



COLORADO

Colorado Water Conservation Board

Department of Natural Resources
1313 Sherman Street, Room 718
Denver, CO 80203

March 9, 2023

Mr. Kevin McBrien, Engineering Manager
Arapahoe County Water and Wastewater Authority
13031 E. Caley Avenue
Centennial, CO 80111

Re: Chambers Reservoir Liner Rehabilitation Project
Loan Contract Number CT2021-0513

NOTICE OF PROJECT SUBSTANTIAL COMPLETION

Dear Mr. McBrien:

This letter is to advise you that the Project referenced above was substantially completed on March 1, 2023. In accordance with the Loan Contract, the Company owes \$80,294.52 for interest accrued during the construction phase of the Project (see attached Project Expenditure Schedule). Please make this "interest only payment" payable to the Colorado Water Conservation Board and include the Loan Contract Number on the check.

The final total loan amount under this contract is \$4,040,000 (\$4,000,000 plus \$40,000 for the 1% service fee). The first annual loan payment will be due on March 1, 2024, in the amount of \$244,695.24 as presented in the attached Promissory Note and Loan Repayment Schedule.

Please note, in accordance with the Borrower's Loan Contract, audited annual financials must be submitted to the CWCB and a Reserve Account must be maintained during the entire repayment period.

It has been a pleasure working with you on the successful completion of this project. Please don't hesitate to contact us if you have any questions regarding this matter.

Sincerely,

Kirk Russell, P.E. Chief
CWCB Finance Section

Loan Contract Amount = \$4,040,000.00
Final Total Loan Amount = \$4,040,000.00

cc: Jessica Brody, CWCB Board Member, City and County of Denver Director



Colorado Water Conservation Board
Project Expenditure Schedule

Chambers Reservoir Liner Rehabilitation

Arapahoe County Water and Wastewater Authority
13031 E. Caley Avenue
Centennial, CO 80111
c/o Emily Lowell

Ph. 303-708-0115
Fax
elowell@acwwa.com

	Original	Amended	Final
Loan Contract No.:	CT2021-513		
Authorization:	\$2,525,000.00	\$4,040,000.00	
Contract Amount	\$2,500,000.00	\$4,000,000.00	\$ 4,000,000.00
Loan Service Fee %	1.00%	1.00%	
Loan Service Fee	\$25,000.00	\$40,000.00	\$ 40,000.00
Total Loan Amount	\$2,525,000.00	\$ 4,040,000.00	\$ 4,040,000.00
Interest:	1.90%	1.90%	1.90%
Term (Years):	20	20	20
Conditions:	Up to 100%		0
IDC Calculation Date:	3/1/2023		

Substantial Completion Date

3/1/2023

Contract Expires:

8/11/2023

Pay Req. No.	Date	Description	Amount Disbursed	Cumulative Loan Balance	Balance Available to Loan	Interest	Accrued Interest
					\$ 4,040,000.00		
1	9/29/2020	Engineering and Construction	\$ 1,735,021.10	\$ 1,735,021.10	\$ 2,304,978.90	\$ 79,749.18	\$ 79,749.18
2	11/12/2020	Engineering and Construction	\$ 493,806.20	\$ 2,228,827.30	\$ 1,811,172.70	\$ 21,566.48	\$ 101,315.66
3	4/20/2021	Engineering and Construction	\$ 271,172.70	\$ 2,500,000.00	\$ 1,540,000.00	\$ 9,598.77	\$ 110,914.43
	7/7/2021	IDC Paid	-	\$ 2,500,000.00	\$ 1,540,000.00	(\$ 31,791.14)	\$ 79,123.29
4	2/14/2023	Engineering, Construction, and Materials	\$ 1,500,000.00	\$ 4,000,000.00	\$ 40,000.00	\$ 1,171.23	\$ 80,294.52
Final	3/1/2023	Loan Service Fee @ 1%	\$ 40,000.00	\$ 4,040,000.00	-	-	\$ 80,294.52

% Disbursed

Days

M W

**Appendix A, Amendment No. 1 to Loan Contract CT2021-0513
Amendment to Promissory Note**


Date:	September 30, 2021
Borrower:	Arapahoe County Water and Wastewater Authority
Total Loan Amount:	\$4,040,000.00
Interest Rate:	1.90% per annum
Term:	20 years or until loan is paid in full
Loan Contract No.:	CT2021-0513
Annual Loan Payment:	\$244,695.24
Payment Initiation Date:	<u>03/01/2023</u> (to be filled in at Substantial Completion of Project)
Maturity Date:	<u>03/01/2043</u> (to be filled in at Substantial Completion of Project)

For Value Received, the Borrower promises to pay the Colorado Water Conservation Board ("CWCB"), the Principal Amount plus Interest for the Term of Repayment, pursuant to the Loan Contract and this promissory note.

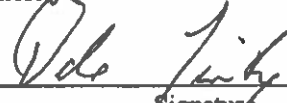
1. This Amendment to Promissory Note, Appendix A, in the revised loan amount, of \$4,040,000.00, *shall replace and supersede* the Original Promissory Note attached as Appendix 3 to the Original Loan Contract in the amount of \$2,525,000.00 and incorporated by reference.
2. Principal and interest shall be payable in equal Loan Payments, with the first payment due and payable one year from Payment Initiation Date, and annually thereafter. All principal, interest, and late charges, if any, then remaining unpaid shall be due and payable on or before the Maturity Date.
3. Payments shall be made to the Colorado Water Conservation Board at 1313 Sherman Street Room 718, Denver, Colorado 80203.
4. The CWCB may impose a late charge in the amount of 5% of the annual payment if the CWCB does not receive the annual payment within sixty (60) calendar days of the due date.
5. This Note may be prepaid in whole or in part at any time without premium or penalty. Any partial prepayment shall not postpone the due date of any subsequent payments or change the amount of such payments.
6. All payments received shall be applied first to late charges, if any, next to accrued interest and then to reduce the principal amount.
7. This Note is issued pursuant to the Loan Contract between the CWCB and the Borrower. The Loan Contract creates security interests in favor of the CWCB to secure the prompt payment of all amounts that may become due hereunder. Said security interests are evidenced by a Security
8. Agreement ("Security Instruments") of even date and amount and cover certain revenues and/or accounts of the Borrower. The Loan Contract and Security Instruments grant additional rights to the CWCB, including the right to accelerate the maturity of this Note in certain events.

9. If any annual payment is not paid when due or any default under the Loan Contract or the Security Instruments securing this Note occurs, the CWCB may declare the entire outstanding principal balance of the Note, all accrued interest, and any outstanding late charges immediately due and payable, and the indebtedness shall bear interest at the rate of 7% per annum from the date of default. The CWCB shall give the Borrower written notice of any alleged default and an opportunity to cure within sixty (60) days of receipt of such notice before the Borrower shall be considered in default for purposes of this Promissory Note.
10. The Borrower and any co-signer or guarantor hereby agree that if this Note or interest thereon is not paid when due or if suit is brought, then it shall pay all reasonable costs of collection, including reasonable attorney fees. In the event of any bankruptcy or similar proceedings, costs of collection shall include all costs and attorney fees incurred in connection with such proceedings, including the fees of counsel for attendance at meetings of creditors' committees or other committees.
11. This Note shall be governed in all respects by the laws of the State of Colorado.

Attest:

By 
Signature
Name Geraldine Santos-Rael
Title Secretary
Date 9/30/2021

Arapahoe County Water and Wastewater
Authority

By 
Signature
Name Doyle Tinkney
Title President
Date 9/30/21



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Colorado Water Conservation Board

Department of Natural Resources

1313 Sherman Street, Room 718
Denver, CO 80203

Loan Repayment Schedule

Borrower | Arapahoe County Water and Wastewater Authority

Loan Contract Number | CT2021-0513

FINAL Loan Amount | \$4,000,000.00

1% Service Fee | \$40,000.00

Interest During Construction Added | \$0.00

FINAL Total Loan Amount | \$4,040,000.00

Interest Rate | 1.900000 %

Term | 20

First Payment Due | March 1, 2024

Annual Payment Amount | \$244,695.24

Line status	Pmt Date	Payment	Principal	Interest	Column fees	True Balance
Service Fee / IDC	03/01/2023	\$0.00	\$-40,000.00	\$0.00	\$40,000.00	\$4,040,000.00
Due Pmt	03/01/2024	\$244,695.24	\$167,935.24	\$76,760.00	\$0.00	\$3,872,064.76
Due Pmt	03/01/2025	\$244,695.24	\$171,126.01	\$73,569.23	\$0.00	\$3,700,938.75
Due Pmt	03/01/2026	\$244,695.24	\$174,377.40	\$70,317.84	\$0.00	\$3,526,561.35
Due Pmt	03/01/2027	\$244,695.24	\$177,690.57	\$67,004.67	\$0.00	\$3,348,870.78
Due Pmt	03/01/2028	\$244,695.24	\$181,066.70	\$63,628.54	\$0.00	\$3,167,804.08
Due Pmt	03/01/2029	\$244,695.24	\$184,506.96	\$60,188.28	\$0.00	\$2,983,297.12
Due Pmt	03/01/2030	\$244,695.24	\$188,012.59	\$56,682.65	\$0.00	\$2,795,284.53
Due Pmt	03/01/2031	\$244,695.24	\$191,584.83	\$53,110.41	\$0.00	\$2,603,699.70
Due Pmt	03/01/2032	\$244,695.24	\$195,224.95	\$49,470.29	\$0.00	\$2,408,474.75
Due Pmt	03/01/2033	\$244,695.24	\$198,934.22	\$45,761.02	\$0.00	\$2,209,540.53
Due Pmt	03/01/2034	\$244,695.24	\$202,713.97	\$41,981.27	\$0.00	\$2,006,826.56
Due Pmt	03/01/2035	\$244,695.24	\$206,565.54	\$38,129.70	\$0.00	\$1,800,261.02
Due Pmt	03/01/2036	\$244,695.24	\$210,490.28	\$34,204.96	\$0.00	\$1,589,770.74
Due Pmt	03/01/2037	\$244,695.24	\$214,489.60	\$30,205.64	\$0.00	\$1,375,281.14
Due Pmt	03/01/2038	\$244,695.24	\$218,564.90	\$26,130.34	\$0.00	\$1,156,716.24
Due Pmt	03/01/2039	\$244,695.24	\$222,717.63	\$21,977.61	\$0.00	\$933,998.61
Due Pmt	03/01/2040	\$244,695.24	\$226,949.27	\$17,745.97	\$0.00	\$707,049.34
Due Pmt	03/01/2041	\$244,695.24	\$231,261.30	\$13,433.94	\$0.00	\$475,788.04
Due Pmt	03/01/2042	\$244,695.24	\$235,655.27	\$9,039.97	\$0.00	\$240,132.77
Due Pmt	03/01/2043	\$244,695.29	\$240,132.77	\$4,562.52	\$0.00	\$0.00

mw





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Chambers Reservoir Liner Rehabilitation

Arapahoe County Water and Wastewater Authority
Substantially Complete March 1, 2023

Chambers Reservoir's new liner prevents excessive leaking so that it can provide quality irrigation water



Project Description

The Arapahoe County Water and Wastewater Authority (ACWWA) was formed in 1988 to supply potable and non-potable water service and wastewater service to approximately 10,000 residents and numerous commercial and industrial customers in southern Arapahoe County and a small portion of northern Douglas counties. Chambers Reservoir was constructed in 2010 for ACWWA, who owns and operates the reservoir for the purpose of storing alluvial aquifer well water for non-potable irrigation use within its service area.

The original reservoir design included excavation below the natural ground surface, installation of a compacted clay liner, and construction of a dam across an unnamed tributary of Happy Canyon Creek. Due to design and construction defects, the reservoir was found to leak up to a calculated 27 AF per week when the reservoir was approximately $\frac{3}{4}$ full. The reservoir was subsequently drained in 2017 and a 500-foot long portion of the clay liner and reservoir side slope failed. The failure is thought to have occurred due to high groundwater from the leaking reservoir and insufficient clay liner thickness and material properties.

The project included raising the bottom of the reservoir, installing an underdrain system to capture and remove any groundwater that may damage the reservoir, installing a synthetic liner. Construction is expected to began in summer 2020 and was completed fall 2023.

P R O J E C T D A T A		
<i>Sponsor:</i> Arapahoe County Water and Wastewater Authority	<i>County:</i> Arapahoe	<i>Water Source:</i> Cherry Creek
<i>Type of Project:</i> Reservoir Rehabilitation	<i>Board Approval Date:</i> July 2021	
<i>Loan Terms: (Original)</i> \$2,525,000 @ 1.90% <i>(Final)</i> \$4,040,000 @ 1.90%		
<i>Design Engineer:</i> AECOM		
<i>Contractor:</i> Raven CLI Construction, Inc.		