMINISTRATION

By _____
 Jack D. Murray
Title _____ Senior Vice President and
 Desert Southwest Regional Manager
Address _____ Desert Southwest Region
 P.O. Box 6457
 Phoenix, AZ 85005-6457

CITY OF NEEDLES, CALIFORNIA

By _____
Title _____ City Manager
Address _____ 817 Third Street
 Needles, CA 92363

Exhibit B.NMD, Revision No. 3
 Contract No. 10-DSR-12165
 City of Needles, California

**OWNERSHIP, OPERATION, MAINTENANCE, REPLACEMENT AND
 FINANCIAL RESPONSIBILITIES OF CERTAIN EQUIPMENT AT
 AMPS' NORA MCDOWELL SWITCHYARD**

1. This Exhibit B.NMD, Revision No. 3 (Exhibit B.NMD), made this 1st day of July, 2020, under and as a part of Contract No. 10-DSR-12165 (Contract), shall become effective on October 1, 2020, and supersedes Exhibit B.NMD, Revision No. 2, dated April 5, 2017. This Exhibit B.NMD shall remain in effect until superseded by another Exhibit B.NMD; provided this Exhibit B.NMD, or any superseding Exhibit B.NMD, shall terminate upon expiration of the Contract.
2. In accordance with Letter Agreement No. 08-DSR-11945, Aha Macav Power Service (Contractor) has provided Western Area Power Administration (WAPA) bi-directional transmission rights across their Nora McDowell Switchyard (Switchyard) for the purpose of serving the Contractor during emergency conditions. In accordance with Section 3, herein, WAPA owns and performs operation, maintenance, and replacement of certain equipment in the Switchyard in order to ensure the Contractor receives such emergency service.
3. The operation, maintenance, replacement, ownership, and financial responsibilities of the facilities specified pursuant to this Contract shall be as follows:

Equipment	Operation	Maintenance & Replacement	Ownership	OM&R Financial Responsibility
(2) MDS 400 MHz Radios including (2) 130vdc to 12vdc converters and (2) Yagi Antennas at the Nora McDowell Switchyard	WAPA	WAPA	WAPA	Contractor

Equipment	Operation	Maintenance & Replacement	Ownership	OM&R Financial Responsibility
(2) MDS 400 MHz Radios including (2) 130vdc to 12vdc converters and (2) Yagi Antennas at Topock Substation	WAPA	WAPA	WAPA	Contractor
(1) Remote Terminal Unit and Associated Equipment	WAPA	WAPA	WAPA	Contractor
Revenue Meter No. NMD920 and appurtenant equipment installed at 69-kV	WAPA	WAPA	WAPA	Contractor

4. In accordance with Section 12 of the Contract, the Contractor shall advance to WAPA an annual payment for each fiscal year period from October 1st to September 30th for the operation and maintenance of the facilities listed above.

- 4.1 The annual payment is as follows:

Description	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
Operations	\$ 771	\$ 1,264	\$ 842
Maintenance	\$ 3,854	\$ 6,319	\$ 4,209
Budget and Power Marketing Support	\$ 537	\$ 548	\$ 559
Total Estimated Annual Charge	\$ 5,162	\$ 8,131	\$ 5,610

- 4.2 For periods of less than one (1) year, the prorated total shall be on the basis of one-twelfth of the total annual payment per month.

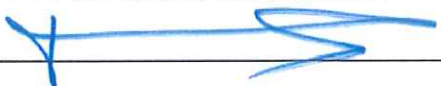
5. This Exhibit B.NMD shall be modified in accordance with Section 19 of the Contract and shall be reviewed at least every three (3) years and revised as necessary or as otherwise agreed upon by the Parties.
6. This Exhibit B.NMD may be executed in any number of counterparts and, upon execution and delivery by each Party, the executed and delivered counterparts together shall have the same force and effect as an original instrument as if all Parties had signed the same instrument. Any signature page of this Exhibit B.NMD may be detached from any counterpart of this Exhibit B.NMD without impairing the legal effect of any signatures thereon, and may be attached to another counterpart of this Exhibit B.NMD identical in form hereto, by having attached to it one (1) or more signature pages.
7. The Parties agree that this Exhibit B.NMD may be executed by either handwritten signature or digitally signed using Adobe Sign or Adobe E-Sign. A digital signature is the same as a handwritten signature and shall be considered valid and acceptable.

Exhibit B.NMD, Revision No. 3
Contract No. 10-DSR-12165
City of Needles, California

The Parties have caused this Exhibit B.NMD to Contract No. 10-DSR-12165 to be
effective in accordance with Section 1, herein.

DEPARTMENT OF ENERGY
WESTERN AREA POWER ADMINISTRATION
By **Tracey A. Lebeau** Digitally signed by Tracey A. Lebeau
Date: 2020.07.01 09:42:45 -07'00'

Tracey A. LeBeau
Title Senior Vice President and
Desert Southwest Regional Manager
Address Desert Southwest Region
P.O. Box 6457
Phoenix, AZ 85005-6457

CITY OF NEEDLES, CALIFORNIA
By 

Title CITY MANAGER
Address 817 Third St.
Needles, CA 92363

ATTEST

Dale Jones
city clerk
TITLE _____