

**NORTH BEACH WATER DISTRICT
PACIFIC COUNTY, WASHINGTON**

RESOLUTION NO. 31-2014

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF NORTH BEACH WATER DISTRICT, PACIFIC COUNTY, WASHINGTON, AMENDING TERMS AND CONDITIONS OF DRINKING WATER STATE REVOLVING FUND LOAN # DM12-952-121

WHEREAS, on October 22, 2012 the District adopted Resolution 15-2012 approving and authorizing the General Manager to execute an agreement with the Washington State Public Works Board for Drinking Water State Revolving Fund loans # DM12-952-121 (DWSRF Water Main Project) and # DM12-952-129 (DWSRF Supply and Treatment Project); and

WHEREAS, on March 18, 2013 the District adopted Resolution 07-2013 approving a contract for professional engineering services with the Gray and Osborne, Inc for the design and construction management of the projects associated with two the Drinking Water State Revolving Fund construction loans, referred to above, for an estimated two hundred seventy six thousand eight dollars (\$276,008); and

WHEREAS, the Drinking Water State Revolving Fund construction loan # DM12-952-121 was approved for eight hundred ninety one thousand one hundred twenty three dollars (\$891,123) to complete a specific scope of work that is generally described as "The design and construction of: **1)** "U" Street Water Main consisting of approximately 1,500 lineal feet of 12-inch main from Bay Avenue to 256th Street **2)** "Z" Street Water Main consisting of approximately 2,200 lineal feet of 8-inch main from Bay Avenue to 270th Street, and **3)** Birch Place Water Main consisting of approximately 1,300 lineal feet of 8-inch main from 236th Street to 240th Street

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STATE REVOLVING FUND LOAN # DM12-952-121

including fire hydrants, replacement of 20 service connections; and restoration of public right-of-ways, commonly referred to as the DWSRF Water Main Project; and

WHEREAS, on November 18, 2013 the District adopted Resolution 22-2013 that issued a notice of award to Big River Excavating, Astoria Oregon, for the DWSRF Water Main Project and authorizing the General Manager to execute a construction contract with Big River Excavating for \$500,823.71 to complete the approved scope of work; and

WHEREAS, on January 30, 2014 the District adopted Resolution 05-2014 approving a change order requested by the District to the scope of work for the DWSRF Water Main Project adding thirty nine thousand eight hundred sixty eight dollars and fifty cents (\$39,868.50) to the cost of the Project; and

WHEREAS, on June 12, 2014 the District's engineer, Gray and Osborne issued a notice of completion to the Washington State Department of Health for the DWSRF Water Main Project; and.

WHEREAS, the final cost of the DWSRF Water Main Project is six hundred fifty eight thousand five hundred thirty nine dollars and twenty eight cents of (\$658,539.28), leaving a balance of two hundred thirty two thousand five hundred eighty four dollars (\$232,584) in the DWSRF Water Main Project loan fund; and

WHEREAS, on December 17, 2014 the Department of Commerce Public Works Board agreed to revise the scope of work Washington State Public Works Board for Drinking Water State Revolving Fund loans # DM12-952-121 to include, "the installation of approximately 50

EXHIBIT "A"

DECLARATIONS

CLIENT INFORMATION

Legal Name: **North Beach Water District**
Loan Number: **DM12-952-121**

PROJECT INFORMATION

Project Title: **Water Main Project**
Project City: **Washington**
Project State: **Washington**
Project Zip Code: **Washington**

LOAN INFORMATION

Loan Amount: **\$ 891,123.00**
Loan Term: **24**
Interest Rate: **1.50%**
Payment Month: **October 1st**
Earliest Date for Construction Reimbursement: **6/1/2012**
Time of Performance: **48 months from Contract execution date to Project Completion date.**

SPECIAL TERMS AND CONDITIONS GOVERNING THIS LOAN AGREEMENT

DECLARATION (continued)

Loan Number:

DM12-952-121

Project Title:

Water Main Project

Scope of Work (revised):

The individual projects consist of design and construction of the following improvements: "U" Street Water Main: Install approximately 1,500 lineal feet of 12-inch water main from Bay Avenue to 256th Street. "Z" Street Water Main: Install approximately 2,200 lineal feet of 8-inch water main from Bay Avenue to 270th Street Birch Place Water Main: Install approximately 1,300 lineal feet of 8-inch water main from 236th Street to 240th Street. A new easement will be obtained for the watermain in this project. Construction will include excavation, backfill, and restoration of disturbed areas. Work will also include installation of fire hydrants and replacement of water services. 20 meters will be replaced and 600 lf of service line either 3/4 or 1 inch.

The work will also include installation of approximately 50 lf of 4" water main, 1,800 lf of 6" water main, and 970 lf of 8" water main at the South Wellfield site and installation of approximately 700 lf of 6" backwash water transmission main at the North Wellfield site.

AMENDMENT FACE SHEET

Loan Number: DM12-952-121
Amendment Number: C

Washington State Department of Commerce
PUBLIC WORKS BOARD
DRINKING WATER STATE REVOLVING FUND

1. Contractor North Beach Water District PO Box 618 Ocean Park, WA 98640		2. Contractor Doing Business As (optional) N/A	
3. Contractor Representative (only if updated) N/A		4. Public Works Board Representative (only if updated) N/A	
5. Original Contract Amount \$ 891,123.00	6. Amendment Amount N/A	7. New Contract Amount \$ 891,123.00	
8. Amendment Funding Source Federal: <input checked="" type="checkbox"/> State: <input checked="" type="checkbox"/> Other: <input type="checkbox"/> N/A: <input type="checkbox"/>		9. Amendment Start Date Amendment Execution Date	10. Amendment End Date October 1, 2036
11. Federal Funds (as applicable): N/A		Federal Agency: EPA	CFDA Number: 66.468
12. Amendment Purpose: The purpose of this amendment is to revise the Scope of Work of the Loan. The Board, defined as the Washington State Public Works Board and Borrower/Contractor acknowledge and accept the terms of this Agreement/Contract As Amended and attachments and have executed this Agreement/Contract Amendment on the date below to start as of the date and year referenced above. The rights and obligations of both parties to this Agreement/Contract As Amended are governed by this Agreement/Contract Amendment and the following other documents incorporated by reference: Amendment Terms and Conditions, including any attachments. A copy of this Agreement/Contract Amendment shall be attached to and made a part of the original Agreement/Contract between the Board and the Borrower/Contractor. Any reference in the original Agreement/Contract to the "Agreement" or the "Contract" shall mean the "Agreement As Amended" or "Contract As Amended," respectively.			
FOR THE BORROWER/CONTRACTOR _____ Signature _____ Print Name _____ Title _____ Date		FOR PUBLIC WORKS BOARD _____ Stan Finkelstein, Public Works Board Chair _____ Date APPROVED AS TO FORM ONLY This 14 th Day of March, 2013 _____ Bob Ferguson Attorney General _____ Signature on File Kathryn Wyatt Assistant Attorney General	

AMENDMENT TERMS AND CONDITIONS

Washington State Department of Commerce
PUBLIC WORKS BOARD
DRINKING WATER STATE REVOLVING FUND

Contractor/Borrower: North Beach Water District
Contract Number: DM12-952-121
Amendment Number: Enter Amendment Designator

The purpose of this amendment is to revise the Scope of Work of the above referenced Drinking Water State Revolving Fund.

The Public Works Board (or its successors), a department of the State of Washington, (hereafter referred to as the "Board") and the Contractor, listed above and on the attached Face Sheet, agree to amend the declared loan as described below.

The **SCOPE OF WORK** is amended to delete the original declared Scope of Work and replace it with the **SCOPE OF WORK** as shown on the attached Declarations Page. The Scope of Work, where referenced in the Contract's Special Terms and Conditions section, shall refer to this amended text.

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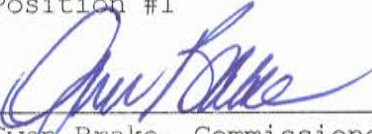
lineal feet of 4-inch water main, 1,800 lineal feet of 6-inch water main and 970 lineal feet of 8-inch water main at the South Wellfield site and installation of approximately 700 lineal feet of 6-inch backwash water transmission main at the North Wellfield site", so that the District may use the remainder of the loan fund on capital improvement projects crucial to the District's operations; now, therefore

BE IT RESOLVED by the Board of Commissioners of North Beach Water District that the General Manager is authorized to sign "Loan Number DM12-952-121 Amendment Number: C" attached hereto and incorporated herein as "Exhibit A"

ADOPTED BY the Board of Commissioners of North Beach Water District, Pacific County, Washington at its regular meeting held on the 22nd day of December, 2014.



Brian Sheldon, Commissioner
Position #1



Gwen Brake, Commissioner
Position #2



Glenn Ripley, Commissioner
Position #3