

RESOLUTION NO. SD17-017
OF THE BOARD OF DIRECTORS OF
NEVADA COUNTY SANITATION DISTRICT NO. 1

**RESOLUTION APPROVING AMENDMENT NO. 3 TO GRANT AGREEMENT
NO. 13-829-550 BETWEEN NEVADA COUNTY SANITATION DISTRICT NO. 1
AND THE STATE WATER RESOURCES CONTROL BOARD FOR THE PENN
VALLEY SEWER SYSTEM CONNECTION PROJECT – DISTRICT IV**

WHEREAS, Nevada County Sanitation District No. 1 approved a grant agreement with the California Water Resources Control Board on May 27, 2014 (Resolution SD14-004) in the amount of \$5,000,000 through the Clean Water State Revolving Fund Small Community Grant (CWSRF SCG) program; and

WHEREAS, on February 23, 2016, (Resolution SD16-002) the agreement was amended to extend the time of the agreement; and

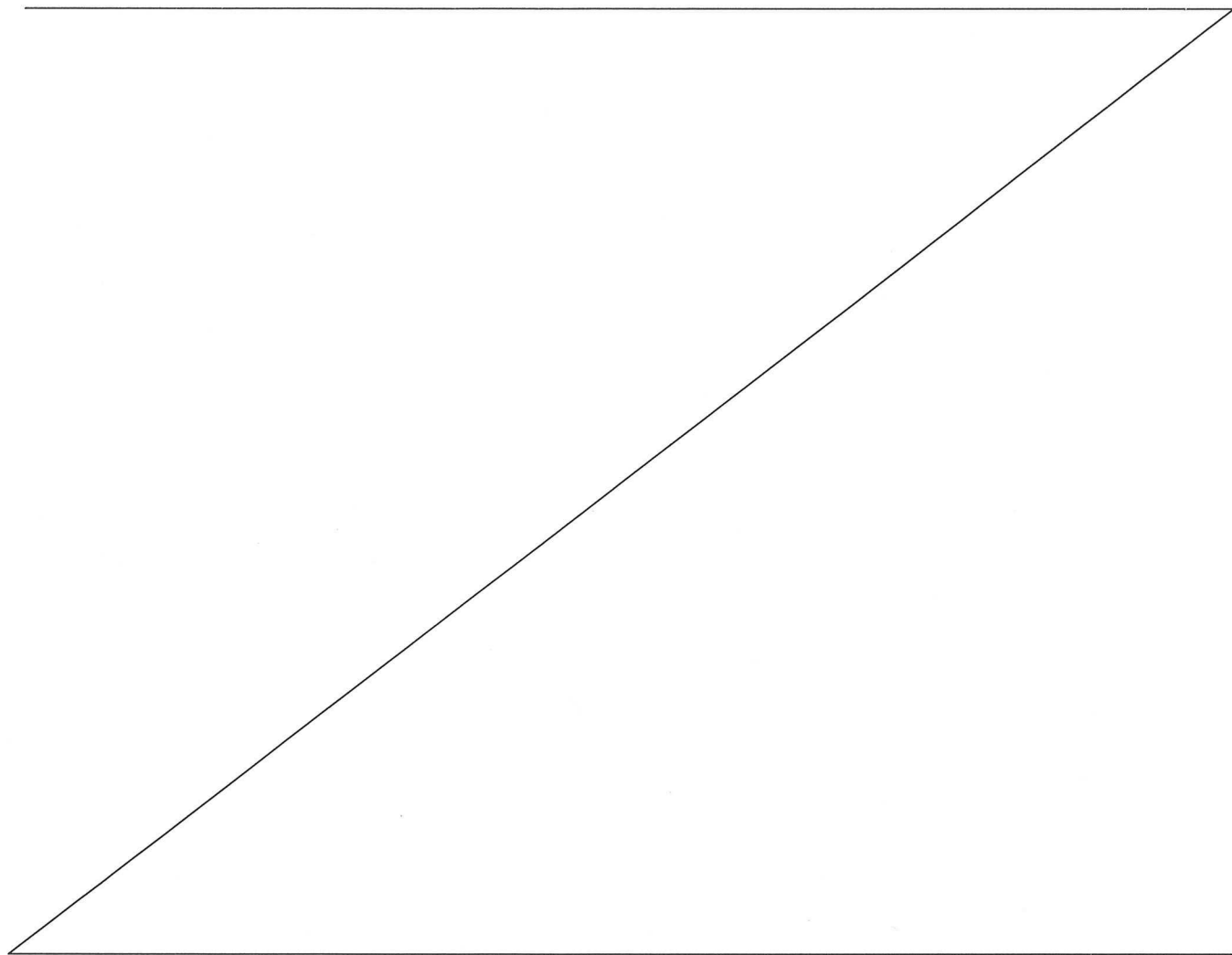
WHEREAS, on December 13, 2016, (Resolution SD16-017) the agreement was amended to extend the time of the agreement and increase the project funding to \$6 million; and

WHEREAS, the State and the Sanitation District desire to amend the agreement to reflect a revised completion date; and

WHEREAS, Amendment No. 3 revises the project completion date from October 12, 2017 to March 11, 2018.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Directors of Nevada County Sanitation District No. 1:

1. Approves Amendment No. 3 to Grant Agreement No. 13-829-550 revising the project completion date.
2. Authorizes the District Administrator to execute Amendment No. 3 on behalf of the Nevada County Sanitation District No. 1.



PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1, held on the 26th day of September, 2017, by the following vote:

Ayes: Directors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Directors

By: 



Hank Weston, Chair

9/26/2017 cc: NCSD#1*(3)
AC*

SMALL COMMUNITY GRANT
RESIDUAL BONDS



Water Boards



Clean Water

Sanitation Board

NEVADA COUNTY SANITATION DISTRICT NO. 1
AND

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD
GRANT AGREEMENT

PUBLICLY OWNED TREATMENT WORKS (POTW) CONSTRUCTION FINANCING
PENN VALLEY SEWER SYSTEM CONNECTION PROJECT

PROJECT NO. C-06-7638-110

AGREEMENT NO. 13-829-550

AMENDMENT NO. 3

DATED AS OF OCTOBER 14, 2016

AMOUNT: \$6,000,000

START DATE: APRIL 14, 2014

END DATE: ~~OCTOBER 12, 2047~~ **MARCH 11, 2048**

DATED AS OF APRIL 14, 2014

The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement, originally executed on June 17, 2014, and subsequently amended on March 4, 2016 **and December 21, 2016**, and incorporated herein:

Changes made in this amendment are shown as follows in the attached Exhibits:

Exhibit A – Scope of Work & Incorporated Documents (2 pages attached)*

Exhibit B – Project Financing Amount (1 page attached)*

- * Text additions are displayed in bold and underline. Except as otherwise noted, text deletions are displayed as strike through text (i.e., strike out).
- ** Entire Exhibit added.
- *** Updated Pages.

All other terms and conditions shall remain the same.

NEVADA COUNTY SANITATION DISTRICT NO. 1:

By: Richard A. Haffey

Name: Richard A. Haffey

Title: District Administrator

Date: 9/28/17

STATE WATER RESOURCES CONTROL BOARD:

By: _____

Name: Leslie Laudon

Title: Deputy Director, Division of Financial Assistance

Date: _____

EXHIBIT A – SCOPE OF WORK & INCORPORATED DOCUMENTS

1. The Recipient agrees to start construction no later than the date of September 19, 2016.
2. The Completion of Construction date is hereby established as ~~October 12, 2017~~ **March 11, 2018**.
3. The Recipient agrees to ensure that its final Request for Disbursement is received by the Division no later than six months after Completion of Construction date, unless prior approval has been granted by the Division. If the Recipient fails to do so, then the undisbursed balance of this Agreement will be deobligated.
4. Incorporated by reference into this Agreement are the following documents:
 - (a) the Final Plans & Specification, dated January 29, 2016 and January 2016 respectively; and Addendum No. 1 issued on June 24, 2016, which are the basis for the construction contract to be awarded by the Recipient to Koch & Koch, Inc.
 - (b) the Waste Discharge Requirement Order No. 5-01-210; and
 - (c) the Recipient's Authorized Representative Resolution No. SD12-07 dated April 24, 2012.

5. Scope of Work.

(a) Project Objectives

A Cease and Desist Order (CDO) was issued by the Central Valley Regional Water Quality Control Board (Regional Water Board) on August 13, 2009. The CDO requires the District to implement a number of steps culminating in the completion of improvements to alleviate any capacity issues at the current Wastewater Treatment Plant (WWTP) by September 1, 2014. During the development of the Penn Valley WWTP Expansion Feasibility Report it was determined that the best option would be to regionalize with the Lake Wildwood WWTP. Construction of the pipeline and abandonment of the current Penn Valley WWTP will satisfy the Regional Water Board's requirements set forth in the CDO.

(b) Project Description

The current Penn Valley WWTP serves 458 Equivalent Dwelling Units (EDUs) in the town of Penn Valley and the surrounding area. The current process includes a septic tank effluent pump (STEP) system. The septic tanks provide the primary treatment and then wastewater from each tank is pumped into a pressurized sewer system to a lift station. From the lift station the influent is pumped to the WWTP which consists of two lined aerated lagoons and a storage reservoir. The treated effluent is used onsite for spray irrigation of approximately 33 acres of pasture land used for cattle grazing.

The proposed Project consists of collection system improvements, a lift station, and a pipeline that will convey pressurized influent to the Lake Wildwood WWTP. The collection system improvements will reduce the amount of infiltration and inflow into the system. The best identified location for the lift station is at the Penn Valley Fire Department near the corner of Penn Valley Drive and Spenceville Road. The pipeline will continue along Penn Valley Drive until it intersects with Pleasant Valley Drive and Highway 20. The Project will use "no-dig" construction techniques to cross Highway 20 without interrupting traffic, and the pipeline will continue along Pleasant Valley Drive until it reaches the Lake Wildwood WWTP. The overall pipeline length will be 4.5

EXHIBIT A – SCOPE OF WORK & INCORPORATED DOCUMENTS

miles. Because of the STEP system in Penn Valley, odor control units will be installed at the lift station and the junction manhole where Penn Valley influent mixes with Lake Wildwood influent.

EXHIBIT B – PROJECT FINANCING AMOUNT

1. Estimated Reasonable Cost. The estimated reasonable cost of the total Project, including associated planning and design costs is five million dollars and no cents (\$5,000,000.00).
2. Project Funding. Subject to the terms of this Agreement, the State Water Board agrees to provide Project Funds in the amount of up to six million dollars and no cents (\$6,000,000.00).
3. Small Community Grant. Contingent on the Recipient's performance of its obligations under this Agreement, the State Water Board agrees to make a grant of six million dollars and no cents (\$6,000,000.00) from the fund established in section 13477.6 of the Water Code/Residual Bond Funds.
4. The term of this agreement is from April 14, 2014 to ~~October 12, 2047~~ **March 11, 2048**.
5. Budget costs are contained in the Project Cost Table, which is part of Exhibit A-FBA.



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

August 29, 2017

Mr. Richard A. Haffey
District Administrator
Nevada County Sanitation District No. 1
950 Maidu Avenue
Nevada City, CA 95959

NEVADA COUNTY SANITATION DISTRICT NO. 1, AGREEMENT NO. 13-829-550, PROJECT NO. C-06-7638-110

Enclosed is Amendment No. 3 to your Finance Agreement for your approval and signature. This Amendment cannot be considered binding by either party until approved by the State Water Resources Control Board. The State is not obligated to make any payments for services performed prior to final approval of any Agreement.

If the District is in agreement with all terms and conditions of the Amendment, please sign and date two (2) signature pages and return no later than thirty (30) calendar days from the date of this letter to:

US Mail

Ms. Amor Moskaira
Contract Analyst
State Water Resources Control Board
Division of Financial Assistance
P.O. Box 944212
Sacramento, CA 94244

Overnight Mail

Ms. Amor Moskaira
Contract Analyst
State Water Resources Control Board
Division of Financial Assistance
1001 I Street, 16th Floor
Sacramento, CA 95814

Expeditious handling of this Amendment is appreciated. Please contact Ms. Moskaira at (916) 449-5627 or amor.moskaira@waterboards.ca.gov.

Once final approval is obtained, we will forward you an executed copy for your records.

Enclosure

