

**MINUTES OF THE MEETING OF  
COMMISSIONERS OF THE  
SILVER LAKE WATER & SEWER DISTRICT**

June 8, 2023

The regular meeting of the Board of Commissioners of the Silver Lake Water & Sewer District was held on June 8, 2023, beginning at 5:30 p.m. Attending in person were Commissioners Anne Backstrom and Shauna Willner. Also present in person were General Manager Curt Brees, District Engineer Scott Smith, O&M Manager Ron Berger, and Finance Manager Brad Nelson. Commissioner John Warner, Eric Delfel with Gray & Osborne, Inc., and Curtis Chambers with Inslee, Best, Doezie & Ryder P.S., Attorney for the District, attended via Teams meeting. The public was provided access to participate both in person at the meeting and via teleconference, with the telephone number and access code published on the District's website and posted at the District Administration Building (regular meeting location).

**1.) CALL TO ORDER:**

Commissioner Willner called the meeting to order at 5:30 p.m.

**2.) APPROVAL OF MINUTES:**

The Minutes of the special meeting of May 25, 2023, and special meeting of June 6, 2023, were unanimously approved by the Board as circulated.

**3.) PUBLIC COMMENT:**

No member of the public participated in person or by teleconference at this time.

**4.) FINANCIAL MATTERS:**

**a.) Payroll, Vouchers, and Revolving Fund Check(s) Approval**

Following discussion of various matters, including the vouchers paid by the District, to the District, for utility services at District facilities, Payroll; Vouchers (Check No. 19774 - 19834) in the amount of \$1,340,682.99; Revolving Fund Checks (Check No. 9101- 9117) in the amount of \$168,930.74, were unanimously approved by the Board and signed as follows:

<b>Fund</b>	<b>Amount</b>
Water Maintenance	\$42,965.03
Water Capital Improvement	49,971.56
Sewer Maintenance	716,636.81
Sewer Capital Improvement	531,109.59
Revolving Check Fund	168,930.74
<b>Total</b>	<b>\$1,509,613.73</b>

**5.) CAPITAL IMPROVEMENT PROJECTS:**

**a.) Staff Report – Thomas Lake Lift Station Replacement & Pay Estimate No. 13**

Mr. Smith provided a Staff report to the Board of Commissioners regarding the Thomas Lake Lift Station Replacement project and Pay Estimate No. 13.

The District awarded the contract for the Thomas Lake Lift Station Replacement Project, in the amount of \$2,476,323.79, including sales tax, to McClure and Sons, Inc. (MSI), on November 23, 2021. Change Order No. 1 in the amount of \$18,776.11 was approved by the Board on August 11, 2022, and Change Order No. 2 in the amount of \$16,119.60 was approved by the Board on December 8, 2022. Pay estimates will be approved by the Board monthly as needed.

In the month of May, activity on-site mainly consisted of electrical work in preparation for startup testing of the new lift station. That process began in earnest during the week of May 22, 2023, and primarily involved the District's electrician and Wes Ketcham (from Infinium) working through and testing the electrical control system. Operational testing continued during the week of May 30, 2023, by filling the new wet well with water and fully testing the pumps and electrical system, then switched to live sewer.

Work included in Pay Estimate No. 13 for the month of May primarily consisted of percentages of the Lift Station Replacement, Electrical and Dewatering lump sum bid items, with some crushed rock and additional minor change items.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved Pay Estimate No. 13 in the amount of \$32,184.95.

**b.) Staff Report – Lift Station No. 3 Force Main Replacement – Pay Estimate No. 1**

Mr. Smith provided a Staff report to the Board of Commissioners regarding the Lift Station No. 3 Force Main Replacement and Pay Estimate No. 1.

The District awarded contract for the Lift Station No. 3 Force Main Replacement Project, in the amount of \$2,131,357.15, to Shoreline Construction Company on April 11, 2023. Pay estimates will be approved by the Board monthly as needed.

The Pre-construction meeting was held on May 3, 2023, and Shoreline Construction began work on-site during the week of May 8, 2023. From the start, there were differences found between the location of the existing force main and other utilities as shown on the plan versus in the field. The existing force mains could not be located accurately, since they are deep and referenced from points that no longer exist.

Extra potholing work was required to locate all the lines, and field changes were made to the location of the new meter vault and initial force main alignment. A variance request has also been submitted to Snohomish County, to allow the existing force main to remain in place in the 134th Place SE/132nd Street SE roadway where it conflicts with, or is underneath, a concrete duct bank of communication utilities.

There are two schedules of work on this project, with Schedule A for the work in the 134th Place SE/132nd Street SE roadway, and Schedule B for the work on-site. The two schedules also have different completion timelines. Pay Estimate No. 1 consists of percentages for the initial mobilization, traffic control, and potholing, plus the first trenching and pipe work onsite.

In addition to the startup work in May, the contractor has requested payment for materials on hand that have been ordered and delivered, specifically the HDPE pipe for the new force main.

Mr. Smith noted that an additional payment will be made for work completed under Pay Estimate No. 1 related to the treatment of retainage. The payment was calculated and signed off by all parties with a deduction for retainage; however, the Contractor also posted a retainage bond and has since requested payment for the retainage amount.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved Pay Estimate No. 1 in the amount of \$417,689.51.

**c.) Staff Report – Pioneer Trails Lift Station – Design Addendum/Construction Contract Award/CM Contract**

Mr. Smith provided a Staff report to the Board of Commissioners regarding the Pioneer Trails Lift Station – Design Addendum/Construction Contract.

On March 11, 2021, the Board approved a consultant contract with Murraysmith, now Consor, for the design of the Pioneer Trails Lift Station Replacement (Project No. LS 3 in the Sewer Comprehensive Plan). The new lift station facility will consist of a wet well and three submersible pumps with an increased capacity of 3,100 gpm, along with new meter and valve vaults, upsized force main onsite, a new covered generator and fuel tank, and an enclosed electrical building. The footprint of the site will be expanded into the adjacent HOA open space, due to the limited space on-site and required deep excavation.

On January 12, 2023, the Board approved Design Addendum No. 1 with Consor, in the amount of \$52,438.00, for additional permitting and design work associated with the environmental designation of the adjacent wetland area as a Bog, as well as evolving internal design requirements. However, a new comment letter was received from Snohomish County on March 28, 2023, requesting additional changes and information, primarily on the structural/building items. A proposed scope and fee for Design Addendum No. 2 in the amount of \$7,281.00 was provided to the Board to address the extra work by Consor to complete the project design work.

The construction project was advertised for bids for three weeks in April and May, one addendum was issued, and bids were opened on May 24, 2023. Three bids were received, all electronic, and a virtual bid opening was held via Teams. The lowest submitted bid in the amount of \$3,783,639.34 was from Faber Construction Corporation out of Lynden. The design engineer's estimate was \$3,760,664.08, and the bid result summary and detailed tabulation sheets were provided to the Board.

Faber Construction has done an extensive amount of public agency work, mainly up in Skagit and Whatcom Counties. Their submitted experience included two similar past lift station projects, as well as a wastewater treatment plant currently under construction, and those projects included deep excavations with high groundwater conditions, similar to the Pioneer Trails site. District staff contacted three project references and received very good

reviews. The design consultant, Consor, has also had good experiences working with Faber in the past. Staff recommended awarding the Pioneer Trails Lift Station Replacement Project to Faber Construction Corporation as the lowest responsive and responsible bidder.

Staff proposed that Consor continue involvement in the project by providing construction management services, along with the option of backup inspection. A scope and fee for construction management from Consor in the amount of \$520,968 is attached. A separate but standard District consultant contract will be used for the construction management work instead of utilizing the Consor on-call engineering contract.

Finally, in accordance with the Project Approval process that was presented to the Board on November 10, 2021, the award of the construction contract is also the timeframe to approve a formal project budget.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved the proposed Scope and Fee in the amount of \$7,281.00 from Consor for Design Addendum No. 2 for the Pioneer Trails Lift Station Replacement Project.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved and executed Resolution No. 842, to award the construction contract to Faber Construction Corporation in the amount of \$3,783,639.34 for the Pioneer Trails Lift Station Replacement Project.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved the proposed Scope and Fee in the amount of \$520,968 from Consor for construction management of the Pioneer Trails Lift Station Replacement Project.

Following discussion, by motion made, seconded, and carried unanimously, the Board of Commissioners approved the proposed project budget for the Pioneer Trails Lift Station Replacement Project in the amount of \$5,442,347.17 for all costs related to the Pioneer Trails Lift Station Replacement Project.

**6.) STAFF REPORTS**

**a.) District Engineer**

No further report.

**b.) Finance Manager**

Mr. Nelson reported that he and his team are drafting notices and procedures to comply with the requirements of HB 1329, which prohibits utilities from shutting off customers for non-payment on any day where the NWS has issued a heat related advisory. The law which takes effect on July 23<sup>rd</sup>, 2023, also requires a procedure to reconnected customers that were previously disconnected for non-payment upon request.

Mr. Nelson reported that the schedule for shutoffs is being reorganized to only occur Tuesday through Thursday of any given week. Previously, some shutoffs occurred on Mondays.

c.) **O & M Manager**

No further report.

d.) **Attorney**

No further report.

e.) **General Manager**

Mr. Brees reviewed the calendar of upcoming events, holidays, and meetings with the Board of Commissioners.

**This ends the Minutes of the June 8, 2023, regular meeting. The following signature page is a scanned image of the original signature page of the Minutes and certifies these are the approved Minutes by the Secretary of the Board.**

### Minute Certification

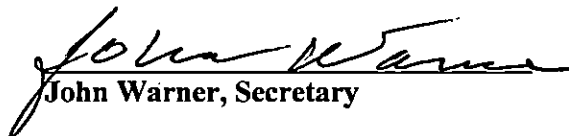
I, the undersigned, Secretary of the Board Commissioners of Silver Lake Water and Sewer District, Snohomish County, Washington (the "District"), hereby certify as follows:

1. The attached copy of the Minutes of the Meeting of Commissioners (the "Minutes") is a full, true and correct copy of the Minutes of the June 8, 2023, regular meeting of Commissioners, duly adopted at a regular meeting of the Board of Commissioners of the District, held at the regular meeting place thereof on June 22, 2023, as these Minutes appear on the Minute book of the District; and;

2. A quorum of the members of the Board of Commissioners was present throughout the meeting and a majority of those members present voted in the proper manner for the approval of these Minutes.

IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of June 2023.

**SILVER LAKE WATER AND SEWER DISTRICT  
SNOHOMISH COUNTY, WASHINGTON**

  
John Warner, Secretary