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## RECORD OF PROCEEDINGS

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**Minutes of the Continuation Meeting  
of the Board of Directors  
Ruedi Shores Metropolitan District  
April 8, 2009**

A Continuation Meeting of the Board of Directors of the Ruedi Shores Metropolitan District, Eagle County, Colorado, was held April 8, 2009, at 6:00 p.m., at 093 Silver Spruce Lane, Basalt, Colorado, in accordance with the applicable statutes of the State of Colorado.

**ATTENDANCE**      **The following Directors were present and acting:**

- Susan Atchison
- Nina Dunn
- Brad Lundgren (by phone)

Also in attendance were:

- Eric Weaver, Robertson and Marchetti, P.C. (by phone)
- Brienne Olsen, Robertson & Marchetti, P.C. (by phone)
- Doug McMillin, Owner's Representative
- Tom Shea, property owner
- Ray Simpson, Savage Excavation

**CALL TO ORDER**

The Continuation Meeting of the Board of Directors of Ruedi Shores Metropolitan District was called to order by Director Atchison, at 6:30 p.m., noting that a quorum was present.

**CONTRACTOR'S  
BIDS**

Mr. McMillin reported that he met again with the remaining three finalists to discuss the water project. He reported that when he met with Hughes, they had to run off to another bid meeting. He stated it would be a two year project with Hughes that would run two different systems over the winter. Mr. McMillin stated that he was pushing for Hughes as the contractor at first due to their close proximity to the District but after meeting with them, he is not sure that it is in the District's best interest.

Mr. McMillin reported that Hudick was very professional and had a lot of input. He reported that Hudick guaranteed with penalties that the Entire project will be complete before winter. He stated that Hudick has the man power and crew as well as the financial strength and bonding ability to be able to complete the job.

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Mr. McMillin reported that after meeting with Savage Excavation, they were able to reduce the bid price of the tank excavation to be in line with the bid of Hudick and after discussing this change with Hudick, Hudick was okay with having Savage do this portion of the project. Also, being that Savage has done work on the roads in the past with good results and with Savage having equipment on-site it is in the best interest of the District to have Savage do the final grading on the roads. Mr. McMillin stated that Hudick's bid of \$230k for the restoration of the roads was one of the highest received, but they were planning to do substantial work to leave the roads in excellent shape. Due to the heavy snow levels the past two years these repairs are needed. He stated that as a fair compromise, he backed out \$108k, which was Savage's bid to leave \$122k for Hudick to do their portion of the clean-up and revegetation and that Hudick has agreed to this. He also told Hudick that their crew could work the hours of 7 a.m. to 7 p.m. Mr. McMillin summarized the estimated cost of the project as currently proposed to be as follows:

|  |                    |
|--|--------------------|
| Distribution System Install,<br>Connection of System to Homes,<br>And revegetation/ cleanup<br>(Hudick Excavation) | \$472,941          |
| Tank Excavation, Road Installation<br>And Re-grading of Roads<br>(Savage Excavation)                               | 241,120            |
| Tank Installation (Hi Con)   | 145,000            |
| Piping Materials<br>(Grand Junction Pipe)  | 400,000            |
| General Conditions (Engineering,<br>Geotechnical, Surveying,<br>Contract oversight, etc)                           | 250,000            |
| Electrical   | <u>45,000</u>      |
| Subtotal   | 1,554,061          |
| Contingency  | <u>233,109</u>     |
| <b>TOTAL</b>   | <b>\$1,787,170</b> |

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Mr. McMillin stated that he made it clear to Hudick that there will be many uncertainties in this project due to the complexity of the complexity and many unknowns of the current system and that the current system is expected to be maintained until the new system is available. He also explained that these uncertainties are the responsibility of the contractor and unless there is a significant change to the scope of the system, the District is expecting their bid prices described above to cover such uncertainties.

After significant discussion by the Board and by motion duly made and seconded, it was unanimously

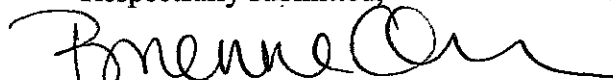
**RESOLVED** to contract Hudick Excavation and Savage Excavation for the water system improvements project as described above.

Mr. McMillin brought up the issue of an easement needed to do a looped system. He explained that the looped system is part of the Eagle Water and Sanitation District guidelines. He reported that this system would create a huge disturbance with the possibility of lawsuits from homeowners. He recommended throwing out the loop could save \$100k and would enable the District to avoid confrontation which could delay the project. Mr. McMillin stated that he will consult with both the Sloan Law Firm about the easement and Zancanella regarding the ability to change the system.

**ADJOURNMENT** There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the Continuation Meeting of the Ruedi Shores Metropolitan District Board of Directors held on April 8, 2009.

Respectfully submitted,



Brienne Olsen

Recording Secretary for the Meeting