

SPANISH VALLEY WATER & SEWER IMPROVEMENT DISTRICT

Loan Closing-----February 22, 1983

The meeting was called to order by Chairman Darwin Gilger at the District's Office at 11:00 A.M. with the following Board of Trustees present: Linda McKinney, George White, Neal Dalton, and Dan Holyoak.

ATTENDANCE

Also present: Paul Howard, Elvon Spencer, and Vivian Oberg from the Farmers Home Administration, Art Maxwell, James Montgomery Engineering Firm, Ray Townsend, Inspector, Don Cook from First Security Bank, Harry Snow, Attorney, David J. Bretzke, Executive Director, Dale Pierson, Maintenance Man, Laura Rainey, Bookkeeper, and Donna Jo Koskinen, Executive Secretary.

The following documents were signed by Chairman Darwin Gilger, Neal Dalton, Clerk, and Linda McKinney, Treasurer:

LOAN CLOSING  
DOCUMENTS

1. Certificate of the Clerk of the Contents of the Bond Transcript File.
2. General Certificate.
3. Signature Identification and Nonlitigation Certificate.
4. Arbitrage Certificate.
5. Attorney's Opinion regarding Arbitrage.
6. Attorney's Nonlitigation Certificate.
7. Receipt.
8. Bond.
9. Legal Opinion.
10. Escrow Agreement.

Elvon Spencer requested that a monthly bank statement of the District's Escrow Account be sent to his office. Don Cook stated that this will be possible.

ESCROW ACCOUNT

The Board asked that Don Cook transfer \$357,000.00 to the Escrow Account from the Savings Account. Don Cook stated that he would do this.

The contractor may not make any draws until after 30 days.

CONTRACTOR'S  
DRAWS

The meeting was adjourned at 12:50 P.M. for the pre-construction meeting with Stratton Brothers.

SPANISH VALLEY WATER & SEWER IMPROVEMENT DISTRICT

Pre-Construction Meeting for the Sewer Project

February 22, 1983

The meeting was called to order by Chairman Darwin Gilger at the District's office at 1:30 P.M. with the following Board of Trustees present: Linda McKinney, Dan Holyoak, George White, and Neal Dalton.

ATTENDANCE

Also present: Paul Howard, Elvon Spencer, and Vivian Ogery from Farmers Home Administration, Neil Stratton from Stratton Bros., Art Maxwell from James Montgomery Engineering Firm, Harry Snow, Attorney, David J. Bretzke, Executive, Laura Rainey, Bookkeeper, Dale Pierson, Maintenance Man, Russ Donoghue, RWAU, Ray Townsend, Inspector, Steven Taylor, Bart Herr, and Kelly Mays from Continental Telephone, Bob Zufelt, Utah Gas Service Company, Bill Hance, Grand County Commission, Jim Corwin from United Cable Service, David Maki and John Keogh, Surveyors, Ross Leach and Larry Johnson from the City of Moab and Donna Jo Koskinen, Executive Secretary.

Chairman Darwin Gilger signed all the necessary papers for the sewer project.

Paul Howard had everyone introduce themselves. Paul Howard stated that we will begin with the utilities portion of the conference. He stated the following:

- a. Neil Stratton is the superintendent of the project.
- b. Neil Stratton is to live up to contract and do no more than is in the contract.
- c. The contract is to protect the owner and the contractor.

CONTRACT  
RESPONSIBILITIES

Mr. Neil Stratton stated that he will only take instructions from the project engineer.

Darwin Gilger stated that David J. Bretzke is the Executive Director, manages the office and takes instruction from the Project Engineer, Art Maxwell.

Darwin Gilger stated that all change orders will be written.

Ray Townsend will be the inspector to represent the project engineer.

The contractor will be notified if an additional inspector will be used on this project.

Funding for the project is from local funds, FmHA and C.I.B. There will be audits for the C.I.B.'s funding and approval on FmHA expenses.

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Paul Howard stated that four adendums were sent with the plans and specs for the project. All papers have been signed by the District and contractor to begin the project.

SIGNING

Neil Stratton stated that he will begin on Tuesday, March 1, 1983.

Art Maxwell stated that the Notice to Proceed will be dated March 1st, 1983. The contractor will have 300 consecutive calendar days to complete the job with the being deadline of December, the 26th, 1983, unless contract is extended because of various provisions in contract terms.

NOTICE TO PROCEED

Liquidated damage requirement will be assessed automatically after 300 days at \$500.00 per day.

All time for delays must be kept accurately and a change order must be made for a time extension then and not at the end of the project.

DELAYS

Partial payments will be made through the escrow account to the contractor. In order for the contractor to receive a check, he must request a payment thru the inspector and the District. The District will review the payment with the inspector or engineer, then the engineer will prepare the payment estimate and return it to the District for their signature and Art Maxwell will sign also. The engineer will send the payment to Price. Elvon Spencer will forward it to the bank in Salt Lake City with his signature. The bank will issue the payment to the contractor. This will take approximately two weeks. The cut-off date for payment will be the 20th of each month.

PARTIAL PAYMENTS

Paul Howard stated that he will issue his notes that he has made of the meeting and the loan closing to the District, Contractor, etc.

The contractor will guarantee his work on labor and material for one year after acceptance date. The acceptance date will be made by the engineer. The engineer will give a notice to the contractor.

CONTRACTOR GUARANTEE

The District should not expect a guarantee over a period of one year.

Neil Stratton stated that he would like to test from man-hole to man-hole as he goes along, so that customers can hook on to the sewer line as soon as possible.

TESTING

Paul Howard stated this cannot be done on a day-to-day basis for a final inspection, but this may be able to be done section by section or man-hole to man-hole. The inspector may witness the air

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and accept this, but final inspection will be at the end of the project.

A complete statement with all exceptions will be given to the contractor, District, etc., at the end of the project, and the list of exceptions and the list will be given to the contractor. When this list is done, then the contractor will be finished with the project.

END OF PROJECT

A final inspection will be done at the end of the project. The engineer will co-ordinate this and notify all involved and invite them to the final inspection. Everyone will go over the project.

Neil Stratton stated that small items may be given to other contractors. Paul Howard stated that Neil Stratton will be liable for this work. Neil Stratton will make the decision whether he will do this work or have another contractor do it.

SUB-CONTRACTS

Steve Taylor asked what was the work week for the contractor. Neil Stratton stated that they will work Tuesday thru Friday. He will use three back hoes. Neil Stratton requested that he meet with all utilities Monday, February 28th, 1983, at 8:00 A.M. at the District's office to discuss and walk through the sewer project. Neil Stratton stated he will begin Line B at Ray Holyoak's property. The trench will be about 5' wide. Art Maxwell stated that we have two manholes at 16'-17' deep and the rest are approximately 10-1/2' deep. Neil Stratton is to give the utility company 24 hours notice where he will be digging. The billing for damages are to be billed to Stratton Bros. by the utility companies. Neil Stratton requested that the utility companies spray paint their lines.

Larry Johnson stated that the City has a 16" pipe line and they must be notified if scraped.

CITY PIPELINE

John Keogh stated that the County Road Superintendent, Tim Pogue, requested that Stratton Bros get good compaction along the roads.

COMPACTION

David J. Bretzke stated that Stratton Bros. get road crossing permits from Tim Pogue for county roads and notify State Highway Department before they start work on Hwy 193 on "C" line.

ROAD CROSSING

Paul Howard discussed the contractors schedule. This schedule is to be reviewed once a month. If any changes need to be made with this schedule, the contractor shall make out a revised schedule as soon as possible.

SCHEDULE

Art Maxwell suggested that David Bretzke issue a summary of plans each month to inspector, engineer, Board, contractor, etc.

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Neil Stratton stated that he is storing his pipe on K.E. McDougald's property. The pipe will be scattered along the road where it's being laid. Mr. Stratton stated that he hopes to have the pipe in the ground in four months.

Paul Howard stated that the pipe should be kept within the R.O.W. of the road when distributing materials.

Neil Stratton stated that he will be hiring approximately 12 men beginning Tuesday morning. There will be four men per crew, 3 crews. CREWS

Neil Stratton requested that each manhole be staked out by John Keogh.

Neil Stratton stated that he will only go through the inspector or David.

Paul Howard stated that there were no sub-contracts. No materials will be furnished by the District. No water will be furnished by the District. David Bretzke has already told Stratton Bros. where they can obtain water from the irrigation line at the Rodeo Grounds and various points on Mill Creek.

David Bretzke stated that crossings on Spanish Valley Drive will be bored under the road.

Paul Howard and Art Maxwell discussed the inspector's responsibilities:

INSPECTOR RESPONSIBILITY

1. The inspector is hired by the consulting engineer.
2. If compaction is needed, contact engineer before testing.
3. Consulting engineer is hired by the District.
4. Neil Stratton stated that he could not get 100% compaction.
5. The chain for problems, changes, etc. is: Board, inspector, engineer, FmHA, contractor.
6. FmHA will not give contractor instructions.
7. Neil Stratton stated that he would prefer that property owners hire local contractors to lay their lines. He will help widows, etc.
8. Neil Stratton stated that he will put wyes in where property owners request their hook ups to be.
9. Ray Townsend and Dale Pierson are to contact property owners concerning wyes.

Paul Howard discussed Labor requirements with Neil Stratton. Neil Stratton stated that he will meet all the requirements. He also stated that he has a motor home for his office.

LABOR REQUIREMENTS

Paul Howard stated that there are no Davis-Bacon requirements, but all State and Local requirements are to be met.

Neil Stratton stated that he is non-union. He also stated that he will have sufficient markers, flashers, etc.

NON-UNION

Paul Howard stated that the inspector must keep an accurate diary log. One copy is to be kept in the District's office. A summary of each month will be sent to the engineer and FmHA.

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Paul Howard discussed easements. He stated that all easements had been signed except for 6 easements. The Contractor is not to go anyplace that the District has not gotten an easement for. Stratton Bros. will be liable if off the easement. The District is to provide the contractor with the easement boundaries.

EASEMENTS

Paul Howard stated that he hoped there would not be any disputes with everyone involved would go through the line of communications. Most disputes are caused by lack of communications and have all changes in writing.

DISPUTES

Paul Howard stated that cost involved in change orders can not be paid until the change order is approved.

CHANGED ORDER

Paul Howard stated that it looked like there would be some extra money from the project. The Board can make a decision about this matter at a later date.

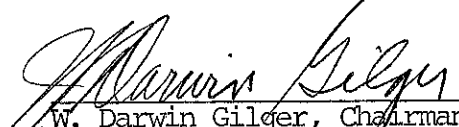
EXTRA MONEY

John Keogh talked about man-holes off of the pavement. Neil Stratton stated that he would need ground elevation prior to excavation.

MAN-HOLES

The meeting was adjourned at 3:37 P.M.

ATTEST:

  
W. Darwin Gilger, Chairman

  
Neal K. Dalton, Clerk