



MEMORANDUM

To: LPWWA Board

From: Bikis Water Consultants, LLC
Eric A. Bikis, Project Manager

Date: January 6, 2009

Re: Intake Structure Project Status Report

This report covers the period from December 16, 2008 through January 6, 2009. Notable items for this period are described below.

Intake Construction - EPC

- Construction Progress: Due to snow and holidays, construction work slowed during this period. Big Stan continued to drill and muck out the shaft. Work has also continued in laying the pipelines and setting up the jacking pit. Updates were provided by EPC and have been documented in the Daily Construction Reports, prepared by Drew Chandler, P.E..
- Revisions to Design: EPC is preparing a more detailed proposal for changes to the access road and relocation of the water treatment plant.

La Plata County

- Meeting with County Manager: Two LPWWA members and Eric Bikis will meet with Shawn Nau, County Manager, and other County staff on Friday, January 9, 2008, in order to establish communication protocol between LPWWA and the County. It is also anticipated county staff, county commissioners and others will tour the site on Monday, January 12, 2008.

Project Budget

- Budget Table: The revised and updated Project Budget table is attached. There have been no significant changes since the last meeting.
- CWRPDA Requisition No. 3: A requisition request to the CWRPDA is attached for Board review and approval. This request includes invoices from EPC, Russell, BWC and Bud Smith for a total of \$1,029,508.25.

Attachments: Project Budget and Payment Summary (Updated: January 6, 2009) [BWC]
CWRPDA Requisition Request No. 2 (January 6, 2009) [BWC]

cc: Bud Smith, Esq.
Bob Hill, Reid Tanner, Dennis Shaw: EPC Corporation
Lena Atencio, Scott McElroy: SUIT
Peter Ortego: UMU

LPWWA Board
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Tim Feehan: CWCB
Rick Ehat, Pat Page, Tyler Artichoker, Pam Tirey: BOR
Dan Law: CWRPDA
Victoria Schmitt: La Plata County Engineer

P:\Project Files\059-07 La Plata West Water Authority\2008\LPWWA\BWC Status Reports\LPWWA Status Report 1-6-09.doc

LPWWA Intake Structure Project
Financial Summary - Budget, Expenditures and Remaining to be Spent
As of January 6, 2009

Item	Budget	Allocated	Remaining	Notes
Design	\$520,585	\$515,146	\$5,439	
Construction	\$4,148,923	\$726,555	\$3,422,368	Based on reduced scope of project
Fish Screen (air hoses)	\$83,720	\$0	\$83,720	Approved in Change Order No. 3
Project Management	\$84,400	\$66,321	\$18,079	All invoices (paid and unpaid) are included in allocated
Contingency	\$508,922	\$319,001	\$189,921	Known items and allocations shown below
Funds Allocated in 2009 Budget	\$250,000	\$112,000	\$138,000	Known items and allocations shown below
Total	\$5,596,550	\$1,739,022	\$3,857,528	

Known Contingency Costs

Item	Cost	Notes
Reclamation (Admin + Appraisal)	\$21,555	Paid
Land Lease Fees	\$20,856	Paid
Archaeology (LAC)	\$8,535	Paid
Legal Description/Survey (Goff)	\$11,819	Paid
Bond Attorney Fees	\$13,000	Paid
Drilling under Atmos Line	\$60,000	Estimated cost from EPC
Construction Management	\$20,400	\$496.10 paid
Acceleration Cost and Drilling	\$202,836	Approved in Change Order No. 2
Total	\$319,001	

2009 Budget Allocated Items

Item	Cost	Notes
Concrete Collar of Shaft	\$40,000	Pending Board Approval
Steel Roof for Shaft	\$60,000	Pending Board Approval
SWMP	\$12,000	Pending Board Approval
Pioneering Access Road	TBD	Estimated at \$250,000
Total	\$112,000	

Decreased Construction Costs

Item	Cost	Notes
Carrier Pipe Credit	+\$6,680	Change in pipe (11-24-08)

Notes:

- 1) Budget based on original CWCB application and reduced scope for construction (Change Order No.1)
- 2) Total Funds available = \$5,600,000 (CWCB -\$1.1 million, Ute Tribes - \$4.5 million).
- 3) Contingency is ten percent of known costs on September 24 (\$508,922)
- 4) The 2009 Budget estimated \$250,000 as available to complete construction tasks; some of the funds have been tentatively allocated as shown
- 5) Project Management is exclusively fees from BWC and Bud Smith, Esq.
- 6) The Board decided not to include Mussel Mitigation coating at this time, a reduction of \$220,000.
- 7) An access road will be pioneered to the intake structure; the cost, location and engineering of the road will be determined by the end of construction.

LPWWA Intake Structure Project

Payment Request Summary Sheet

Updated: December 17, 2008

CWCB Grant Reimbursements

Request No.	Amount (\$)	Date Submitted	Paid (Y/N)
Reimbursement Request No. 1	\$7,045.52	7/24/2008	Y
Reimbursement Request No. 2	\$17,240.76	8/8/2008	Y
Reimbursement Request No. 3	\$10,234.00	8/22/2008	Y
Reimbursement Request No. 4	\$354,093.62	9/18/2008	Y
Reimbursement Request No. 5	\$31,568.00	10/10/2008	Y
Reimbursement Request No. 6	\$164,609.08	10/24/2008	Y
Reimbursement Request No. 7	\$44,428.79	11/7/2008	Y
Reimbursement Request No. 8	\$470,780.23	12/4/2008	Y
Total	\$1,100,000.00		
Remaining from \$1.1 million	\$0.00		

CWRPDA Loan Disbursements

Request No.	Amount (\$)	Date Submitted	Paid (Y/N)
Reimbursement Request No. 1	\$278,186.97	12/4/2008	Y
Reimbursement Request No. 2	\$1,029,508.25	Pending	N
Total	\$1,307,695.22		
Remaining from \$3.5 million	\$2,192,304.78		

**EXHIBIT F
FORM OF REQUISITION**

LA PLATA WEST WATER AUTHORITY, COLORADO

Project 'Loan Account for the LA PLATA WEST WATER AUTHORITY, COLORADO, (the "Governmental Agency")

To:
Colorado Water Resources & Power Development Authority
Attn: Cassandra Eyestone
1580 Logan Street -Suite 620
Denver, CO 80203

This requisition is, made in accordance with Section 3.02 of the Loan Agreement between the Colorado Water Resources and Power Development Authority and the LA PLATA WEST WATER AUTHORITY, COLORADO, on November 18, 2008. Terms defined in the Loan Agreement and not otherwise defined herein shall have the same meanings when used herein.

The Governmental Agency hereby states as follows:

1. This is Requisition No. 2
2. The amount requisitioned hereunder is \$1,029,508.25.
3. The person, firm or corporation to whom the amount requisitioned is due, or to whom a reimbursable and advance has been made, are EPC Corporation, Russell Engineering, Inc., Bikis Water Consultants, LLC and Floyd Smith, Esq.
4. The payee of the requisitioned amount is La Plata West Water Authority.
5. The manner of payment to the payee is to be wire transferred to:

Bank: *****

ASA No.: *****

Account No.: *****

Account Name: La Plata West Water Authority

Contact: Gene Bradley, LPWWA Treasurer

6. Attached hereto is a statement, copy of a bill, or other proof that the amount requisitioned hereunder is currently due or has been advanced by the Governmental Agency.
7. The amount hereby requisitioned is a proper Cost of the Project to be paid only from amounts deposited in the Project Account established for the Governmental Agency.
8. On the date hereof, there does not exist any Event of Default under the Loan Agreement, or any condition which, with the passage of time or the giving of notice, or both, would constitute an Event of Default thereunder.
9. The undersigned is an Authorized Officer of the Governmental Agency duly authorized to submit this Requisition.

10. The Governmental Agency reaffirms that all representations made by it in the Loan Agreement are true and accurate as of the date of this requisition, and that it shall continue to observe and perform all of its duties, covenants, obligations and agreements thereunder, at all times during the entire term of said Loan Agreement.

Dated: January 6, 2009

LA PLATA WEST WATER AUTHORITY,
COLORADO

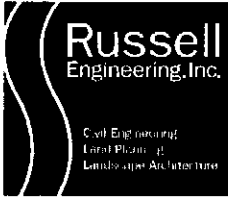
By: DRAFT
Mark Langford, President LPWWA

The undersigned approves the disbursement of the requisitioned amount from the Project Account established for the Governmental Agency.

COLORADO WATER RESOURCES AND
POWER DEVELOPMENT AUTHORITY

By: _____
Finance Director

Dated: _____



RUSSELL ENGINEERING, INC.

934C MAIN AVENUE
DURANGO, CO 81301

Lake Nighthorse Intake Structure

Invoice to:
La Plata West Water Authority
P.O. Box 631
Durango, CO 81302

Invoice #	Date	Amount Due
08-4874	12/03/08	\$496.10

Summary of Charges

	Period	Amount
Time Charges	Nov, 2008	\$467.50
Expenses	Nov, 2008	\$28.60
<i>Mileage</i>		
		\$496.10

Detail: Summary of Time Charges

	Hours	Amount
Steven Miller	5.5	\$467.50
		\$467.50
Total Time Charges:		\$467.50



Invoice

Invoice #: 1822
Invoice Date: 1/6/2009
Due Date: 2/5/2009
Project No. 059.07.01
Project Manager: EAB

Bill To:

La Plata West Water Authority
Mr. Mark Langford
PO Box 631
Durango, CO 81301

Job Name: La Plata West Water Authority

Description	Hours/Qty	Rate	Amount
Services Provided for the Period December 1 - December 31, 2008:			
Senior Professional Consultant I	29.75	143.00	4,254.25
Professional Consultant IV	37.25	53.00	1,974.25
Technician I	3.75	46.00	172.50
Technician II	6.5	40.00	260.00
<ul style="list-style-type: none"> • Revise Drawdown document and provide drafts for review. • Update project budgets. • Review 2009 budget with Treasurer. • Prepare repayment requests for CWCB and CWRPDA. • Prepare summary of permits for project for County. • Attend BOCC meeting on December 9, 2008. • Continue to develop draft mussel mitigation document. • Prepare project status reports; follow up meetings and distribute reports. • Prepare and Attend Board Meetings on December 2, 2008 (site visit) and December 16, 2008. • Review and distribute construction observation reports. • Discuss Atmos gas line work and associated costs with EPC. • Work with construction manager and EPC on proper compaction methods, per specifications. • Schedule meeting with county regarding communication and site visit. 			

Please remit to the above address. Thank you for your business.

Signature

Balance Due



555 RiverGate Lane, Suite B4-82
Durango, Colorado 81301
Phone: 970.385.2340 Fax: 970.385.2341
www.bikiswater.com

Invoice

Invoice #: 1822
Invoice Date: 1/6/2009
Due Date: 2/5/2009
Project No. 059.07.01
Project Manager: EAB

Bill To:

La Plata West Water Authority
Mr. Mark Langford
PO Box 631
Durango, CO 81301

Job Name: La Plata West Water Authority

Description	Hours/Qty	Rate	Amount
• Coordinate with Russell on change in construction manager			
Total Professional Services			6,661.00
Client in-house expenses (phone, fax, copies, etc.)		5.00%	333.05
CAD/GIS	4	20.00	80.00

Please remit to the above address. Thank you for your business.

Balance Due

\$7,074.05

Signature

Floyd L. Smith
Attorney At Law
48 County Road 250, Suite 5
Durango CO 81301

La Plata West Water Authority
PO Box 631
Durango CO 81302

DEC 31 2008

In Reference To: Intake Structure

Professional services

	Hours	Amount
12/1/08- email correspondence	0.50	125.00
- Telephone Conference with Eric;	0.70	175.00
Telephone Conference with Sheryl Rogers; Prepare email; Review minutes		
12/2/08- Review and revise 10-23 and 11-18 minutes; Prepare email to Ryan re: reimbursement	0.80	200.00
- Board Meeting	3.00	750.00
12/3/08- Review reemption law; Prepare memo to board	0.80	200.00
- Prepare budget hearing notice	0.20	50.00
- Telephone, research; email correspondence re: funding for Phase 2	0.80	200.00
- Review emails, LPC LUC, correspondence; Prepare email re: La Plata County	1.00	250.00
12/4/08- email correspondence; Telephone Conference with Ryan, Dan Law; Review loan agreement and requisition request	0.50	125.00

	Hours	Amount
12/6/08- Review and revise La Plata County letter re: intake project	0.60	150.00
12/8/08- Revise BOCC memo; Prepare emails	0.40	100.00
12/9/08- email correspondence and BOCC meeting	1.00	250.00
12/10/08- Review emails, minutes; Telephone Conference with Reid; Prepare letter re: Atmos	0.80	200.00
12/16/08- Review financial statements, budget, budget message & resolutions	1.40	350.00
- Review construction memos	0.30	75.00
- Board Meeting	2.20	550.00
12/17/08- email correspondence re: budget, La Plata County	0.50	125.00
12/30/08- Review constructrion memos, emails	0.40	100.00
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For professional services rendered	15.90	\$3,975.00
Additional charges:		
	Qty/Price	
12/23/08- Copies	1	0.10
	0.10	<hr/>
Total costs		\$0.10
		<hr/>
Total amount of this bill		\$3,975.10
Previous balance		\$13,375.23
12/17/08- Payment - thank you		(\$4,574.63)
12/23/08- Payment - thank you		(\$8,800.60)
		<hr/>
Total payments		(\$13,375.23)
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Balance due		\$3,975.10
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La Plata West Water Authority

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Thank you!