

RESOLUTION NO. SD16-002
OF THE BOARD OF DIRECTORS OF
NEVADA COUNTY SANITATION DISTRICT NO. 1

**RESOLUTION APPROVING AMENDMENT NO. 1 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 SD14-04) in the amount of \$5,000,000 through the Clean Water State Revolving Fund Small Community Grant (CWSRF SCG) program; and

WHEREAS, the State and the Sanitation District desire to amend the agreement to reflect an updated estimate of construction completion.

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

1. Approves Amendment No. 1 to Grant Agreement No. 13-829-550 revising the project completion dates.
2. Authorizes the Chair of the Board of Directors to execute the Amendment No. 1 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 23rd day of February, 2016, by the following vote:

Ayes: Directors Nathan H. Beason, 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: _____



Dan Miller, Chair

2/23/2015 cc: NCSD#1(2)
AC*(hold)

3/10/2016 cc: NCSD#1*
AC*(release)

SMALL COMMUNITY GRANT RESIDUAL BONDS



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. 1 **DATED AS OF DECEMBER 22, 2015**

AMOUNT: \$5,000,000

START DATE: APRIL 14, 2014
END DATE: ~~MARCH 31, 2046~~ **JUNE 1, 2047**
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 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)

All other terms and conditions shall remain the same.

NEVADA COUNTY SANITATION DISTRICT NO. 1:

By: 
Name: Dan Miller
Title: Chair of the Board of Directors

Date: 2-23-2016

STATE WATER RESOURCES CONTROL BOARD:

By: 
Name: Darrin Polhemus
Title: Deputy Director, Division of Financial Assistance

Date: 3/4/16

EXHIBIT A – SCOPE OF WORK & INCORPORATED DOCUMENTS

1. The Recipient agrees to start construction no later than the estimated date of ~~May 31, 2015~~
July 31, 2016.
2. The estimated Completion of Construction date is hereby established as ~~March 31, 2016~~ **June 1, 2017.**
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, which are the basis for the construction contract to be awarded by the Recipient (Agreement will be amended to incorporate such document);
 - (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

EXHIBIT A – SCOPE OF WORK & INCORPORATED DOCUMENTS

Valley Drive until it reaches the Lake Wildwood WWTP. The overall pipeline length will be 4.5 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 five million dollars and no cents (\$5,000,000.00).
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 five million dollars and no cents (\$5,000,000.00) 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 ~~March 31, 2046~~ **June 1, 2047**.
5. Budget costs are contained in the Project Cost Table, which is part of Exhibit A-FBA. (This Agreement will be amended to incorporate this Exhibit.)
6. Preliminary budget costs are as follows:

Allowances (soft costs):	Planning and Design	\$500,000
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Construction costs and disbursements are not available until after this Agreement has been amended to incorporate the Final Budget Approval in Exhibit A-FBA.

Any construction expenses incurred by the Recipient prior to such amendment of this Agreement are at the Recipient's risk. Failure to begin construction according to the timelines set forth in Exhibit A will require the Recipient to repay to the State Water Board all disbursed Project Funds, including Allowances.