

Dixon Reservoir Dam Improvements									
Dixon Canon Ditch and Reservoir 413 South Bryan Fort Collins, CO 80521 c/o Rick Jordan Ph. 970-221-6240 Fax rjordan@fcgov.com				Loan Contract No.: Authorization: Contract Amount Loan Service Fee % Loan Service Fee Total Loan Amount Interest: Term (Years): Conditions: IDC Calculation Date:			Original	Amended	Final
							CT2017-914		
							\$280,881.00		
							\$278,100.00		
							1.00%		
							\$2,781.00		
							\$280,881.00		
							2.55%		
							30		
							Up to 100%		
							x		
Contract Expires:							8/2/2019		
Pay Req. No.	Date	Description	Amount Disbursed	Cumulative Loan Balance	Balance Available to Loan	Interest	Accrued Interest		
			\$	\$	\$				
1	3/26/2018	Construction	\$ 164,206.57	\$ 164,206.57	\$ 278,100.00	-	-		

59%

The Dixon Canyon Ditch & Reservoir Company
413 South Bryan Avenue
Fort Collins Colo. 80521

Date 03/26/2018

Jonathan Hernandez, PE
Colorado Water Conservation Board
1313 Sherman St., Room 718
Denver, CO 80203
jonathan.hernandez@state.co.us

Re: Dixon Reservoir Improvement Project - PAY
REQUEST No. 01
CWCB Contract Number CT2017-914

Dear Mr. Hernandez:

Enclosed is Pay Request 01 for the costs associated with the Project. The following is a summary of all current Project charges.

Current Project Charges	<u>\$164,206.57</u>
Previous Project Charges	<u>\$000.00</u>
TOTAL	<u>\$164,206.57</u>
CWCB PAYMENT (100%)	<u>\$164,206.57</u>
Less Previous Payments	<u>\$000.00</u>
AMOUNT OF THIS REQUEST	<u>\$164,206.57</u>

We request payment for the amount indicated above. We have included the invoices related to the requested payment amount identified above. If you have any questions, please feel free to call this office at 970-221-6240.

Sincerely,

 3/26/18
Kirk Russell Date

Insurance Expiration Dates
BORROWER - 4/25/2018

CONSTRUCTION CONTRACTOR - 5/01/2018

Rick Jordan, PRESIDENT


Attachments: Progress Report
Invoices

OK to Pay \$164,206.57
Contract/PO# CT2017-914
 3/26/18
Jonathan Hernandez Date

PROGRESS REPORT
DIXON RESERVOIR IMPROVEMENT PROJECT
PAY REQUEST No. 1

Project Cost expended during this Pay Request is summarized below:

Zak Dirt INC.
Payment 1

Invoice Amount
\$164,206.57

Subtotal **\$164,206.57**

Current Project Charges	\$164,206.57
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Project Update:

See attached Pay Request #1 Progress Narrative prepared by Gauthiere Engineering, Inc.

Dixon Canon Ditch & Reservoir Company
Dixon Reservoir Dam Improvement Project
Pay Request #1 Progress Narrative

The Contractor, ZAK Dirt, Inc., has completed approximately 63% of the work and material acquisition required by the plans and specifications for the Dixon Reservoir Dam Improvement Project.

The work in progress regarding Pay Request #1 included acquisition of coarse and fine aggregate filter materials, solid wall and slotted wall toe drain pipe, a manhole, a cleanout and other appurtenances. Work included excavation of the downstream slope of the dam to facilitate the installation of the seepage collection dual media filter system and toe drain, the installation of the toe drain pipe and filter materials as well as concrete placement for the pipe encasement and seepage monitoring weir structure.

The Contractor is continuing to place seepage collection filter materials embankment and berm materials.



Completing the Chimney Drain Blanket

1

Application For Payment Change Order Summary

1. ORIGINAL CONTRACT PRICE.....		\$261,240.95
2. Net change by Change Orders.....		\$0.00
3. Current Contract Price (Line 1 + 2).....		\$261,240.95
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate).....		\$182,451.75
5. RETAINAGE:		
a. 5% X \$182,451.75 Work Completed.....		\$18,245.18
b. 0% X \$0.00 Stored Material.....		\$0.00
c. Total Retainage (Line 5a + Line 5b).....		\$18,245.18
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).....		\$243,000.00
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....		\$164,206.57
8. AMOUNT DUE THIS APPLICATION.....		\$78,793.43
9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above).....		\$97,034.38

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Lien, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

(Date)

By: James J. [Signature]

Approved by:

THE DIXON CANON DITCH & RESERVOIR COMPANY

PROJECT: DIXON RESERVOIR DAM IMPROVEMENT PROJECT

CONTRACTOR: ZAK DIRT, INC.

CWCB CONTRACT No. CT2017-914

ENGINEER GAUTHIERE ENGINEERING, INC.

DATE MARCH. 14, 2018

CONTRACTOR'S PAYMENT REQUEST NO. 1

To the best of my knowledge and belief, I certify that all items, units, prices, and quantities listed below on this Payment Request are correct; that all work has been performed, and materials supplied in full accordance with the conditions of Project Construction Contract; that the following is a true and correct statement of the Contract Account for the period covered by this request and that none of the "TOTAL AMOUNT DUE THIS CONTRACT PAYMENT REQUEST" has been received.

1. OBLIGATIONS:

a. Original Contract Award.	<u>\$ 261,240.95</u>	
b. Change Orders Approved to Date	<u>\$ 0.00</u>	
c. TOTAL CONTRACT OBLIGATION TO DATE.....		<u>\$261,240.95</u>

2. PAYMENTS DUE THIS REQUEST:

a. Earned to Date.	<u>\$ 182,451.75</u>	
b. Earned on Change Orders to Date	<u>\$ -0-</u>	
c. TOTAL EARNED TO DATE.....		<u>\$182,451.75</u>
d. Advance for Allowed Materials on Site or Suitably Stored	<u>\$ -0-</u>	
e. TOTAL EARNED AND MATERIALS ADVANCE TO DATE.....		<u>\$182,451.75</u>
f. Total Retention to Date. (10%)	<u>\$ 18,245.18</u>	
g. Net Due on Earned and Materials Advance to Date. (2e. minus 2f.)	<u>\$ 164,206.57</u>	
h. Less Previous Payments. (item g. from previous claim)	<u>\$ -0-</u>	
i. TOTAL AMOUNT DUE THIS CONTRACT PAYMENT REQUEST....		<u>\$164,206.57</u>

Contractor: ZAK DIRT, INC.

Date: Mar. 7, 2018

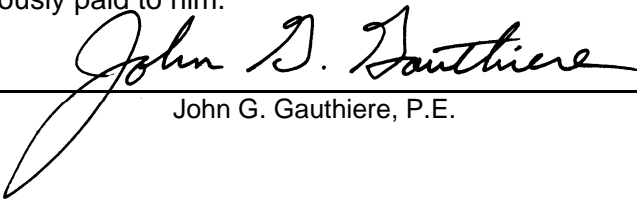
By: Kerry Sewczak

Title: Corp. Sec.

CONTRACT PAYMENT APPROVALS

This certifies that the above-named Contractor is entitled to the Contract Payment listed as item 2i. above, and no part of this amount has been previously paid to him.

Approved for Payment


John G. Gauthiere, P.E.

Mar. 14, 2018

Date

ACORD™**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

11/09/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Holmes Murphy -Colorado 7600 East Orchard Rd, Ste 330 South Greenwood Village, CO 80111		CONTACT NAME: PHONE (A/C, No, Ext): 515 223-6800 FAX (A/C, No): E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE INSURER A : Zurich American Insurance Compa	NAIC # 16535
		INSURER B : Travelers Casualty Insurance Co	19046
		INSURER C :	
		INSURER D :	
		INSURER E :	
		INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> BI Ded:2,500 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		GLO485843201	05/01/2017	05/01/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input checked="" type="checkbox"/> Drive Oth Car	X		BAP485843301	05/01/2017	05/01/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$0			ZUP91M6242917NF	05/01/2017	05/01/2018	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			WC485843101	05/01/2017	05/01/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Project: Dixon Reservoir Dam Improvement

Dixon Canon Ditch & Reservoir Company and Gauthiere Engineering Inc. are included as additional insureds as respects the General Liability and Auto Liability, as required by written contract, per the policy terms and conditions.

CERTIFICATE HOLDER**CANCELLATION**

Dixon Canon Ditch & Reservoir Company 281 N College Ave Fort Collins, CO 80524	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Craig Merton</i>
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Colorado Water Conservation Board
Project Expenditure Schedule

Dixon Reservoir Dam Improvements

Dixon Canon Ditch and Reservoir Company

413 South Bryan
Fort Collins, CO 80521
c/o Rick Jordan

Ph. 970-221-6240

Fax

rjordan@fcgov.com

Original
CT2017-914
\$280,881.00
\$278,100.00
1.00%
\$2,781.00
\$280,881.00
2.55%
30
100%
x

Loan Contract No.:
Authorization:
Contract Amount
Loan Service Fee %
Loan Service Fee
Total Loan Amount
Interest:
Term (Years):
Conditions:
IDC Calculation Date:

Contract Expires: 8/2/2019

Open

Substantial Completion Date

Pay Req. No.	Date	Description	Amount Disbursed	Cumulative Loan Balance	Balance Available to Loan	Interest	Accrued Interest	% Disbursed
1	4/2/2018	Construction	\$ 164,206.57	\$ 164,206.57	\$ 278,100.00	-	-	59%
2	6/12/2018	Construction	\$ 113,893.43	\$ 278,100.00	\$ 113,893.43	-	-	100%

Full Payment

The Dixon Canon Ditch & Reservoir Company
413 South Bryan Avenue
Fort Collins Colo. 80521

Date 06/11/2018

Jonathan Hernandez, PE
Colorado Water Conservation Board
1313 Sherman St., Room 718
Denver, CO 80203
jonathan.hernandez@state.co.us

Re: Dixon Reservoir Improvement Project- PAY
REQUEST No. 02
CWCBC Contract Number CT2017-914

Dear Mr. Hernandez:

Enclosed is Pay Request 02 for the costs associated with the Project. The following is a summary of all current Project charges.

Current Project Charges	\$ 115,893.43 115,814 ³⁷
Previous Project Charges	\$ 164,206.57 ✓
TOTAL	\$ 280,100 280,020 ⁹⁴
CWCBC PAYMENT (100%) MAX LOW	\$ 113,893.43 278,100 ⁰⁰
Less Previous Payments	\$ 135,000 164,206 ⁵⁷
AMOUNT OF THIS REQUEST	\$ 113,893.43 ✓

We request payment for the amount indicated above. We have included the invoices related to the requested payment amount identified above. If you have any questions, please feel free to call this office at 970-221-6240.

Sincerely,

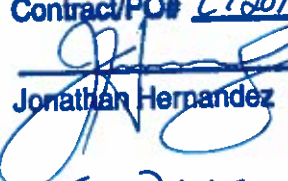


Rick Jordan, President

Attachments: Progress Report
Invoices


Kirk Russell Date 6/12/18

Insurance Expiration Dates
BORROWER - 4/25/2019
CONSTRUCTION CONTRACTOR - 5/01/2018

OK to Pay \$113,893⁴³
Contract/PO# CT2017-914

Jonathan Hernandez Date 6/12/18
FINAL PAYMENT

CONSTRUCTION
COMPLETED PRIOR
TO EXP. DATE

PROGRESS REPORT – Final
Dixon Reservoir Dam Improvement Project
PAY REQUEST No. 02

Project Cost expended during this Pay Request is summarized below:

Zak Dirt INC.	Invoice Amount
Payment 2	\$87,812.27
Payment 3 final	\$28,002.10
Subtotal	\$115,814.37

Company B	Invoice Amount
[DESCRIPTION, INVOICE NUMBER, DATE]	\$000,000
[DESCRIPTION, INVOICE NUMBER, DATE]	\$000,000
Subtotal	\$000,000

Company C	Invoice Amount
[DESCRIPTION, INVOICE NUMBER, DATE]	\$000,000
[DESCRIPTION, INVOICE NUMBER, DATE]	\$000,000
Subtotal	\$000,000

Company D	Invoice Amount
[DESCRIPTION, INVOICE NUMBER, DATE]	\$000,000
[DESCRIPTION, INVOICE NUMBER, DATE]	\$000,000
Subtotal	\$000,000

Current Project Charges	\$115,814.37
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Project Update:
Project Complete

Contractor's Application for Payment No.		3 FINAL
To (Owner):	Dixon Canon Ditch & Reservoir Company	Application Period: 3/24/18-4/27/18
Project:	Dixon Reservoir Dam Improvement Project	From (Contractor): Zak Dirt, Inc. 14290 Hilltop Road, Longmont, CO 80504
Owner's Contract No.:		Contract: Per Construction Agreement between Dixon Canon Ditch & Reservoir Company and Zak Dirt, Inc. dated 12/8/2017
		Contractor's Project No.: 412.18
		Application Date: 04/27/2018
		Via: Gauthiere Engineering, Inc.

Change Order Summary		
Approved Change Orders Number	Additions	Deductions
TOTALS	\$0.00	\$0.00
NET CHANGE BY CHANGE ORDERS \$0.00		

- Contractor's Certification**

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Payment of:

\$ 28,002.10

is recommended by:

(Line 8 or other - attach explanation of the other amount)

(Engineer)

Payment of:

(Line 8 or other - attach explanation of the other amount)

is approved by:

(Owner)

Approved by:

Funding Agency (if applicable)

Date:

Date: 4-27-1991

ZAK DIRT INC.
14290 HILLTOP RD.
LONGMONT, CO 80504

ZAK
d i r t

412.18

fax: (970) 535-4561

[illegible]

TOTAL CONTRACT BILLED TO DATE:	\$	280,020.95
LESS RETAINAGE:	0.0%	\$ -
LESS PREVIOUS PAY APPLICATIONS:	\$	252,018.85
NET AMOUNT DUE:	\$	28,002.10

2

Application Period:	3/1/2018-3/23/2018	Application Date:	04/04/2018
To (Owner): Project:	Dixon Canon Ditch & Reservoir Company Dixon Reservoir Dam Improvement Project	From (Contractor): Contract:	Zak Dirt, Inc. 14290 Hilltop Road, Longmont, CO 80504 Per Construction Agreement between Dixon Canon Ditch & Reservoir Company and Zak Dirt, Inc. dated 12/8/2017
Owner's Contract No.:		Contractor's Project No.:	412.18


Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
TOTALS	\$0.00	\$0.00
NET CHANGE BY CHANGE ORDERS		\$0.00

1. ORIGINAL CONTRACT PRICE.....	\$	\$261,240.95
2. Net change by Change Orders.....	\$	\$0.00
3. Current Contract Price (Line 1 ± 2).....	\$	\$261,240.95
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate).....	\$	\$280,020.95
5. RETAINAGE:		
a. 10% X \$280,020.95 Work Completed.....	\$	\$28,002.10
b. 0% X \$0.00 Stored Material.....	\$	\$0.00
c. Total Retainage (Line 5a + Line 5b).....	\$	\$28,002.10
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c).....	\$	\$252,018.86
7. LESS PREVIOUS PAY APP. (Line 6 from prior Application).....	\$	\$164,206.58
8. AMOUNT DUE THIS APPLICATION.....	\$	\$87,812.27
9. BALANCE TO FINISH, PLUS RETAINAGE	\$	\$9,222.10

Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: 	Date: 3/29/2018
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Payment of: \$ 87,812.27 (Line 8 or other - attach explanation of the other amount)

is recommended by: John D. Gauthier (Engineer) May 14, 2018 (Date)

Payment of: \$ (Line 8 or other - attach explanation of the other amount)

is approved by: (Owner) (Date)

Approved by: Funding Agency (if applicable) (Date)

ZAK DIRT INC.
14290 HILLTOP RD.
LONGMONT, CO 80504

412.18

phone: (970) 535-4657
fax: (970) 535-4561



**K
A
N**

[illegible]

ESTIMATE: \$ 261,240.95

TOTAL CONTRACT BILLED TO DATE:	\$	280,020.95
LESS RETAINAGE:	10.0%	\$ 28,002.10
LESS PREVIOUS PAY APPLICATIONS:	\$	164,206.58
NET AMOUNT DUE:	\$	87,812.27