

RESOLUTION NO. 22-041
Riley-Purgatory-Bluff Creek Watershed District
Board of Managers

Authorizing execution of a service contract with Peterson Companies

Manager Koch offered the following resolution and moved its adoption, seconded by Manager Pedersen:

WHEREAS Riley-Purgatory-Bluff Creek Watershed District developed and adopted a watershed management plan pursuant to Minnesota Statutes section 103B.251 which identifies potential projects including a water quality and stormwater abstraction project to improve water quality in Lake Susan (the Project);

WHEREAS at its July 21, 2017 meeting, the RPBCWD Board of Managers ordered the Project in accordance with Minnesota Statutes section 103B.251, and at the May 8, 2018 meeting of the RPBCWD Board of Managers, a Cooperative Agreement with Chanhassen was authorized; and

WHEREAS at its May 8, 2018, meeting the RPBCWD Board of Managers awarded the contract for construction of the Project to Peterson Companies which was subsequently executed by the District Administrator; and

WHEREAS Peterson Companies has worked with Chanhassen Parks Department to train staff on proper installation, operation, and removal, since project completion and the pump system regularly loses prime and RPBCWD is not warned of the alarm; and

WHEREAS as the RPBCWD Engineer, design engineers, and Peterson Company have sought to trouble shoot the Project over the course of the summers of 2020 and 2021; and

WHEREAS the Project continues to not function per design and does not, as a result, provide the anticipated reduction in total phosphorus and runoff volume; and

WHEREAS RPBCWD has \$99,540 in the 2022 budget dedicated to the maintenance of RPBCWD initiated capital projects and Peterson Companies has a unique knowledge of reuse in general and the Project specifically.

NOW THEREFORE BE IT RESOLVED that the RPBCWD Board of Managers authorizes the interim administrator, with advice of counsel, to enter the attached services contract with Peterson Companies for a total cost not to exceed \$11,000, as finalized with such nonsubstantive changes as are necessary to implement the intent of the managers and the Services.

The question was on the adoption of the resolution and there were 4 yeas, 0 nays, and 1 abstention as follows:

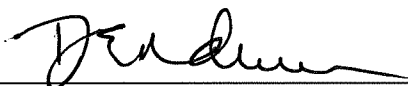
| | <u>Yea</u> | <u>Nay</u> | <u>Abstain</u> | <u>Absent</u> |
|----------|------------|------------|----------------|---------------|
| CRAFTON | X | | | |
| DUEVEL | | | X | |
| KOCH | X | | | |
| PEDERSEN | X | | | |
| ZIEGLER | X | | | |

Upon vote, the president declared the resolution adopted.

July 13, 2022

I, Dorothy Pedersen, secretary of the Riley-Purgatory-Bluff Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with RPBCWD and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this 14th day of July, 2022.



Dorothy Pedersen, Secretary