



# COLORADO WATER CONSERVATION BOARD

## WATER SUPPLY RESERVE ACCOUNT GRANT APPLICATION FORM



Pagosa Lakes Area Village Lake Dam Outlet Pipe Repair Project

**Name of Water Activity/Project**

**Approving Basin Roundtable**

\$25,000

**Amount from Statewide Account**

**Total Amount of Funds Requested**

**Amount from Basin Account**

\$25,000

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## Water Supply Reserve Account – Grant Application Form

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### Instructions

To receive funding from the Water Supply Reserve Account (WSRA), a proposed water activity must be approved by the local Basin Roundtable AND the Colorado Water Conservation Board (CWCB). The process for Basin Roundtable consideration/approval is outlined in Attachment 1.

Once approved by the local Basin Roundtable, the applicant should submit this application, a detailed statement of work, detailed project budget, and project schedule to the CWCB staff by the application deadline.

The application deadlines are:

- Basin Account – 60 calendar days prior to the bi-monthly Board meeting
- Statewide Account – 60 calendar days prior to the September Board meeting

Board Meeting Dates	Basin Account Deadlines	Statewide Account Deadlines
July 20-21, 2010	May 21, 2010	n/a
September 21-22	July 23, 2010	July 23, 2010
November 16-17	September 17, 2010	n/a
January 2011	60 days prior	n/a
March 2011	60 days prior	n/a
May 2011	60 days prior	n/a
July 2011	60 days prior	n/a
September 2011	60 days prior	60 days prior

When completing this application, the applicant should refer to the WSRA Criteria and Guidelines available at: <http://cwcb.state.co.us/IWMD>.

The application, statement of work, budget, and schedule must be submitted in electronic format (Microsoft Word or text-enabled PDF are preferred) and can be emailed or mailed on a disk to:

Mr. Todd Doherty  
Colorado Water Conservation Board  
Water Supply Planning Section  
WSRA Application  
1580 Logan Street, Suite 200  
Denver, CO 80203  
[Todd.Doherty@state.co.us](mailto:Todd.Doherty@state.co.us)

If you have questions or need additional assistance, please contact Todd Doherty of the Water Supply Planning Section at 303-866-3441 x3210 or [todd.doherty@state.co.us](mailto:todd.doherty@state.co.us).

### **Part A. - Description of the Applicant** (Project Sponsor or Owner);

1.	Applicant Name(s):	Pagosa Lakes Property Owners Association
	Mailing address:	230 Port Avenue, Pagosa Springs, CO 81147

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2. Person to contact regarding this application if different from above:

Name:

Larry Lynch

Position/Title

Property and Environment Manager

3. Eligible entities that may apply for grants from the WSRA include the following. What type of entity is the Applicant?

☐

Public (Government) – municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities and the local entity should be the grant recipient. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.

☐

Public (Districts) – special, water and sanitation, conservancy, conservation, irrigation, or water activity enterprises.

☒

Private Incorporated – mutual ditch companies, homeowners associations, corporations.

☐

Private individuals, partnerships, and sole proprietors are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.

☐

Non-governmental organizations – broadly defined as any organization that is not part of the government.

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4. Provide a brief description of your organization

The Pagosa Lakes Property Owners Association is a not-for-profit corporation located in southwest Colorado, unincorporated Archuleta County. The Association is comprised of 26 subdivisions and approximately 6630 permanent residents, 22 square miles. The Association was formed in 1972 and is commonly referred to as Pagosa Lakes. Pagosa Lakes makes up for the majority of the population of Archuleta County. Pagosa Lakes is located just to the west of downtown Pagosa Springs. There are four reservoirs located within Pagosa Lakes along with 3494 living units. Most of the domestic water for Pagosa Lakes comes from raw water stored in the reservoirs.

5. If the Contracting Entity is different then the Applicant (Project Sponsor or Owner) please describe the Contracting Entity here.

The Pagosa Lakes Property Owners Association (owner).

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6. Successful applicants will have to execute a contract with the CWCB prior to beginning work on the portion of the project funded by the WSRA grant. In order to expedite the contracting process the CWCB has established a standard contract with provisions the applicant must adhere to. A copy of this standard contract is included in Attachment 3. Please review this contract and check the appropriate box.

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The Applicant will be able to contract with the CWCB using the Standard Contract

☐

The Applicant has reviewed the standard contract and has some questions/issues/concerns. Please be aware that any deviation from the standard contract could result in a significant delay between grant approval and the funds being available.

7. The Tax Payer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect the applicant.

No TABOR restrictions or limitations would apply in this case.

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### Part B. - Description of the Water Activity

1. Name of the Water Activity/Project:

The Village Lake Dam (aka Town Center Dam) outlet pipe rehabilitation project.

2. What is the purpose of this grant application? (Please check all that apply.)

☐

Environmental compliance and feasibility study

☐

Technical Assistance regarding permitting, feasibility studies, and environmental compliance

☐

Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects

Study or Analysis of:

☐

Structural project or activity

☐

Nonstructural project or activity

☐

Consumptive project or activity

☐

Nonconsumptive project or activity

☒

Structural and/ or nonstructural water project or activity

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3. Please provide an overview/summary of the proposed water activity (no more than one page). Include a description of the overall water activity and specifically what the WSRA funding will be used for.

**The purpose of this project is to rehabilitate a failing outlet pipe on the dam. In 2007, a routine outlet pipe video inspection revealed that the outlet pipe was in a serious state of decay and corrosion. In the fall of 2008, the Colorado Division of Water Resources issued a Conditional Full Storage status to Village Lake Reservoir and Dam (aka Town Center Dam), conditional on the outlet pipe being repaired in the near future. The outlet pipe is a 172 foot long, 24 inch diameter horizontal corrugated metal pipe (CMP) that runs underneath the dam and allows for the safe drawdown and reservoir level control. The CMP, over 30 years old, is in a state of decay and corrosion and the State Engineer has determined that this is a serious condition that could lead to potential dam failure, the Association has been required to make a repair.**

**Village Lake Dam height is 41.5 feet, crest length is 1000 feet, crest width is 40 feet, emergency spillway width is 150 feet. The reservoir is 70 surface acres with a water storage capacity of 700 acre feet. State DWR Dam ID-780109.**

**The location is northwest of Pagosa Springs, section 19, T35N, R2W. To get to Village Lake Dam access North Pagosa Boulevard from US Hwy 160. Drive north on North Pagosa Boulevard approximately 2 miles where North Pagosa Blvd., a major arterial road, crosses the crest of the dam.**

**Village Lake is one of several lakes in the Pagosa Lakes area of Archuleta County. The water is owned and managed by the Pagosa Area Water and Sanitation District, but the dams and real property that the reservoir basins are situated on are owned by the Pagosa Lakes Property Owners Association. Water in the reservoirs is utilized by the PAWSD for such uses as municipal drinking water, irrigation of a number of large properties including a golf course and numerous condo and timeshare properties as well as used for fire suppression systems. The water in the Pagosa Lakes reservoirs provides drinking water to well over half the population of the county and the reservoirs are extremely important storage vessels. Should a dam ever fail, such as Village Lake Dam, the consequences would be wide reaching and a number of emergency water conservation restrictions would become immediately necessary.**

**If the dam is not repaired in a timely manner the Colorado Division of Water Resources will begin implementing mandatory storage restrictions on the dam.**

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### Part C. – Threshold and Evaluation Criteria

1. Describe how the water activity meets these **Threshold Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)
  - a) The water activity is consistent with Section 37-75-102 Colorado Revised Statutes.<sup>1</sup>

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<sup>1</sup> 37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the state constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law. (2) The General Assembly affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes. This article shall not be implemented in any way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water. This article shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights. The General Assembly affirms that this article does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.



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- b) The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT) and the application includes a description of the results of the BRT's evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.
  
- c) The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes.<sup>2</sup> The Basin Roundtable Chairs shall include in their approval letters for particular WSRA grant applications a description of how the water activity will assist in meeting the water supply needs identified in the basin roundtable's consumptive and/or non-consumptive needs assessments.

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<sup>2</sup> 37-75-104 (2)(c). Using data and information from the Statewide Water Supply Initiative and other appropriate sources and in cooperation with the on-going Statewide Water Supply Initiative, develop a basin-wide consumptive and nonconsumptive water supply needs assessment, conduct an analysis of available unappropriated waters within the basin, and propose projects or methods, both structural and nonstructural, for meeting those needs and utilizing those unappropriated waters where appropriate. Basin Roundtables shall actively seek the input and advice of affected local governments, water providers, and other interested stakeholders and persons in establishing its needs assessment, and shall propose projects or methods for meeting those needs. Recommendations from this assessment shall be forwarded to the Interbasin Compact Committee and other basin roundtables for analysis and consideration after the General Assembly has approved the Interbasin Compact Charter.

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- d) Matching Requirement: For requests from the Statewide Fund, the applicants is required to demonstrate a 20 percent (or greater) match of the request from the Statewide Account. Sources of matching funds include but are not limited to Basin Funds, in-kind services, funding from other sources, and/or direct cash match. Past expenditures directly related to the project may be considered as matching funds if the expenditures occurred within 9 months of the date the application was submitted to the CWCB. Please describe the source(s) of matching funds. (NOTE: These matching funds should also be reflected in your Detailed Budget in Part D of this application)

The Pagosa Lakes Property Owners Association will be providing a direct cash match for the project totaling \$123,338. This cash match is funding that the Association has set aside in a Capital Reserve replacement account.

Additionally, the PAWSD has agreed to provide in-kind services for the project including such things as providing any earth materials and trucking and/or technical assistance.

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2. For Applications that include a request for funds from the Statewide Account, describe how the water activity meets the **Evaluation Criteria**. (Detailed in Part 3 of the Water Supply Reserve Account Criteria and Guidelines.)

N/A

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### Part D. – Required Supporting Material

#### 1. Water Rights, Availability, and Sustainability

This information is needed to assess the viability of the water project or activity. Please provide a description of the water supply source to be utilized, or the water body to be affected by, the water activity. This should include a description of applicable water rights and the name/location of water bodies affected by the water activity.

Village Lake is a 70 surface acre, 700 acre feet storage reservoir located in Archuleta County, Colorado. All water rights in the Village Lake reservoir are owned and controlled by the Pagosa Area Water Sanitation District. The District provides drinking water, domestic water, fire suppression water and irrigation water to the community of Pagosa Lakes.

#### 2. Please provide a brief narrative of any related or relevant previous studies.

In 2006 a detailed lake hydrographic lake bottom contour map was developed as part of a watershed study conducted. Additionally, a hydrologic modeling analysis of the watershed was performed by Riverbend Engineering of Pagosa Springs which included watershed sub-basin maps, drainage basin characteristics and identified key locations for infrastructure and stormwater mitigation. The Watershed Master Plan developed as part of this study also prioritized important planning and prioritization of watershed improvement projects including proposed watershed protection land use regulations, drinking water supply protection measures, construction best management practices to control sedimentation and contaminants, forest health improvement projects and noxious weed control measures.

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### **3. Statement of Work, Detailed Budget, and Project Schedule**

The statement of work will form the basis for the contract between the Applicant and the State of Colorado. In short, the Applicant is agreeing to undertake the work for the compensation outlined in the statement of work and budget, and in return, the State of Colorado is receiving the deliverables/products specified. Please note that costs incurred prior to execution of a contract or purchase order are not subject to reimbursement.

Please provide a detailed statement of work using the following template. Additional sections or modifications may be included as necessary. Please define all acronyms. If a grant is awarded an independent statement of work document will be required with correct page numbers.

## **Statement of Work**

**WATER ACTIVITY NAME – Village Lake Dam Outlet Pipe Rehabilitation Project**

**GRANT RECIPIENT – Pagosa Lakes Property Owners Association**

**FUNDING SOURCE – Pagosa Lakes Property Owners Association- Cash Match \$123,388**

**WSRA (Water Supply Reserve Account) - \$25,000 grant Request**

**SWCD (Southwest Water Conservation District)- \$25,000 grant request**

### **INTRODUCTION AND BACKGROUND**

Provide a brief description of the project. (Please limit to no more than 200 words; this will be used to inform reviewers and the public about your proposal)

The Village Lake Dam Outlet Pipe Rehabilitation Project is a relatively straight forward repair/rehabilitation to the main outlet pipe of the dam. A 172 foot long, 24 inch diameter corrugated metal pipe. The proposed repair includes the installation of a cured in place plastic pipe (CIPP) to both the main outlet pipe and the 24 inch vertical spillway riser pipe. Additional repairs will be made to the concrete baffle blocks located at the outlet structure and replacing the metal trash rack at the top of the service spillway riser pipe.

The Colorado Division of Water Resources, State Dam Safety Engineer, has ordered the repair due to serious concerns about the safety of the dam due to corrosion and decay of the outlet pipe. In 2008 the State Engineer put a “Conditional Storage” restriction on the dam, conditional on the outlet pipe being repaired in a timely manner. Should the outlet pipe not be repaired in the near future, reservoir storage restrictions would be eminent.

### **OBJECTIVES**

The objectives of the project include re-habilitating the existing outlet works, which includes a 172 foot long, 24 inch diameter corrugated metal outlet pipe encased in reinforced concrete, by installing a cured in place plastic liner (CIPP). The project will include (1) the installation of the CIPP in both the outlet conduit and the vertical service spillway riser pipe, (2) the repair of the reinforced concrete baffle blocks located at the outlet works discharge structure, and (3), modifying the trash rack located at the top of the service spillway riser pipe.

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### TASKS

Provide a detailed description of each task using the following format

#### **TASK 1 – Design and Engineering**

##### Description of Task

Design and engineering of the project, includes project evaluation, alternatives analysis, alternative selection (CIPP) and dam repair engineer design drawings.

##### Method/Procedure

URS Corporation of Denver, Colorado was the engineering firm selected by the Association for this project. URS evaluated the project based on their extensive experience in dam repair projects and several site visits. URS then developed an alternatives analysis, and of the three alternatives delivered recommended the Cured in Place Plastic Pipe (CIPP) option as the most effective solution. The Association has selected the CIPP option based on the URS recommendation. URS was then authorized to develop design repair drawings and construction specifications for the repair. An engineer's cost estimate was also included in this task.

##### Deliverable

Please see attached design engineer repair construction drawings and engineer's cost estimate for the CIPP repair.

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### **TASK 2 –Engineering Construction Phase Services**

#### Description of Task

An Engineering Construction Phase Services agreement with URS was signed in September, 2010. Three URS sub-tasks are included in this agreement. Sub-Task 1, Pre-construction Services, includes project bids support that includes attending pre-bid meetings, bid reviews and recommendations of bid project award. Sub-Task 2, Construction Support, will include contractor submittal review, engineer construction oversight, construction reporting and site visits. Sub-Task 3, Post Construction Services, will include construction documentation (including final reports delivered to the State Engineer's Office), quality assurance summary and final construction cost summary.

#### Method/Procedure

URS Construction Phase services as contracted and described in Sub-Tasks 1-3 above.

#### Deliverable

Engineering Construction Phase Services by URS Corporation.

### **Task 3 – Construction**

#### Description of Task

The Association will begin advertising the project in March and has selected a Bid Opening date on April 6<sup>th</sup>, 2011. If a bid is found to be acceptable, the Association will award the project April 13, with a project start scheduled for October 6, 2011 and a construction completion date on November 5, 2011. However, the project is dependent on sufficient funds being available for the project. Based on construction cost estimates from URS, the Association is seeking cost assistance on this project.

#### Method/Procedure

The contractor selected for the project will implement the URS designed repair method/procedure outlined in the contract and engineer drawings.

#### Deliverable

The contractor will install the CIPP in the main outlet pipe, the vertical spillway pipe, replace the baffle blocks at the outlet structure and replace the trash grate located on top of the service spillway riser pipe.



**REPORTING AND FINAL DELIVERABLE**

**Reporting:** The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of the executed contract. The progress report shall describe the completion or partial completion of the tasks identified in the statement of work including a description of any major issues that have occurred and any corrective action taken to address these issues.

**Final Deliverable:** At completion of the project, the applicant shall provide the CWCB a final report that summarizes the project and documents how the project was completed. This report may contain photographs, summaries of meetings and engineering reports/designs.

**Applicant Note:** All reporting shall be submitted to SWCB every 6 months, beginning from the date of the executed contract including a final report complete with photographs, summaries and project documentation.

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### BUDGET

Provide a detailed budget by task including number of hours and rates for labor and unit costs for other direct costs (i.e. mileage, \$/unit of material for construction, etc.). A detailed and perfectly balanced budget that shows all costs is required for the State's contracting and purchase order processes. Sample budget tables are provided below. Please note that these budget tables are examples and will need to be adapted to fit each individual application. Tasks should correspond to the tasks described above.

	Project Engineer Hours	Matching Funds	Total Project Costs
Task 1- Design and Engineering	429 @ \$100/Hr	\$42,527	\$42,527

	Project Engineer Hours	Matching Funds	Total Project Costs
Task 2 – Engineering Construction Phase Services	181 @ \$120/Hr	\$21,911	\$21,911

	Engineer's Cost Estimate	Matching Funds	Requested WSRA Funds	Requested SWCD Funds
Task 3 – Construction	\$108,900	\$58,900	\$25,000	\$25,000

### Engineer's Opinion of Probable Construction Cost

Item Description	UM	Quantity	Unit Price	Cost
Mobilization	LS	1	\$15,000.00	\$ 15,000.00
Dewatering/Reservoir Control	LS	1	\$10,000.00	\$ 10,000.00
24" CIPP Liner (13.5 mm)	LF	203	\$ 275.00	\$ 55,825.00
Trashrack Modifications	LS	1	\$ 7,500.00	\$ 7,500.00
Upstream CIPP Seal	LS	1	\$10,000.00	\$ 10,000.00
Baffle Block Repair	LS	1	\$ 675.00	\$ 675.00
Subtotal				\$ 99,000.00
Contingency (10%)				\$ 9,900.00
Total				\$ 108,900.00

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**Total Project Costs including Task 1, Task 2 and Task 3 - \$173,338**

**Total Matching Funds – Pagosa Lakes Property Owners Association - \$123,338**

**72% Matching Cash Funds by Applicant**

**28% Cost Assistance Request (14% WSRA \$25,000 – 14% SWCD \$25,000)**

**WSRA- Water Supply Reserve Account  
SWCD – Southwest Water Conservation District**

### **SCHEDULE**

Provide a project schedule including key milestones for each task and the completion dates or time period from the Notice to Proceed (NTP). This dating method allows flexibility in the event of potential delays from the procurement process. Sample schedules are provided below. Please note that these schedules are examples and will need to be adapted to fit each individual application.

#### **Task 1 – Design and Engineering**

An Agreement of Professional Services was signed by the Association and URS on July 23, 2009. An Alternatives Analysis was submitted to the Association on September 23, 2009. The final designs and drawings for the Village Lake Dam rehabilitation project were submitted to the Association on August 3, 2010.

#### **Task 2 – Engineering Construction Phase Services**

An agreement of Professional Services was signed by the Association and URS on August 31, 2010 for Task 2, Engineering Construction Phase Services, beginning in 2011 through project completion.

#### **Task 3 - Construction**

### **PROPOSED CONSTRUCTION PROJECT SCHEDULE**

The proposed project schedule is as follows:

Pre-Bid Meeting:	March 21, 2011
Questions Due:	March 28, 2011
Bids Due:	April 6, 2011
Notice of Award:	April 13, 2011
Notice to Proceed:	October 6, 2011
Preconstruction Meeting:	October 13, 2011
Substantial Completion:	October 29, 2011
Final Completion:	November 5, 2011

## **PAYMENT**

Payment will be made based on actual expenditures and invoicing by the applicant. Invoices from any other entity (i.e. subcontractors) cannot be processed by the State. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 5 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed. All products, data and information developed as a result of this grant must be provided to the CWCB in hard copy and electronic format as part of the project documentation. This information will in turn be made widely available to Basin Roundtables and the general public and help promote the development of a common technical platform.

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The above statements are true to the best of my knowledge:

**Signature of Applicant:**

**Print Applicant's Name:** Larry D. Lynch

**Project Title:** Pagosa Lakes Area Village Lake Dam Outlet Pipe Repair Project

**Return this application to:**

Mr. Todd Doherty  
Intrastate Water Management and Development Section  
COLORADO WATER CONSERVATION BOARD  
1580 Logan Street, Suite 200  
Denver, CO 80203

To submit applications by Email, send to: [todd.doherty@state.co.us](mailto:todd.doherty@state.co.us)

**Attachment 1**  
**Reference Information**

The following information is available via the internet. The reference information provides additional detail and background information.

Colorado Water Conservation Board (<http://cwcb.state.co.us/>)

Loan and Grant policies and information are available at – <http://cwcb.state.co.us/Finance/>

Interbasin Compact Committee and Basin Roundtables (<http://ibcc.state.co.us/>)

Interbasin Compact Committee By-laws and Charter (under Helpful Links section) –

<http://ibcc.state.co.us/Basins/IBCC/>

Legislation

House Bill 05-1177 - Also known as the Water for the 21<sup>st</sup> Century Act –

<http://cwcbweblink.state.co.us/DocView.aspx?id=105662&searchhandle=28318>

House Bill 06-1400 – Adopted the Interbasin Compact Committee Charter –

<http://cwcbweblink.state.co.us/DocView.aspx?id=21291&searchhandle=12911>

Senate Bill 06-179 – Created the Water Supply Reserve Account –

<http://cwcbweblink.state.co.us/DocView.aspx?id=21379&searchhandle=12911>

Statewide Water Supply Initiative

General Information – <http://cwcb.state.co.us/TWMD/>

Phase 1 Report – <http://cwcb.state.co.us/TWMD/SWSITechnicalResources/SWSIPhaseIReport/>

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**Attachment 2**  
**Insurance Requirements**

NOTE: The following insurance requirements taken from the standard contract apply to WSRA projects that exceed \$25,000 in accordance with the policies of the State Controller's Office. Proof of insurance as stated below is necessary prior to the execution of a contract.

**13. INSURANCE**

Grantee and its Sub-grantees shall obtain and maintain insurance as specified in this section at all times during the term of this Grant: All policies evidencing the insurance coverage required hereunder shall be issued by insurance companies satisfactory to Grantee and the State.

**A. Grantee**

**i. Public Entities**

If Grantee is a "public entity" within the meaning of the Colorado Governmental Immunity Act, CRS §24-10-101, et seq., as amended (the "GIA"), then Grantee shall maintain at all times during the term of this Grant such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the GIA. Grantee shall show proof of such insurance satisfactory to the State, if requested by the State. Grantee shall require each Grant with Sub-grantees that are public entities, providing Goods or Services hereunder, to include the insurance requirements necessary to meet Sub-grantee's liabilities under the GIA.

**ii. Non-Public Entities**

If Grantee is not a "public entity" within the meaning of the GIA, Grantee shall obtain and maintain during the term of this Grant insurance coverage and policies meeting the same requirements set forth in §13(B) with respect to sub-Grantees that are not "public entities".

**B. Sub-Grantees**

Grantee shall require each Grant with Sub-grantees, other than those that are public entities, providing Goods or Services in connection with this Grant, to include insurance requirements substantially similar to the following:

**i. Worker's Compensation**

Worker's Compensation Insurance as required by State statute, and Employer's Liability Insurance covering all of Grantee and Sub-grantee employees acting within the course and scope of their employment.

**ii. General Liability**

Commercial General Liability Insurance written on ISO occurrence form CG 00 01 10/93 or equivalent, covering premises operations, fire damage, independent Grantees, products and completed operations, blanket Grantual liability, personal injury, and advertising liability with minimum limits as follows: (a) \$1,000,000 each occurrence; (b) \$1,000,000 general aggregate; (c) \$1,000,000 products and completed operations aggregate; and (d) \$50,000 any one fire. If any aggregate limit is reduced below \$1,000,000 because of claims made or paid, Sub-grantee shall immediately obtain additional insurance to restore the full aggregate limit and furnish to Grantee a certificate or other document satisfactory to Grantee showing compliance with this provision.

**iii. Automobile Liability**

Automobile Liability Insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

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### **iv. Additional Insured**

Grantee and the State shall be named as additional insured on the Commercial General Liability and Automobile Liability Insurance policies (leases and construction Grants require additional insured coverage for completed operations on endorsements CG 2010 11/85, CG 2037, or equivalent).

### **v. Primacy of Coverage**

Coverage required of Grantee and Sub-grantees shall be primary over any insurance or self-insurance program carried by Grantee or the State.

### **vi. Cancellation**

The above insurance policies shall include provisions preventing cancellation or non-renewal without at least 45 days prior notice to the Grantee and the State by certified mail.

### **vii. Subrogation Waiver**

All insurance policies in any way related to this Grant and secured and maintained by Grantee or its Sub-grantees as required herein shall include clauses stating that each carrier shall waive all rights of recovery, under subrogation or otherwise, against Grantee or the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

## **C. Certificates**

Grantee and all Sub-grantees shall provide certificates showing insurance coverage required hereunder to the State within seven business days of the Effective Date of this Grant. No later than 15 days prior to the expiration date of any such coverage, Grantee and each Sub-grantee shall deliver to the State or Grantee certificates of insurance evidencing renewals thereof. In addition, upon request by the State at any other time during the term of this Grant or any sub-grant, Grantee and each Sub-grantee shall, within 10 days of such request, supply to the State evidence satisfactory to the State of compliance with the provisions of this §13.



**Attachment 3**  
**Water Supply Reserve Account Standard Contract**

NOTE: The following contract is required for WSRA projects that exceed \$100,000. (Projects under this amount will normally be funded through a purchase order process.) Applicants are encouraged to review the standard contract to understand the terms and conditions required by the State in the event a WSRA grant is awarded. Significant changes to the standard contract require approval of the State Controller's Office and often prolong the contracting process.

It should also be noted that grant funds to be used for the purchase of real property (e.g. water rights, land, conservation easements, etc.) will require additional review and approval. In such cases applicants should expect the grant contracting process to take approximately 3 to 6 months from the date of CWCB approval.

**Attachment 4**  
**W-9 Form**

NOTE: A completed W-9 form is required for all WSRA projects prior execution of a contract or purchase order. Please submit this form with the completed application.