

MINUTES OF A JOINT SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE NORTH WELD COUNTY WATER DISTRICT AND BOARD OF DIRECTORS OF THE EAST LARIMER COUNTY WATER DISTRICT

Held: Tuesday, the 26th day of July, 2022, at 6:00 P.M.

The meeting was conducted in person and via teleconference.

ATTENDANCE

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

North Weld County Water District (“NWC”)

Tad Stout
Scott Cockroft
Ron Buxman
Brad Cook

Matt Pettinger was excused

East Larimer County Water District (“ELCO”)

Loren Maxey
Joseph Fonfara
Scott Baker
James Clay
Rodney Rice was excused

Also present were Eric Reckentine, General Manager of NWC; Zachary P. White, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Mike Scheid, General Manager of ELCO; Randy Siddens, ELCO District Engineer; Bill Renz, Ditesco Project & Construction Services

ADMINISTRATIVE MATTERS

Call to Order

The meeting was called to order at 6:05 P.M.

Declaration of Quorum and Confirmation of Director Qualifications

It was noted that a quorum for the Boards was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Mr. White advised the Board of NWC that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those NWC directors that provided WHITE BEAR ANKELE TANAKA & WALDRON with notice of potential or existing conflicts of interest, if any, were filed with the Secretary of State’s Office and

the Board of NWC at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board of NWC. Mr. White inquired into whether members of the Board of NWC had any additional disclosures of potential or existing conflicts of interest about any matters scheduled for discussion at the meeting. All directors reviewed the agenda for the meeting and confirmed that they have no additional conflicts of interest in connection with any of the matters listed on the agenda.

Mr. Scheid reported that disclosures for those ELCO directors that provided notice of potential or existing conflicts of interest, if any, were filed with the Secretary of State's Office and the Board of ELCO at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board of ELCO. All directors reviewed the agenda for the meeting and confirmed that they have no additional conflicts of interest in connection with any of the matters listed on the agenda.

Mr. Stout recommended to the Boards that Mr. Maxey be designated as the Chairman of the meeting. Upon a motion by Mr. Stout, seconded by Mr. Buxman, the Board of NWC designated Mr. Maxey as the Chairman of the meeting.

Upon a motion by Mr. Baker, seconded by Mr. Fonfara, the Board of ELCO designated Mr. Maxey as the Chairman of the meeting.

Approval of Agenda

Mr. Maxey presented the Boards with the agenda for the meeting. Upon a motion by Mr. Stout, seconded by Mr. Buxman, the Board of NWC approved the agenda as presented.

Upon a motion by Mr. Baker, seconded by Mr. Fonfara, the Board of ELCO approved the agenda as presented.

Review NEWT III CMAR Contractor Bids and Consider Adoption of Joint Resolution 20220726-01: Resolution Approving the Selection of the NEWT III CMAR Contractor

Mr. Reckentine and Mr. Scheid introduced the topic of discussion and the reason the two Boards are meeting in joint session. NWC selected Reynolds Construction as the CMAR Contractor, and ELCO selected Garney Construction as the CMAR Contractor.

Mr. Renz was asked to present to both Boards regarding the scoring of the proposals for the project. Mr. Renz discussed the proposal and scoring process. Following scoring, three of the potential contractors were invited to interviews. Garney and Reynolds were the leading potential contractors.

The Boards discussed the proposals and how different bidders look at overhead and profit, and how those numbers are often built into proposals.

Mr. Maxey spoke in favor of Garney based on the discussion, his review of the proposals and past experience working for ELCO.

Mr. Reckentine discussed NWC's prior experience with Garney. NWC was pleased with Garney's work on the treatment plant expansion, but has had some recent issues.

Following discussion among the Boards and Mr. Renz regarding the proposals, Mr. Reckentine recommended the Boards engage Garney as the CMAR Contractor.

Upon a motion by Mr. Cockroft, seconded by Mr. Buxman, the Board of NWC selected Garney as the CMAR Contractor.

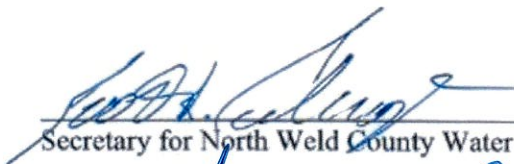
Upon a motion by Mr. Fonfara seconded by Mr. Baker, the Board of ELCO selected Garney as the CMAR Contractor.


Upon a motion by Mr. Baker, seconded by Mr. Cockroft, the Boards unanimously adopted Resolution 20220726-01: Resolution Approving the Selection of a NEWT III CMAR Contractor.

ADJOURNMENT

There being no further business to be conducted, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting


Secretary for North Weld County Water District


Secretary for East Larimer County Water District