

CITY COUNCIL CALENDAR OF THE CITY OF KETCHUM, IDAHO

Monday, November 7, 2011, beginning at 5:30 p.m.

480 East Avenue, North, Ketchum, Idaho

Approximate starting time for each agenda item is indicated at left.



- 5:30 1. CALL TO ORDER
- 5:30 2. COMMUNICATIONS FROM MAYOR AND COUNCILORS.
a) Idaho Nonprofit Week - Mayoral Proclamation. Tab 1
3. COMMUNICATIONS FROM CITY STAFF.
- 5:35 a) Ketchum Sustainable Building Code Progress Report - Rebecca F. Bundy, Associate Planner. Tab 2
- 6:00 b) Ketchum Arts Commission Progress Report - Jennifer L. Smith, Parks & Recreation Director. Tab 3
4. COMMUNICATIONS FROM THE PUBLIC.
- 6:15 a) Economic Impact of the Arts - Claudia McCain, Ketchum Arts Commission Chair. Tab 4
- 6:35 b) Communications from the public.
- 6:50 5. COMMUNICATIONS FROM THE PRESS.
6. AGREEMENTS AND CONTRACTS.
- 6:55 a) Request to authorize negotiations with S2O Design and Engineering for a Public Purposes Management Area Master Plan and Design Engineering Contract for Services - Jennifer L. Smith, Director of Parks & Recreation Director. Tab 5
- 7:10 b) Fiscal Year 2011-2012 Snow Removal Contracts - Brian Christiansen, Street Superintendent. Tab 6
- 7:25 c) Recommendation to approve a modified Contract for Services with the Sun Valley Marketing Alliance - Lisa Horowitz, Community and Economic Development Director. Tab 7
7. PUBLIC HEARINGS.
- 7:35 a) Public hearing upon an application of Helios Development LLC for the third amendment to the development agreement for the Warm Spring Ranch Resort Planned Unit Development - Lisa Horowitz, Community and Economic Development Director. Tab 8
- 8:35 b) Lot 4, Block 41 Ketchum Townsite, Shoch Family L.P. Preliminary Plat and Phased Development Agreement - Joyce Allgaier, AICP, Planning Manager. Tab 9
- 8:40 8. CONSENT CALENDAR. Tab 10
- a) Approval of minutes from the October 17, 2011 Council meeting.
- b) Recommendation to approve current bills and payroll summary.
- c) Recommendation to approve the First Amendment to the Bald Mountain Lodge Development Agreement.
- d) Approval of a 2011-2012 Beer & Wine License.
9. EXECUTIVE SESSION to discuss personnel, litigation and land acquisition pursuant to Idaho Code §§67-2345 1(a), (b), (c) and (f).

10. ADJOURNMENT.

Any person needing special accommodations to participate in the above noticed meeting should contact the City of Ketchum three days prior to the meeting at (208) 726-3841.

This agenda is subject to revisions and additions. NOTE: Revised portions of the agenda are underlined in **bold**. Public information on agenda items is available in the Clerk's Office located at 480 East Ave. N in Ketchum or (208) 726-3841.

Check out our website: www.ketchumidaho.org.

City of Ketchum, Idaho

P.O. Box 2315 Ketchum, ID 83340 (208) 726-3841 Fax: (208) 726-8234



November 2, 2011

Mayor Hall and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Hall and City Councilors:

November 7, 2011 City Council Agenda Report

The regular Council meeting will begin at **5:30 p.m.**

2. COMMUNICATIONS FROM MAYOR AND COUNCIL.

a) Idaho Nonprofit Week - Mayoral Proclamation.

Mayor Hall will proclaim the week of November 13-19, 2011 as Idaho Nonprofit Week.

RECOMMENDATION: None.

This is an executive action.

3. COMMUNICATIONS FROM CITY STAFF.

a) Ketchum Sustainable Building Code Progress Report - Rebecca F. Bundy, Associate Planner.

Rebecca Bundy will update the City Council on progress being made toward the development of a Sustainable Building Code. A detailed staff report from Rebecca has been included in the packet for Council review.

RECOMMENDATION: This report is provided for informational purposes only. There are no recommendations at this time.

RECOMMENDED MOTION: None.

This is a legislative matter.

b) Ketchum Arts Commission Progress Report - Jennifer L. Smith, Parks & Recreation Director.

Jen Smith will update the City Council on the activities of the Ketchum Arts Commission. A staff report from Jen has been provided in the packet for Council review.

RECOMMENDATION: This report is provided for informational purposes only. There are no recommendations at this time.

RECOMMENDED MOTION: None.

This is a legislative matter.

4. COMMUNICATIONS FROM THE PUBLIC.

- a) Economic Impact of the Arts - Claudia McCain, Ketchum Arts Commission Chair.

Claudia McCain, Ketchum Arts Commission Chair, will present "Economic Impacts of the Arts". The presentation was created by the Wood River Arts Alliance for illustrative and educational purposes. A staff report from Jen Smith has been included in the packet for Council review.

RECOMMENDATION: This report is provided for informational purposes only. There are no recommendations at this time.

RECOMMENDED MOTION: None.

This is a legislative matter.

6. CONTRACTS AND AGREEMENTS.

- a) Request to authorize negotiations with S2O Design and Engineering for a Public Purposes Management Area Master Plan and Design Engineering Contract for Services - Jennifer L. Smith, Director of Parks & Recreation Director.

During the September 6, 2011 City Council meeting the Council approved issuance of a Request for Qualifications (RFQ) for a Recreation and Public Purposes Management Area Master Plan and Design and Engineering Project Contract for Services. Staff is now seeking Council authorization to negotiate a contract for services with S2O Design and Engineering to perform the work outlined in the RFQ. A detailed staff report from Jen Smith has been provided in the packet for Council review.

RECOMMENDATION: Staff respectfully recommends the City Council authorize negotiations with S2O Design and Engineering for a Public Purposes Management Area Master Plan and Design Engineering Contract for Services.

RECOMMENDED MOTION: *"I move to authorize negotiations with S2O Design and Engineering for a Public Purposes Management Area Master Plan and Design Engineering Contract for Services."*

This is a legislative matter.

- b) Fiscal Year 2011-2012 Snow Removal Contracts - Brian Christiansen, Street Superintendent.

The City uses several snow hauling contracts each winter to facilitate the rapid removal of snow in the downtown core area. The Street Department is seeking Council approval of ten (10) such contracts for the FY2011-12 snow season. Contracts are proposed with All Seasons Landscaping, Inc., Anderson Asphalt Paving, B & G Dirt Works, LLC, Bald Mountain Excavation, Burks Excavation, LLC, Hiatt Trucking, Inc., Joe's Backhoe Service, Inc., KATCO Excavation, Inc., Rick's Excavation, Inc., and S. Erwin Excavation, Inc. Funding to support these contracts has been provided in the Professional Services line item of the Street Fund in the aggregate amount of \$155,000. A detailed staff report from Brian Christiansen and copies of the proposed contracts have been provided in the packet for Council review.

RECOMMENDATION: Staff respectfully recommends the City Council approve snow hauling contracts with All Seasons Landscaping, Inc., Anderson Asphalt Paving, B & G Dirt Works, LLC, Bald Mountain Excavation, Burks Excavation, LLC, Hiatt Trucking, Inc., Joe's Backhoe Service, Inc., KATCO Excavation, Inc., Rick's Excavation, Inc., and S. Erwin Excavation, Inc. as provided in the Council packet.

RECOMMENDED MOTION: *"I move to approve snow hauling contracts for the FY2011-12 snow season with All Seasons Landscaping, Inc., Anderson Asphalt Paving, B & G Dirt Works, LLC, Bald Mountain Excavation, Burks Excavation, LLC, Hiatt Trucking, Inc., Joe's Backhoe Service, Inc., KATCO Excavation, Inc., Rick's Excavation, Inc., and S. Erwin Excavation, Inc."*

This is a legislative matter.

- c) Recommendation to approve a modified Contract for Services with the Sun Valley Marketing Alliance - Lisa Horowitz, Community and Economic Development Director.

This agenda item is in response to the request of the Sun Valley Marketing Alliance to increase the City's FY2011-2012 funding level by \$6,000 to cover one-half of Visitor Center rent. The City of Sun Valley has been asked to cover the remaining \$6,000 funding portion. The modified Contract for Services provides for the requested increase. A staff report from Lisa Horowitz has been included in the packet for Council review.

RECOMMENDATION: Staff respectfully recommends the City Council approve the modified Sun Valley Marketing Alliance Contract for Services for FY2011-2012 to reflect a \$6,000 increase in funding.

RECOMMENDED MOTION: *"I move to approve the modified Sun Valley Marketing Alliance Contract for Services for FY2011-2012 to reflect a \$6,000 increase in funding."*

This is a legislative matter.

7. PUBLIC HEARINGS.

- a) Public hearing upon an application of Helios Development LLC for the third amendment to the development agreement for the Warm Spring Ranch Resort Planned Unit Development - Lisa Horowitz, Community and Economic Development Director.

Lisa Horowitz will be present the third amendment to the development agreement for the Warm Springs Ranch Resort Planned Unit Development. A binder containing extensive information about the planned unit development and the request for amendment has been provided in the packet for Council review.

RECOMMENDATION: Staff respectfully recommends the City Council approve the Request by Helios Development, LLC for a modification to the Warm Springs Ranch Resort Planned Unit Development Agreement subject to the conditions provided on page 5 of the staff report. Staff further recommends that the City Council direct staff to prepare the Third Development Agreement for Council review and approval.

RECOMMENDED MOTION: *"I move to approve the Request by Helios Development, LLC for a modification to the Warm Springs Ranch Resort Planned Unit Development Agreement subject to the conditions provided on page 5 of the staff report. I further recommend that the City Council direct staff to prepare the Third Development Agreement for Council review and approval."*

This is a quasi-judicial matter.

- b) Lot 4, Block 41 Ketchum Townsite, Shoch Family L.P. Preliminary Plat and Phased Development Agreement - Joyce Allgaier, AICP, Planning Manager.

The applicant has requested that the hearing on this matter be continued to November 21, 2011.

RECOMMENDATION: Staff respectfully recommends the City Council approve the continuation of the public hearing concerning the application for

Lot 4, Block 41 Ketchum Townsite, Shoch Family L.P. Preliminary Plat and Phased Development Agreement.

RECOMMENDED MOTION: "I move to approve the continuation of the public hearing concerning the application for Lot 4, Block 41 Ketchum Townsite, Shoch Family L.P. Preliminary Plat and Phased Development Agreement."

This is a quasi-judicial matter.

8. CONSENT AGENDA.

- a) Approval of minutes from the October 17, 2011 Council meeting.

Copies of the minutes from the October 17, 2011 Council meeting have been provided in the packet of Council review.

- b) Recommendation to approve current bills and payroll summary.

A list of bills for approval and the payroll summary have been included in the packet for Council review.

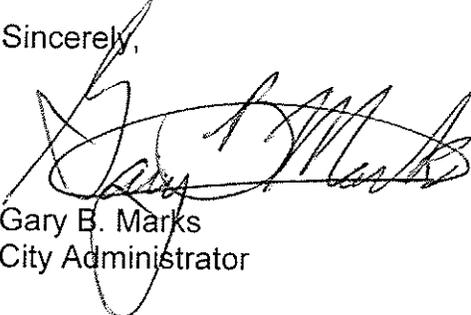
- c) Recommendation to approve the First Amendment to the Bald Mountain Lodge Development Agreement.

Staff respectfully recommends approval of the First Amendment to the Bald Mountain Lodge Development Agreement. Materials concerning this matter have been included in the packet.

- d) Approval of the 2011-2012 Liquor, Beer & Wine License: See List.

Staff respectfully recommends approval of the list of 2011-2012 Liquor, Beer and Wine Licenses included in the packet.

Sincerely,



Gary B. Marks
City Administrator

IDAHO NON PROFIT WEEK

WHEREAS, Nonprofit organizations help build and sustain healthy communities in our state and enhance the quality of life for Idahoans and for others throughout the country and the world; and

WHEREAS, The thousands of nonprofit organizations based in Idaho contribute significantly to a viable economy by providing Idahoans with jobs, goods, and services, with expenditures of more than \$3.5 billion annually according to the most recent data; and

WHEREAS, Idaho's nonprofit leaders are often entrepreneurs, creating new solutions to problems, and fill previously unmet needs in the areas of health, recreation, education, research, arts, social services, and more; and

WHEREAS, The nonprofit sector works as a responsible partner with private enterprise and government to alleviate the most pressing social issues of our time; and

WHEREAS, Idahoans have one of the highest rates of volunteerism in the nation, thus providing opportunities for leadership, civic engagement, and building communities; and

WHEREAS, The nonprofit sector acts as a responsible steward of charitable dollars to achieve a diverse range of missions and goals; and

WHEREAS, Nonprofit organizations often fulfill their missions by advocating on behalf of those who cannot advocate for themselves; and

WHEREAS, The nonprofit sector throughout Idaho has a proud history of service, innovation, and social change; and

WHEREAS, The accomplishments of the nonprofit sector deserve acknowledgment, affirmation, and celebration; now, therefore,

I, Randy Hall, Mayor of the City of Ketchum, do hereby proclaim November 13-19, 2011, to be "Idaho Nonprofit Week"

and do encourage all Idahoans to continue to recognize and support the nonprofit organizations in their communities.

Randy Hall, Mayor

City of Ketchum, Idaho

P.O. Box 2315 Ketchum, ID 83340 (208) 726-3841 Fax: (208) 726-8234



October 31, 2011

Mayor Hall and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Hall and City Councilors:

Progress Report on Sustainable Building Code for Ketchum

Introduction/History

As one of its 2010 Goals, the Ketchum City Council decided to pursue an "above-code" green building initiative. In November, 2010, the Mayor appointed a diverse team of seven individuals to research existing green building codes, to involve and educate the public, and to help the Council enact a code. The new code should reflect Ketchum's status as a regional and national resort leader and should balance the City's environmental, economic, and social needs.

On January 18, 2011 the team presented recommendations to the City Council for residential and commercial green codes. The recommendations built upon the public outreach and research that the City of Hailey and Blaine County undertook in developing their green codes and upon research into a variety of codes and standards, including Hailey, Blaine County, Aspen, Boulder, Leadership in Energy and Environmental Design (LEED), ASHRAE, and the International Code Council (ICC).

The ICC's residential and commercial codes stood out from the rest for the following reasons:

- They address the spectrum of sustainable building practices: Energy, water and resource efficiency, land use, indoor air quality, operations, and they include practices for updating existing buildings.
- They were developed by the same consensus and review process that is used for developing the other ICC codes and were intended to compliment and build upon the other ICC codes that Ketchum has already adopted.
- The commercial code, the International Green Building Code (IgCC) was developed by representatives from the ICC, the American Institute of Architects (AIA), the American Society for Testing and Materials (ASTM), the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) and the US Green Building Council (USGBC).

- The residential code, the National Green Building Standard (NGBS), was developed by the ICC, the American National Standards Institute (ANSI) and the National Association of Homebuilders (NAHB).
- Both codes are designed to allow the adopting jurisdiction flexibility in the degree of stringency as desired by the community.
- These are "model", not "life-safety" codes, which means they can be tailored as desired by the adopting jurisdiction.
- Both codes have multiple paths toward compliance: prescriptive, performance and others, which allow the designer, the builder and their client a great deal of flexibility in how they achieve compliance.
- Both codes reflect the standard building and design practices of our community, and it should not require a lot of extra effort to achieve compliance. These codes will ensure that all structures are built to the same high standards that many of this community's architects and builders already consider standard best practice.

Current Report

The IgCC is still in draft form, with the final version due out in early 2012. Therefore, the green building code team chose, since the last report to the Council, to focus their efforts on evaluating and testing the NGBS for residential construction.

The team tested the code on a number of real and imaginary projects, including new construction, additions, remodels and multi-family. They met with builders and architects to assess the barriers to compliance with the proposed code. After thorough evaluation, the team concluded that, at the Bronze or Silver level, the NGBS is well aligned with standard best building practices in the Valley.

The team conducted two public workshops, on May 19, and July 14, 2011. Both workshops commenced with a presentation, followed by an interactive session involving the NGBS online Scoring Tool and finished with a Q&A period. Staff also gave a presentation on the code on May 20, at the Wood River Valley Sustainability Expo and to the Commission and staff on September 14. At these well-attended sessions, the code was well received by builders, architects and others, with the primary concern being cost of compliance.

At the November 7, 2011, City Council meeting, the green building code team will give a presentation to summarize its recommendation of the NGBS for residential construction and address a few items pertaining to exterior energy use that the team feels should be added to the code. The team will address costs to the City and to the construction project, feasibility, applicability, and how to incentivize higher levels of compliance.

Financial Requirement/Impact

Conversations with jurisdictions that have enacted these or similar codes indicate that plan review is minimally more time consuming and that virtually all of the inspections can be done concurrently with the usual inspections. The prescriptive path compliance method assumes verification by the building inspector and planning and zoning staff. The performance path method, which allows for greater design flexibility, is verified by a third party professional. The team recommends that NGBS certification by a NAHB verifier or LEED certification be accepted in lieu of verification by the City. The City could consider offering a reduced permitting fee to offset added third party verification costs to the applicant and reduced inspection costs to the City.

Research into the financial impact on the building community indicates that sustainable building practices actually have long term positive effects, even if there may be a minimal upfront cost increase in design and construction. The testing that the team has done indicates that the added cost to a typical Ketchum custom home is absolutely minimal at the Bronze and Silver compliance levels. The added costs will mostly be in documentation, but the result will be acknowledgment and proof of thoughtful, environmentally conscious, healthy, and durable construction.

Attachments

- Attachment A – NGBS Brochure
- Attachment B – NGBS Remodel Brochure

Recommendation

This is a progress report. Staff does not recommend any action at this time. After gaining any input from the City Council, staff's next step is to develop an ordinance within the next month for public hearing by the City Council leading to the adoption of new Sustainable Building Code provisions.

Suggested Motion

No motion is needed.

Sincerely,



Rebecca F. Bundy
Associate Planner

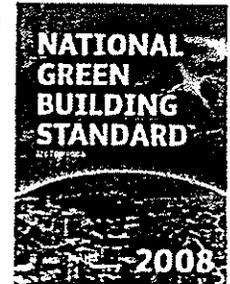
Attachment A – NGBS Brochure



National Green Building Certification

National Green Building Standard Overview

The National Green Building Standard (the Standard) is a residential green building rating system. The Standard goes beyond the requirements of the International Residential Code to set green baselines for all new residential construction, development, and remodeling projects.



The National Green Building Standard is one of a number of green building rating systems currently available. However, there are five key areas that distinguish the Standard from other rating systems:

- 1) it is an authentic **ANSI-approved** consensus standard;
- 2) it has a complementary web-based **Green Scoring Tool**;
- 3) it requires uncompromising **third-party verification and certification** and does not allow for any self-certifications;
- 4) it establishes green practices for **all residential building and development** including single-family homes, multifamily residential buildings, residential remodeling and additions, and land development; and
- 5) it requires **progressively higher levels of environmental performance** in every category of green building practices to obtain higher levels of green certification.

ANSI Approval: A True Consensus Standard

When local, state, or federal officials reference green rating systems for incentive programs, tax credits and other initiatives, an ANSI standard holds more weight than a private rating system because ANSI oversees the standard-writing process in the United States and provides procedures for standard-making bodies to follow to ensure that the process is fair, open, and transparent.

The hallmarks of the ANSI process include:

- **consensus** on a proposed standard by a **balance of interested stakeholders**;
- **broad-based public review** and comment on draft standards;
- **consideration of and response to comments** submitted;
- **incorporation of approved changes** into a draft standard; and
- **the right to appeal** for any participant who believes that due process principles were not respected during the standard's development.

Many government agencies are required by law to use consensus standards whenever possible. ANSI also requires that the standard be continually reviewed for updates and inclusions based on new technologies and building techniques.

National Green Building Standard Consensus Committee

The Consensus Committee for the Standard consisted of members representing a wide variety of interests—builders, architects, regulatory entities, environmental organizations, and product manufacturers. Out of 42 members, 13 members represented local, state, or federal government agencies, including the U.S. Department of Energy and the U.S. Environmental

Protection Agency. Five members represented other green building organizations, including the U.S. Green Building Council. Only three members were builders.

The Standard and Certification

The Standard offers green building practices in six categories: Lot Design, Preparation, and Development; Resource Efficiency; Energy Efficiency; Water Efficiency; Indoor Environmental Quality; and Operation, Maintenance, and Building Owner Education. For a project to become Green Certified, a minimum score must be achieved in each category, with the point total requirements increasing for successively higher levels of green certification (Bronze, Silver, Gold, or Emerald).

Green Scoring Tool

A costly team of consultants is not required to have your projects Green Certified. The Green Scoring Tool is designed to guide users through the Standard step-by-step. Builders, developers, and remodelers can use the free Green Scoring Tool available at www.NAHBGreen.org to learn more about green building practices.

Independent Verification

The Standard requires that a qualified third-party inspect the project and verify that all green design or construction practices that the builder claims toward green certification have actually been incorporated into the project. Builders can not self-certify that their projects have met the criteria, nor can any employee of the builder, or trade contractors or suppliers that have supplied materials and/or installed products or systems in the home being verified.

The NAHB Research Center trains, tests, and accredits these verifiers and maintains a comprehensive list at www.NAHBGreen.org. Accredited verifiers must also maintain adequate liability insurance. At this time, there are more than 300 accredited verifiers nationwide.

National Green Building Certification

The NAHB Research Center certifies that projects meet the requirements of the National Green Building Standard. As an independent research and testing organization, the Research Center has the capacity, expertise, and credentials to ensure consistency, rigor, and credibility for the process.

The Research Center reviews every Verification Report submitted to ensure accuracy and completeness before certifying any project. The Research Center's Green Team provides technical information and assistance on green building products, new technologies, business management, and housing systems to all of our program partners at no additional charge. The Research Center also produces numerous technical resources to assist builders and verifiers through certification.

Green Certified Costs

There are three categories of costs to build a green project to any green rating system: construction, verification, and certification. Construction costs are highly variable and depend on the green building practices selected and market prices. Verification costs vary by market. The cost for a home to be verified to the Standard is determined by agreement between the builder and the verifier. National Green Building Certification through the NAHB Research Center costs \$200 per home for NAHB members and \$500 per home for non-members.

For more information, please contact us at www.nahbgreen.org/ContactUs.

Attachment B – NGBS Remodel Brochure



National Green Building Certification

Turning Over a New Leaf: The Greening of Remodeling

In many ways, there couldn't be a better time for green remodeling. Lower housing values are causing more people to stay in place; rising energy prices have caused homeowners to take a closer look at operating costs and ways to reduce the financial burden of high utility bills; and the federal tax credits for energy-efficient windows and heating and cooling systems are providing further stimuli for remodeling opportunities.

Further, the environmental benefits for green home remodeling can be notable. Old homes are notoriously leaky, which causes conditioned air to escape and heating and cooling systems to work harder. This is compounded by the fact that many older homes are equipped with inefficient heating and cooling systems and outfitted with inefficient faucets, toilets, appliances, and showerheads.

Faced with the challenge of remodeling older homes to be "greener," remodelers were left out of the growing number of green building programs. Even nationally recognized programs did not provide an opportunity for green remodeling projects to be certified as green ... until now.

The National Green Building Standard

The National Green Building Standard provides a credible industry benchmark and scoring process for green remodeling and renovation projects. The Standard was developed through an open, consensus-based process allowing full participation of all interested stakeholders. It is also the first green building rating system to be ANSI-approved, making it the benchmark for green residential construction. The Standard recognizes a wide variety of green practices, which can be incorporated into residential construction and renovation on a national scale, and encourages homeowners to operate and maintain their homes in an environmentally responsible manner.

Green Remodeling Step-By-Step

The National Green Building Standard provides in-depth guidance for green remodeling and a basis for scoring green remodeling projects.

There are two possible remodeling paths to green certification. Homes built after 1980 follow the same path to green certification as newly-constructed homes. For homes built before 1980, a remodeler can choose to follow the certification process for new home construction or the Green Remodel Path. Both paths allow certification at the Bronze, Silver, Gold, and Emerald levels for either single-family or multi-unit homes. Remodelers should fully explore both paths and evaluate which path best meets their needs from the perspectives of features, performance, and cost.

Green Remodel Path

The Green Remodel path applies only to buildings for which the original building permit was issued prior to January 1, 1980. The Green Remodel Path has only three required elements:

- Achieving a certain reduction in energy usage
- Achieving a certain reduction in water usage
- Complying with five mandatory indoor environmental quality practices

The reduction in energy and water consumption must range from a minimum of 20% for Bronze to at least 50% for Emerald-level certification. A qualified professional must audit or analyze the water and energy usage before and after the remodel. The same approach to the audit/analysis must be used for both the before and after studies. The remodeler should be sure to contract with the verifier to assess the condition of the building for the "before" energy and water analysis before the renovation begins. The verification process will require a very brief inspection to verify the indoor environmental quality practices, along with a review of the energy and water analysis. The Green Remodel can be used for renovations that include an addition, but if the addition is significant in size, it may be difficult to meet the energy and water reduction thresholds.

Green Building Path

This path requires a remodeler to incorporate green practices into the remodeling process. Each practice earns points or meets certain mandatory requirements toward certification. There are minimum threshold points in each of six green building categories, as well as an overall total for each certification level. There are several hundred practices to choose from, but you need only enough practices to accumulate threshold points for the desired level of green certification. The practices in this path are generally the same as the practices for new construction, but some are modified specifically for renovation. The Standard's Renovation Notes often provide additional points toward certification. A Green Building Path renovation requires two inspections by an accredited verifier for certification. Remodelers can use the online Green Scoring Tool, a free, easy-to-use software application available at www.NAHBGreen.org, to streamline the process of greening a remodeling project. The software is designed to guide users through the green requirements step-by-step.

Third-party Verification

Visual third-party verification of the green features in every project that earns the Green Certified mark is a hallmark of the NAHB Research Center's National Green Building Certification. Verifiers accredited by the Research Center must independently confirm, through a process of document review and on-site inspections, that all green certification requirements and points specified by a remodeler are in place for a candidate home. Self-certification is not allowed. This is the cornerstone of the certification's credibility. Accredited verifiers are listed by state on the NAHBGreen website.

Cost to Remodel Green

The additional costs to remodel a home to any green building rating system fall into three categories. First, there may be additional costs for the building products that comply with the green practices. These costs will vary widely by project, but aren't necessarily significant. The second category of costs is for the project's verification. Verifier fees vary by market and are negotiated between the remodeler and the verifier. Finally, to earn national recognition of the project's green features, there is a certification fee. Fees for National Green Building Certification were designed to be affordable to a broad range of remodeling projects. For NAHB members, the remodeling project certification fee is \$200 per single-family unit, or \$200 per building plus \$20 per unit for multifamily projects.

For more information, please contact us at www.nahbgreen.org/ContactUs.

City of Ketchum, Idaho

P.O. Box 2315 Ketchum, ID 83340 (208) 726-3841 Fax: (208) 726-8234



November 7, 2011

Mayor Hall and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Hall and City Councilors:

2011 Progress Report: Ketchum Arts Commission

Introduction/History

The Ketchum Arts Commission (KAC), a recommending committee of the City, was formally placed as a Division under the Ketchum Parks & Recreation Department in October 2010 at the request of Mayor Randy Hall. Previously, the KAC existed as a "team" of the Ketchum Community Development Corporation. The KAC's recommendation to Mayor Hall to move under the auspices of the Parks & Recreation Department was mainly due to the logistical, functional, and financial support offered to the KAC by the Parks & Recreation Department for the past several years.

Current Report

A PowerPoint presentation will cover the following topics:

- Governance and Policy:
 - introduction of current and past commission members, staff liaisons, partnership with KCDC
 - 1% For Art Ordinance, Memorials & Donations Resolution
 - Calls/Contracts For Artists
 - Membership and affiliations: Wood River Arts Alliance and relationship with Idaho Commission on the Arts
 - Bylaws and membership appointment
 - Budget (currently integrated with KP&RD)
 - Visioning session with Will Northrup/*What If Concepts*
- Current and Completed Projects
 - Priscilla Panzer donation: Delos Van Earl (*Dutchman's Bend*, bronze 2006) at Lucy Loken Park
 - Gail & Jack Thornton donation: Michael Zapponi (*Untitled*, C. 2000) moved from Little Park to Rotary Park
 - Art on 4th – temporary installations (2011 was 3rd Annual)/ art pedestal installation (including KTS)
 - Kagan Park
- Future Projects and Potentials
 - Identification of public art placement opportunities and inventory of permanent installations (including installations and maintenance specifics – internship)
 - Continuance of Art on 4th
 - Complete visioning process

Parks & Recreation Department

Jennifer L. Smith, Director | jsmith@ketchumidaho.org
208.726.7820 | www.ketchumidaho.org

- Integration of performance art: Anne Winton effort
- Trailing of the Sheep Festival involvement
- Transformer art

Financial Requirement/Impact

"Economic Impact of the Arts" will be presented during the 11/7 City Council meeting.
No requirement/impact at this time.

Recommendation

No recommendation at this time.

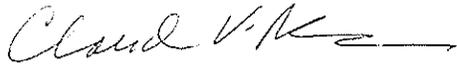
Suggested Motion

No suggested motion at this time.

Sincerely,



Jennifer L. Smith
Parks & Recreation Director



Claudia McCain, Ketchum Arts Commission Chair

Parks & Recreation Department

Jennifer L. Smith, Director | jsmith@ketchumidaho.org
208.726.7820 | www.ketchumidaho.org

City of Ketchum, Idaho

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November 7, 2011

Mayor Hall and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Hall and City Councilors:

Economic Impact of the Arts Ketchum Arts Commission/Wood River Arts Alliance

Introduction/History

Ketchum Arts Commission Chair, Claudia McCain, is presenting *Economic Impacts of the Arts* to municipalities and non-governmental organizations that focus on economic development.

Current Report

The PowerPoint presentation of *Economic Impacts of the Arts* was created by the Wood River Arts Alliance (the City of Ketchum is a member of WRAA on behalf of the KAC) for illustrative and educational purposes. The intended outcome is ongoing philosophical and financial support from governmental and non-governmental agencies regarding arts efforts in the Wood River Valley.

Financial Requirement/Impact

No financial requirement/impact at this time.

Recommendation

No recommendation at this time.

Suggested Motion

No suggested motion at this time.

Sincerely,

A handwritten signature in black ink that reads "Jennifer L. Smith". The signature is written in a cursive, flowing style.

Jennifer L. Smith
Parks & Recreation Director

A handwritten signature in black ink that reads "Claudia McCain". The signature is written in a cursive, flowing style.

Claudia McCain, Ketchum Arts Commission Chair

Parks & Recreation Department

Jennifer L. Smith, Director | jsmith@ketchumidaho.org
208.726.7820 | www.ketchumidaho.org

City of Ketchum, Idaho

P.O. Box 2315 Ketchum, ID 83340 (208) 726-3841 Fax: (208) 726-8234



November 7, 2011

Mayor Hall and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Hall and City Councilors:

Recommendation to contract with *S2O Design and Engineering* for Recreation and Public Purposes Management Area Master Plan and Design and Engineering Project

Introduction/History

The City applied for a Recreation and Public Purposes (R&PP) patent agreement with the Bureau of Land Management (BLM) in 2008 in partnership with the Wood River Land Trust (WRLT) for management of lands located north and west of Ketchum. The North parcel, known as Hulen Meadows Floodplain and River Access Area, includes approximately 209.19 acres from Sun Peak Day Use Area north to Lake Creek Trail Head. The south parcel, known as Hemingway Floodplain and River Access area, includes 198.42 acres just west of Atkinson Park adjacent to the confluence of Warm Springs Creek and the Big Wood River. The total acreage of the patent application is approximately 409.

Recreation potentials were determined through a series of stakeholder outreach meetings and include concepts such as a white water park designed for river recreationists seeking waves and pools such as kayakers, improvements to wildlife viewing trails and picnic area, and enhancement of riparian vegetation. Public purposes potentials include a well site at Sun Peak whose feasibility will be determined through rigorous testing led by Ketchum's Utilities Department. Thus far, a concept master plan has been developed; however, no actual plans are in place. Myriad stakeholders continue to be engaged.

City Council directed staff to develop a Request For Qualifications at the July 18, 2011 City Council meeting for Master Planning of the RPP sites, including for the design and engineering of a White Water Park to be located at the north parcel. Since Council's approval, Mayor Randy Hall allocated \$35,000 in the City's FY12 budget to be contributed to this Master Planning effort. It is staff's desire to engage additional partners and stakeholders that may contribute to the planning costs. The attached Recreation & Public Purposes Management Area Master Plan and Design & Engineering Project Request For Proposals was approved and endorsed by Susan Buxton, Legal Counsel for the City of Ketchum and was developed with stakeholder assistance and oversight of Council Member, Nina Jonas.

Parks & Recreation Department

Jennifer L. Smith, Director | jsmith@ketchumidaho.org
208.726.7820 | www.ketchumidaho.org

Mayor Hall requested an allocation of \$35,000 for Master Planning efforts in FY12. This allocation from the General Fund was approved by City Council for FY12.

Current Report

The City issued a Request For Qualifications (attached, Exhibit A) which was approved by City Council on September 6, 2011. Submissions were due on October 4. The City received one submission from a lead consulting firm and multiple subcontractors (attached, Exhibit B). Legal Counsel advised to make the recommendation to secure the consulting services of S2O Design and Engineering because of their outstanding qualifications and capacity to secure an outstanding team. The RPP partner and stakeholder team concur.

Financial Requirement/Impact

Financial requirement/impact to be determined based on contract negotiation outcome and partner and stakeholder engagement for third party funding of specific aspects of the RPP Master Plan. As stated above, the City has dedicated \$35,000 toward the Master Planning effort.

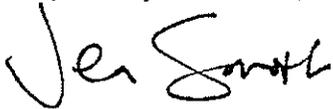
Recommendation

I respectfully recommend that City Council approve entering into negotiations for contracting with *S2O Design and Engineering* for Recreation and Public Purposes Management Area Master Plan and Design and Engineering Project.

Suggested Motion

"I move to approve entering into negotiations for contracting with S2O Design and Engineering for Recreation and Public Purposes Management Area Master Plan and Design and Engineering Project."

Respectfully Submitted,



Jennifer L. Smith
Director of Parks & Recreation

Parks & Recreation Department

Jennifer L. Smith, Director | jsmith@ketchumidaho.org
208.726.7820 | www.ketchumidaho.org

Request for Qualifications

For

The City of Ketchum, Idaho

Recreation & Public Purposes

Management Area

Master Plan and Design & Engineering
Project

USDI Bureau of Land Management

Recreation and Public Purposes Act Proposal

September 6, 2011

Issued By:

City of Ketchum
Parks & Recreation Department
Jennifer L. Smith, Director
PO Box 2315 / 900 Third Avenue
Ketchum ID 83340
(o) 208.726.7820
(c) 208.720.5208
(f) 208.726.5501
jsmith@ketchumidaho.org / www.ketchumidaho.org

In partnership with:

Wood River Land Trust
Blaine County Flood Mitigation District
White Water Park Committee
Trout Unlimited
Idaho Rivers United
And Resident Stakeholders

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1. Introduction:

1.1. The City of Ketchum ("City"), in cooperation with the Wood River Land Trust and myriad stakeholders including Trout Unlimited Hemingway Chapter, desires to restore and enhance a section of the Wood River in an effort to create recreational amenities including an in-stream whitewater park, associated trails, and streamside access. In addition, a proposed well site for the City of Ketchum is located within the Sun Peak Day Use area of the north parcel of the proposed project site. The proposed site for a whitewater park is adjacent to and downstream of the confluence of the Wood River and West Sage Road in the vicinity of Hulen Meadows. The objective of the project is to provide a recreational attraction for both residents and visitors to the City of Ketchum and surrounding areas. As such the whitewater Park should provide recreational features at a variety of flows that will attract visitors to the City. Additionally, the whitewater park should be designed to elongate the paddling season and provide an amenity suitable for local boaters and floaters of all appropriate ability levels.

1.2. The proposed site provides a variety of challenges that the Consultant should be aware of:

1.2.1. The Wood River is a sensitive and valued ecosystem and any improvements would be tasked with preserving this ecosystem and should therefore take into account in-stream habitat, fish passage, and riparian zone habitat. Recreational improvements should be designed with a consideration of creating a balance between human uses and recreation and the environment.

1.2.2. Additionally, the proposed site offers considerable off-the-water space including potential parking areas and adjacent park land. However, the proposed site is located adjacent to the Hulen Meadows neighborhood. The residents of this neighborhood have expressed a wish to preserve existing uses and have an expectation of privacy and separation. The proposed master plan should take into consideration the need to buffer general usage at the site from the neighborhood and should also address existing amenities, such as the existing stream pool (the Hulen Meadows "pond"), that are important to these residents.

1.2.3. Water rights may also factor into this project and the Consultant should be prepared to include information with regards to water rights and how they will affect the proposed improvements.

1.2.4. Flood capacity and retention in the vicinity of the north parcel of the proposed project site is also a concern. The current in-stream pool (or "sediment trap") adjacent to Hulen Meadows may have an effect on flood flows and sediment deposition within the drainage.

1.2.5. This section of the Wood River is also braided and recent changes in the riverbed have begun to change the character of the river within the proposed project area. The Consultant should be prepared to consider the river's morphology in the context of the

points above and create a design/master plan that preserves or enhances the multiple uses and functions of the current multiple channel layout of the river at this site.

- 1.3. The City is soliciting proposals from qualified firms with experience and expertise in the planning, design, and construction of whitewater parks. The intent of this RFQ is to establish the qualifications of the proposer with the intent of creating a mutually agreeable contract with the selected design team for the tasks outlined herein.
2. The City is not liable for any costs incurred by any Consultant in preparing or submitting a submission or related to any site visit. The City will not incur any financial liability other than what liability exists pursuant to a validly executed agreement.

3. Project Outline:

3.1. Pursuant to Idaho Code §67-5711D, the City seeks submissions from interested qualified firms ("Consultants") to provide planning, design, and construction phase services for the design and construction of a whitewater park, recreation and riparian enhancements, and public infrastructure enhancements near Ketchum, Idaho. The City is posting this RFQ as required by law so interested Consultants can submit a submission in accordance with the terms of this RFQ.

3.2. The entire process consists of five phases:

3.2.1. Master Planning: This phase will include community engagement, site investigation (including all pertinent project parameters such as the aforementioned environmental, morphological, and water rights issues), and conceptual layout. It is expected that this process will include public meetings, research to establish site constraints and opportunities within the context of the aforementioned (and any additional) issues, and several iterations of design. Design iterations should be timed such that the public has several opportunities to review and help select preferred alternatives. The master planning phase should also include meetings with key stakeholders and regulatory agencies in order to further understand project constraints prior to selecting a final layout.

3.2.2. Preliminary Design: The objective of this phase will be to progress the design from its master plan and concept layout to the 30% design documentation phase in anticipation of submitting for permits. The scope of this phase will be mutually agreed upon in discussions between the City and the Consultant. As such, the scope of the project for preliminary design may or may not include all of the aspects, such as parking, trails, access points, etc, that are included in the master plan. It is expected that this phase will include additional on-site meetings as well as additional meetings with the client, regulatory agencies, stakeholders and possibly the general public. Deliverables for this phase will include a package of design documents sufficient to apply for all necessary permits. This

package will include, at a minimum, design documents that completely describe the geometry of the proposed improvements including all necessary details and sections, a flood study conducted using HEC-RAS, a written report summarizing the design process to date including decisions made in the master planning phase as well as the preliminary design phases.

3.2.3. Permitting: In this phase the Consultant will prepare a permit application and submit the necessary permit documents to the appropriate regulatory agencies. The Consultant should expect to respond to permitting concerns and to resubmit information as needed. It is expected that this phase may require additional study that is outside the scope of this proposal and will be contracted for separately (such as additional computer modeling, habitat studies, or other large study items that are not currently anticipated). Deliverables for this phase include all necessary permits.

3.2.4. Final Design: This phase would include the creation of all construction documents and specifications necessary to construct the selected improvements. The City may, or may not, include all of the improvements included in the preliminary design and permitting documents. Deliverables will include all necessary construction documents required to adequately bid the project for construction.

3.2.5. Construction Oversight and Inspection: In this final phase the consultant would work with the selected building contractor to ensure that all improvements are built to adequate specifications and tolerances. This task would also include final tuning of the project and post-construction inspections for the period of one year.

4. Submissions

4.1. At a minimum, submissions should include the following information:

4.1.1. Company Description: This section should include the following pertinent information about the company:

- a. Name, address, telephone number and email address of the firm, including all dba's or assumed names and all other operating names of the firm.
- b. Description of any investigative, disciplinary, or enforcement actions pending, and any information on such investigations which resulted in disciplinary or enforcement action against your firm.
- c. Contact information for the primary individual responsible for the submittal.

4.1.2. Project Approach: Please describe how you would approach the design of this project.

4.1.3. **Qualifications:** List planned team members and team leader(s), and provide resumes for each person identified detailing the following:

- a. Full name
- b. Education
- c. Years of experience and employment history, particularly as it relates to the scope of work identified in this RFQ
- d. Expected role for the City on this project

4.1.4. **Previous work:** Please include summaries of three (3) previous whitewater park projects that have either been completed or received permits. The Consultant must have completed the design for a whitewater park that has received all necessary permits in the past three (3) years. Please include contact information for references on these projects. Provide any other pertinent distinguishing information about your firm, which qualifies it to serve the City as the Consultant for the project.

4.1.5. **Licensure:** The Consultant must be a licensed engineer and capable of attaining a license in the State of Idaho. If the selected Consultant does not receive a license in the State of Idaho then another consultant will be selected.

4.1.6. **Insurance:** The Consultant should submit proof of required general liability insurance in the amount of three million dollars (\$3,000,000) as described in Attachment A.

4.1.7. **Selection:** The City and selected Consultant shall negotiate a mutually agreeable contract and pricing. If no contract can be mutually agreed upon between the City and the Consultant then the next qualified person or firm would be selected to negotiate a contract.

5. Administrative Information

5.1. Any questions or inquiries should be directed to the City of Ketchum, ID at the following location:

Jennifer L. Smith
Director of Parks & Recreation
Parks & Recreation Department / City of Ketchum
PO Box 2315 / 900 Third Avenue
Ketchum ID 83340
(o) 208.726.7820
(f) 208.726.5501
jsmith@ketchumidaho.org / www.ketchumidaho.org

5.2. Submissions are due in hard copy (4 copies) to the address shown above on or before midnight on October 4, 2011. Failure to submit a proposal in a timely manner could result in an application being rejected.

5.3. Submission of Written Submissions: Submissions must be prepared as described herein. All material submitted regarding this RFQ becomes the property of the City of Ketchum. If any part of this RFQ is revised, an addendum notice will be sent to each responding design team via email.

5.4. Submission Review: The City will establish a project evaluation team to review and evaluate the written responses to this RFQ in accordance with the evaluation criteria identified in Attachment B: Evaluation Criteria. The City reserves the right to reject any or all submissions and to waive informalities and minor irregularities in submissions received and to accept any submissions if deemed in the best interest of the City of Ketchum.

5.5. Interviews and Final Selection: In accordance with Idaho Code §67-5711D(6), up to three (3) of the proposers will be selected to participate in interviews with the project evaluation team to more fully discuss how its approach to this project satisfies the evaluation criteria and to answer questions. All persons with major responsibility for the project's contract negotiation, construction management and follow-up monitoring should be present at the interview. Interviews may be tape-recorded. Based on results from both the written responses to the RFQ and the oral interviews, an award will be made in accordance with Idaho Code §67-5711D(6).

5.6. Master Planning and Concept Design Phases:

5.6.1. Master Planning and Concept Design Contract: The City intends to enter a contract for the Master Plan and Concept Design Study. Contract negotiations will begin with the selected proposer following notification of selection.

5.7. Permitting Phase:

5.7.1. Permitting Contract: Following successful completion of the Master Planning and Concept Design Phase, and at the City's sole option, the City may enter into a contract for permitting services.

5.8. Construction Documents and Construction Oversight and Inspection Phase:

5.8.1. Construction Phase Services Contract: Following successful completion of the Permitting Phase, and at the City's sole option, the City may enter into a contract for construction documentation and construction oversight and inspection services.

5.9. Other RFQ Issues:

- 5.9.1. **Inquiries:** Proposers may make written email inquiries concerning this RFQ to clarify requirements prior to the date indicated in Attachment A: Proposed Project Schedule. Send all inquiries to: Jennifer Smith, jsmith@ketchumidaho.org
- 5.9.2. **Modification or Withdrawal of Submissions:** Submissions may be modified or withdrawn by the Proposer prior to the established due date and time.
- 5.9.3. **Confidential/Proprietary Information:** The Idaho Public Records Law, Idaho Code §§9-337 through 9-348, allows the open inspection and copying of public records. Public records include any writing containing information relating to the conduct or administration of the public's business prepared, owned, used, or retained by a state or local agency regardless of the physical form or character. ALL, OR MOST, OF THE INFORMATION CONTAINED IN YOUR RESPONSE TO THIS RFQ WILL BE A PUBLIC RECORD SUBJECT TO DISCLOSURE UNDER THE PUBLIC RECORDS LAW. The Public Records Law contains certain exemptions. One exemption potentially applicable to part of your response may be for trade secrets. Trade secrets include a formula, pattern, compilation, program, computer program, device, method, technique or process that derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons and is subject to the efforts that are reasonable under the circumstances to maintain its secrecy. If you consider any element of your submission to be a trade secret, or otherwise protected from disclosure, you MUST so indicate by marking EACH PAGE of the pertinent document. Include the specific basis for your request that it be treated as exempt from disclosure. Marking your entire bid or proposal as exempt is not acceptable or in accordance with the bid documents or the Public Records Law. In addition, a legend or statement on one (1) page that all or substantially all of the response is exempt from disclosure is not acceptable and WILL NOT BE HONORED. PRICES QUOTED IN THIS RFQ ARE NOT A TRADE SECRET. The City, to the extent allowed by law and in accordance with this RFQ, will honor a request of nondisclosure. You will be required to defend any claim of trade secret or other basis for nondisclosure in the event of an administrative or judicial challenge to the City's nondisclosure. Any questions regarding the applicability of the Public Records Law should be addressed to the City's legal counsel or should be presented to your own legal counsel – PRIOR TO SUBMISSION.
- 5.9.4. **Certification:** Each person signing the submission certifies that the content included within the proposal is true and that the proposer has submitted the proposal with intent to enter into good-faith efforts to contract with the City in a timely manner.
- 5.9.5. **Reservation of Rights by City.** The issuance of this RFQ does not constitute an assurance by the City that any contract will actually be entered into by City. The City is not liable or responsible for any costs incurred by contractors for the creation or submissions of their bid packet. City expressly reserves the right to:

- Waive any immaterial defect or informality in any response or response procedure.
- Reject any and all submissions.
- Reissue the Request for Qualifications.
- Invite additional respondents to submit statements of qualifications.
- Request additional information and data from any or all respondents.
- Extend the date for submission of responses.
- Supplement, amend, or otherwise modify the RFQ or cancel this request with or without the substitution of another RFQ.
- Disqualify any respondent who fails to provide information or data requested herein or who provides inaccurate or misleading information or data.
- Disqualify any respondent on the basis of any real or apparent conflict of interest.
- Disqualify any respondent on the basis of past performance on City projects.

ATTACHMENT A: PROPOSED PROJECT SCHEDULE

The following schedule is the proposed schedule and may change during the project.

ACTIVITY DATE

RFQ Phase

Issue RFQ -----September 6, 2011

Written inquiries accepted from prospective Consultants-----September 12, 2011

Submissions Due-----October 4, 2011

Submission Review and Selection of Interviewees (if needed) -----October 12, 2011

Final Selection----- October 17, 2011

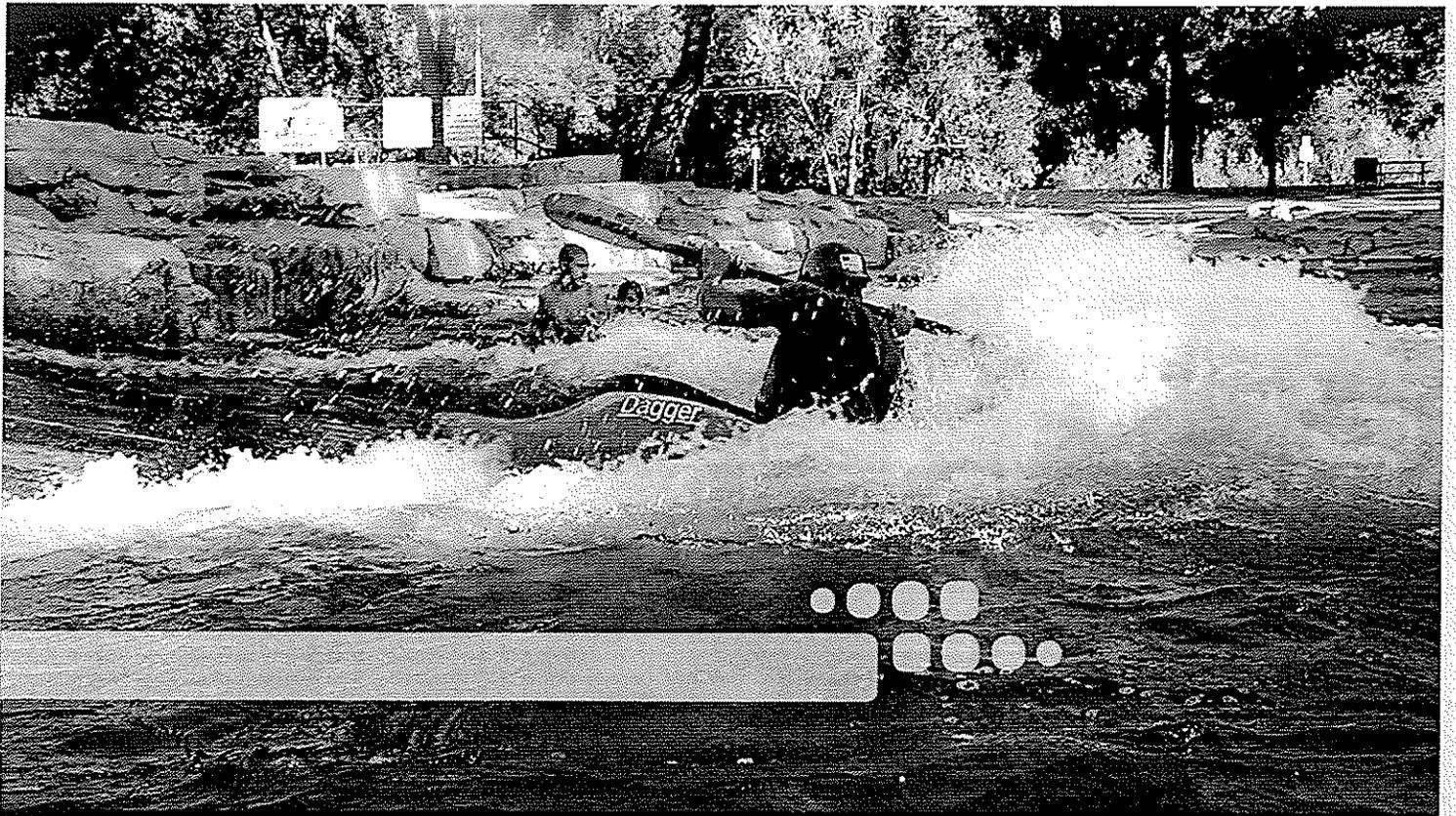
Note: This schedule is subject to change.

ATTACHMENT B: EVALUATION CRITERIA

The evaluation criteria will be used and considered in the evaluation of written submissions and interviews. The scoring weight is listed for each criterion.

Submissions should include all necessary information that is pertinent to these evaluation criteria. Additional information required for proper assessment of submissions may be requested from the Consultant at the discretion of the City of Ketchum.

- 1) Qualifications and Capability (Scoring Weight: 50 %)
- 2) Project Approach (Scoring Weight: 50%)



STATEMENT OF QUALIFICATIONS

City of Ketchum

Recreation and Public Purposes Management Area

Master Plan and Design and Engineering Project

October 4, 2011



S2o Design and Engineering
318 McConnell Drive
Lyons, CO, 80540
P: 303.819.3985
scott@s2odesign.net

October 4, 2011

The City of Ketchum, Idaho
Parks and Recreation Department
Jennifer L. Smith, Director
P.O. Box 2315/ 900 Third Avenue
Ketchum, ID, 83340

Dear Mrs. Smith,

S2O, on behalf of Eggers Associates, PA; Benchmark Associates, PA, Brockway Engineering, and GeoEngineers, would like to thank you for allowing our team to propose on the Recreation and Public Purposes Management Area Master Plan and Design and Engineering Project. We have been tracking this project for some time and are excited to be a part of it.

We have assembled a team of industry leaders to provide expert services on the many facets of this project. Our team is led by **S2O, the world's premier whitewater park designers**. S2O has worked closely with many communities around the world, guiding them through the public and design processes required to create internationally acclaimed river corridors and whitewater parks. Eggers Associates is a leading landscape architect firm that has previously worked on projects with the City of Ketchum. Benchmark Associates is a full service civil engineering firm with local experience, and has helped plan diverse projects in the surrounding region. Benchmark's local presence will help guide our team and enable us to quickly gather important design data prior to the onset of winter snows. Brockway Engineering is an engineering firm with a focus on hydraulics, hydrology, environmental science and water resources. Brockway will navigate the complex water rights issues surrounding this project in preparation for permitting, and ensure the project does not have water rights objectors. GeoEngineers is an integrated engineering and environmental services firm that brings a depth of experience and capabilities to the team. GeoEngineers has worked on this specific reach, and their knowledge and understanding of the river gives our design team an advantage to move the project forward in the coming months.

We have assembled this team specifically for the Ketchum Whitewater Park project. We anticipate this project to be complex, with multiple elements and stakeholders. **Our team will provide a practiced public process that invites local residents, agencies, and stakeholders to collaboratively design a project that meets community's needs.** We will also analyze and address river morphology and habitat issues within this reach. Our environmental and river engineering teams will work with the regulatory agencies to establish criteria and design parameters, and certify that the design we create can be permitted and implemented **without an expensive and lengthy permit process.** Lastly, our whitewater design team will work with local kayakers to ensure the park provides for world-class paddling and play, while also accommodating beginner, intermediate, and instructional kayaking.

The following pages include our qualifications, approach and previous experience. Please feel free to contact me with any questions. We look forward to working with you on this exciting project

Sincerely,

Scott Shipley

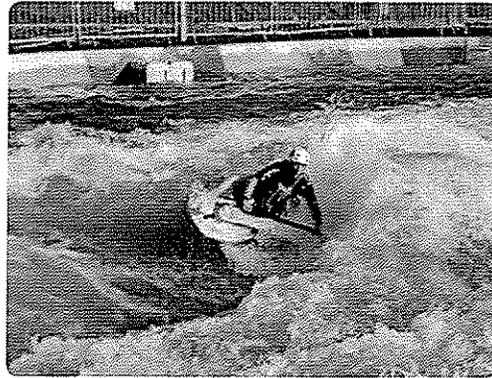
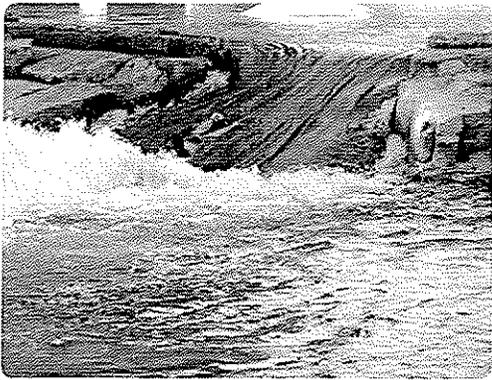


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A Copy of S2O Design Insurance	



COMPANY DESCRIPTION

Prime Consultant and Project Lead



S₂O Design & Engineering

318 McConnell Drive Lyons, Colorado 80540
P: 303.819.3985, E: scott@s2odesign.net, DBAs: N/A

S2O Design & Engineering currently has no pending investigative, disciplinary, or enforcement actions nor have actions been placed against the firm.

Main Contact: Scott Shipley

Subconsultants



Eggers Associates, PA

333 South Main Street, Suite 106, Ketchum, Idaho 88340
P: 208.725.0988, E: kurt@eggersassociates.com, DBAs: N/A

Main Contact: Kurt Eggers



Benchmark Associates, PA

PO Box 733, Ketchum, Idaho 83340
P: 208.726.9512, E: Garth@bma5b.com, DBAs: N/A

Main Contact: Garth McClure, AICP



Brockway Engineering

2016 North Washington Street, Suite 4, Twin Falls, Idaho 83301
P: 208.736.8543, E: charles.e.brockway@brockwayeng.com,
DBAs: N/A

Main Contact: Charles E. Brockway, PE, PhD



GeoEngineers, Inc.

1525 South David Lane, Boise, Idaho 83705
P: 208.433.8098, E: jpoulsen@geoengineers.com, DBAs: N/A

Main Contact: Jason Poulsen

APPROACH

Project Understanding—Whitewater Parks in Context

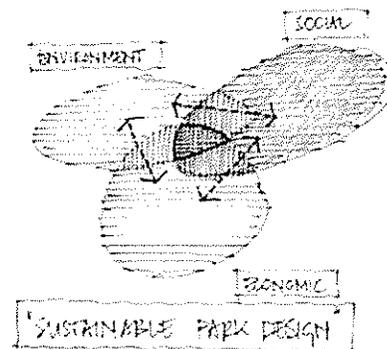
Whitewater Parks are about creating dynamic fun on a whitewater river, and when designed properly, these parks provide more than simple surf waves placed in flowing water. These parks are local community sanctuaries that provide a place to gather, play, learn, and grow. Well designed parks consider fish and wildlife habitat and sensitive ecosystems and include paths to walk on, shelters to gather in, natural rocks to climb or sit on, shallow areas with sand and water for children to play in, and much more. A well designed whitewater park should cater to all members of the community, not just to those brave enough to challenge the white water.

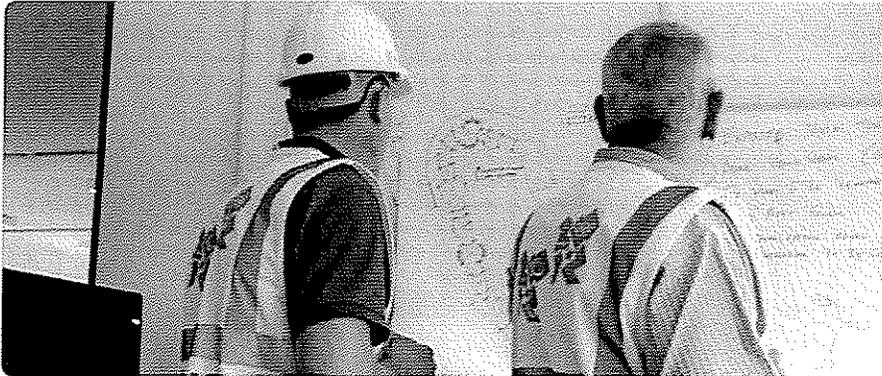
A whitewater park should invite visitors to your community, which can have a positive impact on the local economy. A properly planned whitewater park can provide a venue for world-class events and festivals. These events bring a host of athletes, spectators, and visitors to the area. In addition, through simple adjustments, the park should provide a place for recreational and local paddlers to come to learn to surf on Ketchum's waves, practice their skills in the chutes and jets, and develop as paddlers of all abilities. Based on data collected from other whitewater parks, Ketchum can expect that visitors attending the white water park will also visit local restaurants, hotels, bars, and other businesses, thus generating revenue to the area. In fact, studies show that visiting paddlers and tourists can bring millions of dollars to the local community.

The functionality of a well-designed whitewater park extends beyond the needs and desires of the people and visitors of Ketchum. It is important to ensure that the park's recreational improvements—the waves, jets, and eddies—mesh with the river's natural ecosystem and its existing uses. It is also important to preserve and protect the components of the existing reach which protect Ketchum from the river. This process, known as the river engineering process, often works in conjunction with the permitting process. Our team of experts work with permitting agencies, fisheries experts, and stakeholders to develop a final design that is both permissible and improves in-stream habitat, fish migration, the riparian zone, and flood capacity. Our design process works to mimic the river's existing morphology to stabilize and improve its natural habitat and create a sustainable park for years to come.

Project Understanding— The Ketchum Whitewater Park

The design of the Ketchum Whitewater Park is a multi-faceted project with several goals. The primary goals of the project are to create a whitewater park and associated recreational amenities within the Hulen Meadows area. This in-stream park should accommodate competitive events, but also provide a place for all levels of boating, including instructional, beginner, intermediate, and expert. Another goal of the project is to maintain and enhance the existing uses such as preserving neighborhood access and affiliation with the pond, providing for fishing and fishing access, and providing a place for strollers, dogs and nature walkers. For instance, the Wood River Trail is an arterial system for bikers, commuters and other recreationists that begins/ends immediately adjacent to the project site. By connecting the Whitewater Park to the Wood River Trail, a destination point is established for those traveling north and a one-of-a-kind trailhead awaits those traveling south. This connection is an example of how important it is that the design encompasses the project values and existing land uses while providing for new improvements.





Working with the International Canoe Federation, a key stakeholder, to fine tune the 2012 Olympic course.

Another goal of the project is to ensure that improvements are made in harmony with the river and its natural habitat. The design needs to consider the river's existing and evolving morphology, and look for ways to create a stable riverbed that is sustainable, and meets the objectives of the City of Ketchum and the residents of Hulen Meadows. This portion of the river provides valuable flood capacity and habitat, and it is imperative that these attributes are preserved.

Lastly, this is a **project about the community**. The focus of this project is a master plan that provides beneficial improvements for the local community and visitors, and is harmonious with existing uses. In determining parking and access points, it is important to consider Hulen Meadows and existing usage. Trails should be designed to connect trail systems and preserve existing uses, while providing for new uses and respecting the boundaries between the two. The recreational components should consider spectators, strollers, nature observers, and people having a picnic. The master plan should be a cohesive plan that provides access, parking, trails, and recreational opportunities within the boundaries set by the community itself.

The implementation of this park is not an easy process and often requires a multi-faceted team that is capable of providing special whitewater design; well-informed local project management; permitting; public process; special fisheries experts; habitat and wildlife biologists, and environmental and permitting support. Understanding the life cycle of water, both on a macro and micro level, is increasingly important as societal demands and environmental concerns strive to strike the right balance. This balance is driven by complex regulations that require sound evaluations and management of our water resources. Our team provides a full range of diversified water resource management services, ranging from water sports recreation to clean water supply, while considering all aspects of the environment.

Our team is locally based and values our relationships with the City of Ketchum. We have experience working with the City of Ketchum, the Wood River Land Trust, local commercial entities, local permitting authorities, and local paddling groups. We have specifically worked on the Hulen Meadows site and are familiar with the site, potential problems and the numerous team players. We have experience working in the Wood River and implementing projects in the City of Ketchum.

We bring a strong understanding of the process. We are cognizant of the fact that this project will require our team to work with, and manage, the needs, desires, and constraints of a varied community. We are mindful that the public's input is as much a design requirement as the calculations and analyses incumbent upon our team. Many of our clients, after working with our team, discover that the expertise and management we bring to the process is as important to the project as the final design. Our experience, both in your region and around the world, will help you navigate this process quickly and efficiently, and ensure the completion of a world-class whitewater park that is in harmony with your community.

Approach

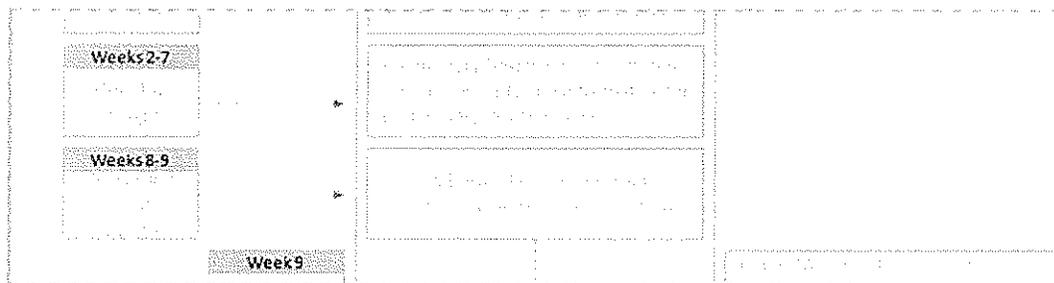
PHASE 1: MASTER PLANNING

Our designs are founded in two basic tenets:

Utilize a public process to understand the users and uses, and define the design based on this information.

Bring industry leading innovation to the process to fully inform the Client and users of the available options.

There are many aspects to the design process as it progresses through different phases. Below is a break-down of each aspect, and a description of the process and expected deliverables.



A project's public process plan

Task 1 – Gathering Background Information

By the time of the kick-off meeting (Task 2), the design team will gather all existing information including existing surveys, flood models, studies, etc. The team will assemble and conduct a preliminary analysis of this information to determine information gaps and identify existing information that is pertinent to the current study.

» Deliverables

List of existing information assembled.

A memo summarizing the initial desktop analysis of existing flood model, survey information, site history, etc.

An 11x17 map showing land ownership surrounding the project site.

A highlighted site mapping/letter-report detailing concerns and opportunities.

Task 2 – Public Meeting #1

Our design process is open and inclusive and works with the client and stakeholders to create ideas that meet the needs and requirements of the project. This approach is the best way to gather input from all users, both on and off the water, and create a collaborative design. This process also determines key stakeholder constraints and works to find solutions at the community and task force level. It is important to recognize that this project is not just about whitewater boaters, but also about fishermen, tourists, local landowners, the City, and many other key stakeholders. All stakeholders should be included in the process.

The initial week of meetings will include a kick-off meeting for the entire project team, a design meeting with the City, and a stakeholder meeting to present the project and generate discussion about the Whitewater Park. A courtesy meeting with the regulators will be scheduled as early in the project as possible.

These initial meetings will define the project's objectives, constraints, and desires and will begin the process of framing the Master Plan.

» **Deliverables**

- Meeting Minutes.
- Design Folder Containing All Gathered Data.
- Monthly Updates from Project Manager.

Task 3 – Master Planning/Conceptual Design Study

Following the initial public meeting and analysis of existing information, our team will begin the process of master planning the site. This process will include initial layouts of people flows, recreational areas, parking, facilities, and restoration areas. Since the City has already determined the location of the whitewater park, concept designs for the in-stream work will also begin. This process will include initial layout and programming for the in-stream recreational and restoration work.

A draft master plan and draft concept layouts will be shared with the design committee and the City for preliminary approval and discussions. This will occur by conference call prior to the Second Public Meeting/Presentation.

» **Deliverables**

- Draft Master Plan.
- Draft Concept Design(s) for In-Stream Work (proposal assumes 3 max).

Task 4 – Public Meeting #2

A second public meeting will be held to present the proposed master plan to the community. This meeting will include a short introduction of the proposed plan, and a question and answer session. Story boards illustrating the plan and its components will be placed in the room and visitors will be welcome to view, comment, and express preferences for varying project components. Members of the design team will be available to answer questions.

» **Deliverables**

- Meeting Minutes.
- Gathered Public Input.

Working with Stakeholders on the London 2012 Project





Task 5 – Finalized Master Planning/Conceptual Design Study

The master plan will be finalized according to input received from the client and stakeholders. These updated documents will be shared with review agencies for courtesy comment and review.

» **Deliverables**

- Finalized Master Plan.
- Updated Preferred Concept Plan for In-Stream Work.

Task 6 – Preliminary Engineering, Data Collection and Analysis

Our engineering and analysis of the design will provide the horsepower and supporting data necessary to establish project criteria to the City and permitting authorities. We will undertake an engineering process that establishes the feasibility of the preferred concepts, and details functionality, safety, constructability, and costs. Our reporting and public process will provide comparative data and selection matrices that are designed to help compare and contrast varying options.

We will also identify potential issues, such as water rights, flooding, sedimentation, fish passage, habitat, special status species, riparian areas and wetlands, and provide the client with the necessary support and information to understand the issues and the required steps to implement this project. These types of issues may require additional surveys and/or data collection efforts to define project constraints and provide support to future federal, state and local permitting requirements. These additional survey/data collection needs are not included in this proposal but are addressed in the Additional Task section below.

» **Deliverables**

- Design Report presenting the results of a feasibility analysis of the project. This report will include potential issues with the project and recommended project approach in Phase II.
- Report documentation for additional survey/data collection activities (see Additional Tasks below)

Task 7 – Project Presentation

The completed master plan, feasibility, and concept design study will be presented to the City. This in-person presentation will include a power point and question and answer session with City Council and/or City representatives.

» **Deliverables**

Project design documents and a design report containing all information and findings from this phase of the project.

A PowerPoint presentation.

Recommendations for project approach and steps to completion.

Additional Tasks

Additional tasks that are recommended in this phase, but not included in this proposal, include:

- **Additional Task 1** – Completion of a detailed site survey: A detailed site survey will be required to move the project into the next phase. While it is not required at the present time, we recommend that the survey be undertaken now since the water levels are low. Once the snow falls and the water rises, the next phase of the project can be significantly delayed as we will need to wait for the proper conditions to return in order to complete a detailed site survey. Our design team recommends that the survey be undertaken immediately and under our design-team's guidance, to gather the required information to move the project forward following this initial study.

Additional Task 2 – Additional Studies / Data Collection: As mentioned above, additional studies and/or data collection activities will most likely be required to define project constraints and provide support to future federal, state and local permitting requirements. These studies will most likely include:

Ordinary High Water Mark (OHWM) and Wetland Delineation – This survey will be used to determine the extents and limitations of the river system under its current configuration.

Special Status Species Survey – This survey will support the permitting documentation process associated with specific threatened and endangered species (special status species) that may or may not occur within the project area.

Historical Cultural Survey – This survey will most likely be required as supporting documentation prior to obtaining approval of a Section 404 (fill) permit from the U.S. Army Corp of Engineers.

Biological Assessment or Wildlife/Fish and Vegetation Survey - This survey will describe the current site conditions as they relate to wildlife, fish and vegetation.

Additional Agency Requested Surveys (as needed) – At times, agencies may require additional studies or data collection efforts to meet the needs of a given permit and are impossible to predict at this time. Therefore, a given agency may request additional studies prior to permit approval.

Similar to the detailed survey identified in Additional Task 1, the OHWM and wetland delineation will be required to move the project into the next phase. While it is not required at the present time, we recommend that at least the OHWM delineation be conducted now, in conjunction with the detailed survey while water levels are low to gather the required information to move the project forward.

Additional Task 3 – Consultation with a water-rights attorney: Our team has learned that some favored components of this project, including the Hulen Meadows backwater area, may require additional water rights. If needed, our design team will coordinate with a water rights attorney through Brockway Engineering to establish any project constraints or issues associated with water rights.

PHASE II: PRELIMINARY DESIGN

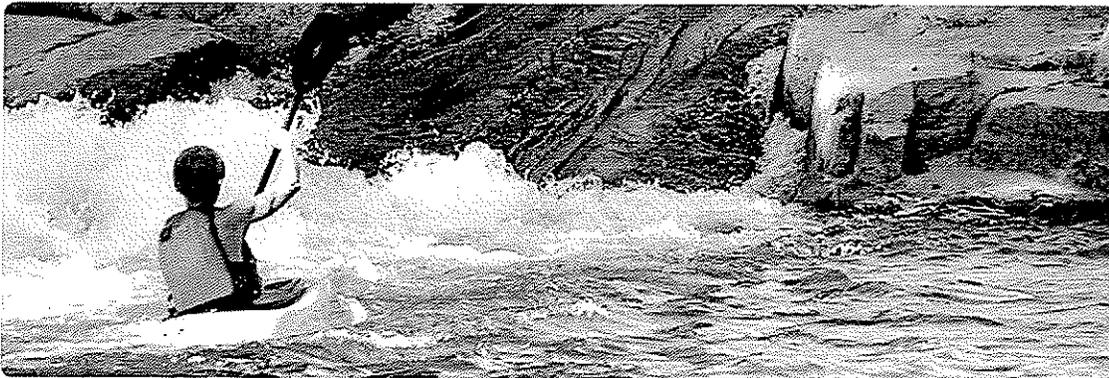
At this point in the process all ambiguities regarding multiple design alternatives have been eliminated through the selection of the preferred alternative. The project team will collaboratively refine the selected concept to a preliminary level of detail which is sufficient for the permitting process. We recommend the plans be advanced to the 50-60 percent level of detail for this task so most of the environmental permits for the proposed designs can be completed and submitted in the next Phase. This approach expedites the project's overall design, permitting, review, funding and construction timeline. Preliminary Design activities will most likely include but are not limited to:

Hydrology and Hydraulics: This phase will include the completion of the existing conditions hydrologic and hydraulic model as well as development of the initial proposed conditions hydraulic model. This model will be utilized throughout the design to estimate flow depths, velocities, flood conditions, etc. to aid in the overall design of the channel and structures.

Design Drawings: The concept will be developed to the preliminary design level using computer aided drafting (CAD) software. This will likely include plan and profiles, section views, and any necessary detail sheets.

Preliminary Design Report: A preliminary design report will be generated to support the actual design drawings. This report will explain the design process, constraints, assumptions made, quantities, cost estimates, and overall reasoning behind the preliminary design to help facilitate permitting.

Design Review: The Design Team will be given a chance to review and comment on a draft of the preliminary design package. The project team will then have a conference call or meeting to discuss the changes and revisions. Comments and concerns will be addressed and a final preliminary design package will be submitted.



PHASE III: PERMITTING

The permitting team will work closely with the design team through the Master Planning and Preliminary Design Phases to help establish a solid design that will meet federal, state and local permitting requirements. Permitting activities will most likely include but are not limited to:

Agency Contact: Initial agency contact will have occurred during the Master Planning Phase. Ongoing consultation and coordination will be required to determine if additional survey and data collection needs will be required by jurisdictional agencies for permit approval.

Survey Completion: Finalization of outstanding surveys as mentioned under Additional Task 2 above.

Agency Kick-off Meeting: Hosting of an initial agency (federal, state, city and county) kick-off meeting to present the preferred alternative and associated goals and objectives of the master plan.

Pre Submittal Follow-Up: Follow-up with each jurisdictional agency as needed in preparation for final permit application.

Mitigation Plan: Development of a mitigation plan to offset unavoidable impacts that may occur due to project development.

Final Permit Package: Completion of a final permit application package with all appropriate supporting documentation will be submitted to applicable agencies.

Post Submittal Follow-Up: Consistent follow-up with jurisdictional agencies to address questions, concerns or additional survey needs that may be requested.

Final Permit Approval: Obtain permit approval from jurisdictional agencies and consolidate them into one binder for future reference during the construction phase of the project.

PHASE IV: FINAL DESIGN

The final design will pick up where the preliminary design left off. It will include necessary changes and revisions to the design based on comments and concerns brought forth through the permitting process. The final design will ultimately bring the preliminary drawings to a construction ready document ready for contractor bidding. This phase will likely include but is not limited to:

Design Development: This task will include finalizing the proposed conditions hydraulic model, developing a physical model to test and tweak the proposed design, and other detailed design studies.

Construction Documents: This will include the actual construction drawings, and construction specifications.

Document Review: The Design Team will be given a chance to review the draft construction documents. Comments and concerns will be addressed and the construction documents will be finalized and submitted.

Contractor Bid Documents: The Design Team will prepare and submit the construction bidding documents for the public bidding process. We will be available to answer questions during the open bid time and will engage in contractor selection and negotiation.

PHASE V: CONSTRUCTION OVERSIGHT AND INSPECTION

Once a contractor is selected and construction begins we will have a licensed engineer or whitewater park specialist on site to observe and help the contractor interpret the intentions of the plan set. This phase will also deal with post construction issues. Phase V will likely consist of, but is not limited to the following:

Construction Oversight: A licensed engineer or whitewater park specialist will be on site to observe and inspect to ensure that the project is being built as designed and intended.

Tuning and Design Finalization: After construction is almost complete, the design will be tested and fine tuned to function as intended.

As-Builts: An as-built construction survey of the site and a set of as-built drawings will be completed.

Permit Obligations: Any post construction permitting needs will be completed within this task.

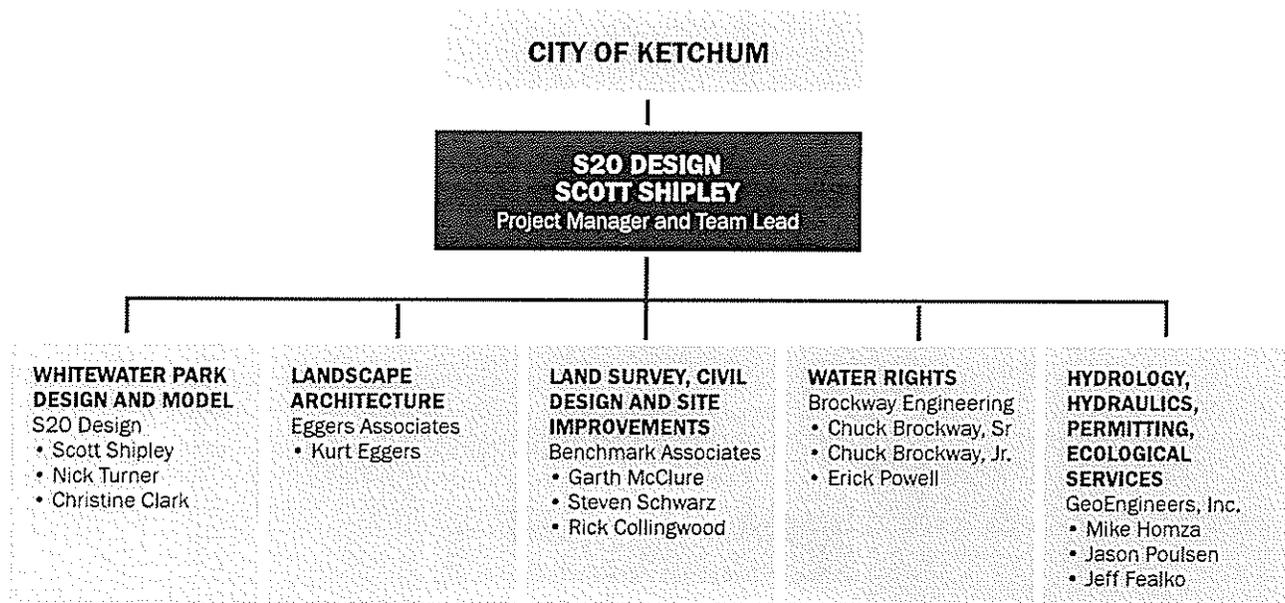
QUALIFICATIONS

Our team includes companies and individuals that have the **expertise, experience and passion** needed to develop and complete an exceptional and distinctive whitewater park. We want to work with you to design a whitewater park that gives the local community an additional element to their lifestyle, and provides a recreation destination for other outdoor enthusiasts throughout the world.

S20 either manages, or works in joint venture, to bring industry leading experts to the table to ensure that these whitewater super-parks are expertly and efficiently designed, implemented, and opened.

S20 Design has assembled an exceptional team of subconsultants to assist us with completing design and engineering services for the Recreation and Public Purposes Management Area. Our core team includes: Eggers Associates, Benchmark Associates, Brockway Engineering and GeoEngineers. Each member of our team brings exceptional experience and talent.

The chart below illustrates the organization of our team relative to specific services associated with this project, and the lead company for each task. **Full resumes for each key personnel follow the organization chart.**





S2O Design & Engineering

SCOTT SHIPLEY, MSME, PE

Education

MS, Mechanical Engineering,
Georgia Institute of
Technology

BS, Mechanical Engineering,
Georgia Institute of
Technology

Registrations

Professional Engineer: CO, IL,
OK, TX

Years of Experience & Employment History

30+ Years

President, S2O Design –
Currently operates a firm
that specializes in top-end
whitewater park planning,
design, construction, and
operations.

*2002-2007, Engineer,
Recreation Engineering and
Planning* - Worked with
Gary Lacy to design over 20
Whitewater Park Projects.

Role

Project Manager and Principal. Scott will be managing the master plan design of a whitewater park, designing the physical park model, and overseeing all members of the project team.

Experience

Scott brings a unique set of qualifications to the whitewater park design field. He has over 30 years experience as a whitewater kayaker including four world titles, three Olympic berths (Barcelona, Atlanta, and Sydney), 10 national titles and numerous other international medals in both slalom and freestyle kayaking. Additionally, Scott has both a Bachelor's and a Master's in Mechanical Engineering, with highest honors, from the Georgia Institute of Technology. Scott combines his background, education and experience to create some of the largest and most unique whitewater parks in the world. These projects include the U.S. National Whitewater Center, a 37 million dollar venue that is the largest, most efficient, and most profitable whitewater park design in the World and the 2012 Olympic Venue in London, United Kingdom. His project experience includes:

The 2012 Olympic Whitewater Venue, UK – Designer and engineer for this 50 million dollar facility in Broxbourne, England. This park features two channels—an intermediate and an Olympic level—with separate pumping stations and conveyors. Efforts included computer and physical models, design documentation and supporting information, construction inspection and design and implementation of obstacles.

Design Review, Boise, ID and unnamed clients – Conducted detailed design reviews for clients interested in ensuring a valid design/design process. Many of these reviews have resulted in either redesigns or new and better approaches to design. Clients often ask for discretion on these projects but work includes parks in the U.S., Canada, and the UK.

Holme Pierrepont National Watersports Centre, UK—Completed an innovative computer modeling study of this famous channel to allow for a faster, more efficient, and more dynamic whitewater park. The redesign was implemented in 2009 just prior to the European Championships. An event that was highly successful—in part because of the tremendous whitewater.

The U.S. National Whitewater Center—Chief engineer and designer: Responsible for all aspects of this project including planning, working with the business model, conceptual, preliminary, and final design, computer and physical modeling, design revision, creation of design documents, construction preparation, oversight, and inspection, and final design testing and evaluation as well as start-up services.

Teeside, UK, Recreational Channel Design—Design and computer modeling of the Teeside Whitewater Park Recreational Channel. This design is the steepest recreational use whitewater channel in the world and includes an adjustable dam/wave feature, an M-wave attraction, a slide/waterfall, and a big water drop that falls more than 6 feet.

Oklahoma City Whitewater Park—Created a master plan and conceptual design for this multi-channel pumped whitewater park. The completed plan includes multiple whitewater channels as well as a flatwater boathouse row, a resort, retail and residential attractions. The entire park is designed to mesh with the existing Oklahoma City Boathouse and their flatwater and rowing programs.

The Bow River Whitewater Park, Calgary, AB, Canada—This unique whitewater park is the largest of its kind in the world as it sits in a river basin that is over 700 feet in width. The park includes multiple channels in a natural river and, due to its location downstream of town, required extensive physical and cfd modeling to complete. The project has completed permitting and is slated to begin construction in the fall of '08.

The Durango Boating Park—Chief Engineer, Expert Witness, and Designer: Responsible for all aspects of this job including expert witness testimony in support of a recreational in-channel water right. Work items include conceptual, preliminary and final design, including an extensive site selection public process, computer modeling, preparation of all design documents, implementation and report on flood modeling. Current efforts include completion of the trial, permitting, and construction oversight and inspection.

San Marcos Dam Stabilization Project—Worked to create a design, computer model, and construction documents for this rushed stabilization project in San Marcos Texas. This project included rush support for permitting, construction documents, and implementation in order to transform a failing low-head dam into a stable and extended in-stream whitewater park.

Engineer/consultant, Rutherford Creek Whitewater Park—Post construction evaluation and redesign. Hired by park owner to evaluate the existing design and functionality of this 3 million dollar park. Subsequently asked to consult on redesign, construction methods, and implementation of fixes to this inadequately designed facility.

Dallas/Trinity River Whitewater Park Design and Feasibility Study—Worked with Dallas based company to determine feasibility, functionality, layout, costs, and possible operating plans for this 16 million dollar whitewater park facility.

Steamboat Boating Park—Worked on the final revised design and served as an expert witness on the use, functionality and design of the Steamboat Boating Park. Provided expert witness testimony before the Colorado Water Conservation Board as well as in district water courts in the State of Colorado in an effort that garnered an In-stream Recreational Water Right in spite of fierce opposition that included many expert witnesses. Revised design work increased whitewater performance of the C and D holes while increasing flood capacity.

Publications

S. Shipley, A. Laird. *"The Use of Computer And Physical Modeling To Evaluate And Redesign a Whitewater Park"*. Whitewater Courses and Parks 2010, Salida, CO, 2010

S. Shipley, S. Sigle. *"How to Turn a Dam Into a Viable Amenity For the Community"*. Whitewater Courses and Parks 2010, Salida, CO, 2010

D. Shepherd, T. Winhold, B. Hughes, S. Shipley. *"Calgary Bow River Weir Project: Creating Recreational Opportunities and Improving Fish Passage Through Physical Modelling."* Challenges for Water Resources Engineering in a Changing World. Winnipeg, Manitoba: 18th Canadian Hydrotechnical Conference, 2007.

Lin, Shepherd, Slack, Shipley, Nilson. *"Use of CFD Modeling for Creating Recreational Opportunities at the Calgary Bow River Weir."* World Environmental and Water Resources Congress. Honolulu, Hawaii, 2008.

Shipley, Scott. *Every Crushing Stroke, The Book of Performance Kayaking.* Atlanta, GA: Crab Apple Publishing, 2001.

**NICK TURNER, CE, EIT****Role**

River Engineer

Education

BS, Civil Engineering,
Montana State University
College of Engineering

Registrations

Engineer-in-Training

Years of Experience &**Employment History**

7+ Years

Current, River Engineer, S2O

Design—Currently leads In-Stream and Natural Channel Design Department at S2O.

2007-2009, River Engineer, McLaughlin Water Engineers.

– River Engineering and Design and Project Manager for several large whitewater projects throughout the world. Participated in all phases of whitewater park design, engineering, hydraulic modeling, permitting and construction oversight.

2004-2007, River Engineer,

Riverrestoration.org—Participated in Project Management, planning, engineering and permitting of several River Recreation Enhancement Projects throughout the country.

Experience

Nick is a River Engineer who has quietly established himself at the forefront of River Hydraulics Design. Nick has several years of experience in a wide variety of river design applications. Clients have used his expertise in Whitewater Feature Design, Government Agency Permitting, Feasibility Studies, Concept Design, Final Design and Construction Management of River Engineering Projects. He has a Bachelor of Science degree in Civil/Hydraulic Engineering and spent an entire year studying "Hydraulic Jumps for Recreational Purposes". The latter of which, he was granted an independent research forum from Montana State University. He has developed empirical equations relating many variables of wave/hole design. In addition Nick is the author of Montana Surf, the whitewater guidebook to the state of Montana. He has over 30 first descents in 16 countries including Kyrgystan, Russia, Norway and Iceland and was also a frequent member on whitewater expeditions around the world, showcased in numerous Teton Gravity Research films. He combines his technical knowledge with his interactive knowledge of rivers to solve how river recreation projects can meet all of its goals and still work in conjunction with its natural environment. Nick has been instrumental in the planning, design or implementation of Whitewater recreation enhancements around the world.

His representative project experience includes:

Riverdale, Utah – Advised on remediation of broken sewer line crossing which had become a potential public liability. Converted the dangerous crossing into a whitewater recreation amenity widely considered to be one of the best man-made waves built to date.

Tena, Ecuador – Project Manager on Recreation Enhancement Project which desires to bring a Sustainable Economic Development Engine to the country of Ecuador.

Green River, Wyoming – Designed and Engineered a very large adjustable feature for the City of Green River. Site also included a tubing park, viewing areas and River Interaction Park.

Whitehorse, Yukon – Project Manager for Feasibility Study of Whitewater Improvements on the Yukon river through Whitehorse, Yukon.

Eagle River Recreation Enhancements, Avon, CO – Project Manager for Whitewater Park Recreation Enhancements on project with the Town of Avon as the client. Very extensive government approvals and politicking required.

Adjustable Feature Whitewater Park, Vail, CO – Project Manager and Engineering for Whitewater Park Enhancements which bring in \$4 million in additional revenue to the town of Vail. This feature was the first adjustable feature to be placed in a natural channel. It now hosts one of the largest freestyle competitions in the US, the Teva Mountain Games.

Small, Environmentally-friendly Park, Frisco, CO – Project Manager and engineer on river recreation enhancements on 10 mile creek in the town of Frisco, Colorado.

Glenwood Springs, CO – Whitewater Designer and River Engineer on Glenwood Springs Whitewater Park. This park is on the massive Colorado River in Glenwood Springs. Nick was a key designer and engineer of this wave that is now regarded as one of the best man-made waves in the world.

Boise Whitewater Park – Project Manager and River Engineer on a large Boise Whitewater Park. The \$4 million park encompasses 2 large diversions and 20 acres of park space. When built, the Boise park will be one of the largest in-stream course in the world.

Whitewater Park, Columbus, GA – Conducted extensive 2 dimensional computer flow models for the reach of the Chattahoochee River through downtown Columbus, GA: Conducted flow reduction stranding study for the reach.

2000-2001, Montana State University Independent Study – Study of Hydraulic Jumps in a tilting flume. Studied many scenario's and variables of Hydraulic Jump formation for recreational purposes.

Other Professional Experience:

Whitewater Research and Safety Institute (WRSI) – Nick has been a Research and Development advisor for all products WRSI has introduced for whitewater kayaking. Nick oversees and gives approval for all products created for WRSI.

Co-Author: Montana Surf, Whitewater Guide to the State of Montana – Nick co-authored the definitive whitewater guidebook to the state of Montana. This is the trusted guide for all rafters and kayakers when traveling in the state of Montana.

Publications

N. Turner, "**Engineering Around Problems in Whitewater Park Design**". Whitewater Courses and Parks 2010. Salida, Colorado, 2010

N. Turner, "**Design of River Recreational Parks**". Whitewater Courses and Parks 2008. Wisp, MD, 2008

Turner, Fry, Wilson. **Montana Surf, Whitewater Guidebook to the state of Montana**. Bozeman, MT: New Rider Publishing, 2001.

**CHRISTINE CLARK, BARCH, MLA, MURP****Role**

Technical Design Support

Education

Masters of Landscape
Architecture, University of
Colorado
Masters of Urban and
Regional Planning, University
of Colorado Denver
BS, Environmental Design
in Architecture, University of
Colorado

Years of Experience &**Employment History**

3+ Years
*Current, Project Manager,
S2O Design*—Currently leads
the Planning and Landscape
Design department at S2O.
*2008-2010, Landscape
Architecture and Planning
Designer, Colorado Center
for Community Development*
– Conceptual design and
community engagement
experience with: park master
planning, streetscape
as-built and improvement
design, traffic movement
and design studies,
graphic design, small scale
landscape design, cost
estimates and City Council
presentations.

Experience

Christine has a balanced athletic, and educational and professional design background that complements her enthusiasm for whitewater park design and recreation. She has a master's degree in Landscape Architecture and in Urban and Regional Planning from the University of Colorado Denver. She also has a bachelor's degree in Environmental Design in Architecture from the University of Colorado Boulder. Her experience lies in master planning and recreational design. She focuses on creating multifaceted spaces and networks that allow the users to freely move and experience indoor and outdoor spaces. She integrates her landscape design aesthetics into the highly functional engineering design of whitewater parks. Christine is also a sponsored freestyle kayaker and has competed in several professional freestyle competitions including the Teva Games. She is also a raft guide and an avid fly fisher. Christine also enjoys sharing her excitement and knowledge of kayaking by teaching at universities, shops and adventure camps. Some of her representative experience includes:

Lyons, CO— River Corridor Master Plan Design and Drop Structure Reconstruction.

Created a conceptual master plan for the St. Vrain River Corridor as well as performed construction oversight on the reconstruction of a failing in-stream drop structure.

Southwestern Whitewater Training Center, TX— Designed a conceptual design master plan for a whitewater training center and public whitewater park.

Gadsden, AL— Completed a conceptual design which altered the existing low-head dam into a safe, navigable drop structure and restored an existing building into a cafe and outfitter.

South Africa— Designed in-stream and constructed channel whitewater parks for multiple sites throughout South Africa and designed a modular club house system to be implemented at a variety of sports clubs.

Other Professional Experience:**Colorado Center for Community Development**

Town Center Redevelopment Plan—The Town of Dillon, design phase one, 2010

Visitors Center Park Master Plan/ Cost Estimate— The Town of Poncha Springs, 2009

Residential Landscape Design Guideline Book— The City of Wheat Ridge ,2009

Park Master Plan and Cost Estimate—The City of Empire, 2008

Traffic Calming Study—The City of Kremmling, 2008

As-Built and Streetscape Improvements Plan— The City of Fairplay and The City of Mountain View, 2008

University of Colorado Denver Landscape Architecture, Barnum Elementary School Learning Landscapes Playground Design, Denver, CO, 2009, Worked in conjunction with Learning Landscapes and Russell + Mills Studios.

Resort Master Plan and Education Center Design, Colorado Springs, CO, 2008

Interpretive Pathway, Marble, CO, 2007

Urban and Regional Planning, Denver Mountain Parks—Red Rocks Park General Management Plan, 2008

The Effect of Neighborhood Parks on Residential Property Values in Boulder, CO, 2008

Economic Infill Development Project Proposal and Report, Denver, CO, 2009

Rapid Site Assessment Impact Report: Lakewood Dry Gulch Park, Denver, CO, 2008

Environmental Design (Architecture), AIAS Aquatic Center Design Competition Entry, 2006

Recreation Center Design Competition Entry, Semi-Finalist, Estes Park, CO, 2005

Water Research and Interpretive Center, Boulder Creek, CO 2004



Eggers Associates, PA

KURT J. EGGERS, ASLA

Role

Landscape Architect

Education

BS, Landscape Architecture,
Purdue University

Registrations

Idaho State Board of
Landscape Architects

Years of Experience & Employment History

30+ Years.

Kurt has worked in the landscape industry for over 30 years, the last 20 of which have been in the Wood River Valley. He has been at Eggers Associates since 1999. Prior to that, he worked with a variety of landscape companies and organizations.

Experience

Kurt has worked in the landscape industry for over 30 years. He started out as a laborer doing landscape installations and maintenance, and progressed to management and design before becoming principal and owner of his landscape architecture firm, Eggers Associates. Kurt has been the Landscape Architect for many of the marquee projects of the Wood River Valley, including the Ketchum Town Square, the Sun Valley Club, the Sun Valley Pavilion, Our Lady of the Snows Church, and the Wood River YMCA. He has also worked on recreation projects for the Blaine County Recreation District and created a public park for the Sweetwater development, a LEED certified neighborhood. Over the last 20 years, Kurt has lived in the Wood River Valley, which has given him a great understanding of the local concerns, issues and opportunities facing the community. He brings extensive local landscape knowledge, including a strong understanding of the elements being considered for the Ketchum Recreation and Public Purpose Management project.

His project experience includes:

City of Ketchum, Ketchum Town Square, Community Plaza / Ketchum, ID

Sun Valley Company, Sun Valley Music Pavilion, Music / Performing Arts Center / ID

Sun Valley Company, Golf / Nordic Center, Sun Valley Club / ID

Wood River YMCA, Community Center / ID

Benchmark Associates

GARTH L. MCCLURE, A.I.C.P.

Role

Lead Civil Design

Experience

Garth has 31 years of professional experience in land use planning. He has a diverse background in subdivision layout and design, land use planning, community planning and environmental planning. Knowledge of land use practices and law. He provides practical application in needs assessment, site evaluation, feasibility analysis, environmental review, site planning and site designs. He has provided planning services for clients in both the public and private sector. He is responsible for special planning projects involving sensitive land use and environmental issues.

His key areas of expertise, include:

- Community Planning
- Land Use Planning
- Site Planning and Master Planning
- Site Analysis and Feasibility
- Site Selection
- Transportation Planning
- Recreation Planning
- Development Strategies
- Project Coordination Administration
- Project Packaging
- Zoning and Subdivision ordinances and Comprehensive Plans

His representative project experience includes:

- **Sun Valley Company Resort Planning** – River Run Annexation, Zoning, PUD planning, site planning, topography mapping, preliminary infrastructure design.
- **Sun Valley Company White Clouds Subdivision** – Subdivision plat, preliminary to final recording.
- **Warm Springs Ranch Resort, DDRM Great Places** – Site planning, subdivision large block plat, design review entitlements.
- **Spring Canyon Ranch, Democrat Gulch, Haas & Haynie** – Subdivision planning and design, PUD application, infrastructure design and layout.
- **Sweetwater Subdivision, Hailey, Idaho** – Subdivision planning, design and platting.
- **Thunder Spring PUD, Ketchum, Idaho** – Subdivision platting, condominium platting.



Education

MS, City and Regional Planning, Pratt Institute
BS, Environmental Planning, University of Washington

Registrations

American Institute of Certified Planners
Member American Planning Association

Years of Experience & Employment History

31 Years.
Principal/ Partner, Benchmark Associates, P.A., Ketchum / Hailey, Idaho, June 1990 to present.
Planning Consultant, Planning Administrator, City of Sun Valley, 1990 to 1992.
Principal Planner, Planning Administrator, City of Ketchum, September 1983 to June 1990.
Associate Planner, New York City Planning Department, 1981 to 1983.
Associate Planner, Washington State Department of Transportation, Advance Planning Section, 1980 to 1981.

**RICHARD A. COLLINGWORTH, PE****Role**

Civil Design Technical Support

Experience

Mr. Collingwood is a Registered Professional Engineer in the State of Idaho, with over 20 years of experience in project engineering and project management. The majority of Rick's design and project management experience has been in residential, commercial, and industrial land development. He was the project engineer and/or project manager for several projects, which included large multi-phase residential and planned community developments, a large absorption waste water treatment system and water storage tank for a resort community in Hailey, and a large residential/commercial pump station in Boise. His design experience includes improvements for roadways, curb and gutter, sidewalks, pedestrian pathways, water and sewer systems, pressurized and gravity irrigation systems, storm water facilities, and site grading and drainage.

His key attributes, include:

Extensive project management and design experience

Broad-based experience in AutoCad Land Development Desktop design

Some of his project experience includes:

The White Cloud Residences, Sun Valley Company, Sun Valley, Idaho – Richard was the project engineer responsible for the design of the infrastructure and site improvements for the White Cloud Residences a multi unit townhouse project. The design improvements included roadway design, grading, drainage, water and sewer extensions, fire protection and utility design.

Back Pay Way Subdivision, Sun Valley Company, Sun Valley, Idaho – Richard was the project engineer responsible for the design of the infrastructure and site improvements for the White Cloud Residences an ultra high end land subdivision. The design improvements included roadway design, grading, drainage, water and sewer extensions, fire protection and utility design.

Lower Fairway Road Subdivision, Sun Valley Company, Sun Valley, Idaho – Richard was the project engineer responsible for the design of the infrastructure and site improvements for the White Cloud Residences a high end land subdivision. The design improvements included grading, drainage, water and sewer extensions, fire protection and utility design.

Soldier Mountain Ski Resort, Camas County, Idaho – Richard was the project engineer for the new water supply and fire protection system required as part of a new public day lodge facility.

The Village Green, The Valley Club, Blaine County, Idaho – Richard was responsible for the design of a large soil absorption waste water treatment system and distribution system. In addition he was responsible for design of a new water tank for domestic water supply and fire protection.

Education

BS, Civil Engineering,
University of Idaho, Moscow,
Idaho

AAS, Drafting Technology,
Boise State University, Boise,
Idaho

"The Strategic Experience:
A Program for Management
Development", Boise State
University

Registrations

Professional Engineer: ID

**Years of Experience &
Employment History**

20+ Years.

*Toothman-Orton Engineering
Company, Project Manager
and Engineer, Boise, ID,
1994-2009.*

*Idaho Department of Water
Resources – Western
Region Office, Water Rights
Examiner, Boise, Idaho,
1992-1994.*

*Hubble Engineering, Inc.
Engineer Technician, Boise,
Idaho, 1984-1989.*

STEVEN SCHWARZ, PLS

Role

Professional Land Surveyor

Experience

Steven manages Benchmark's satellite office in Hailey, Idaho, performing all aspects of field and office surveying, including boundary, topographic, photo control, and construction surveying. He works primarily with Trimble 4000,4700 Receivers TSC1 Data Collector and TGO Software.

Some of his specific projects, include:

Sun Valley Company, Sun Valley Symphony Pavilion; Sun Valley Golf Clubhouse; White Clouds Subdivision; Back Pay Way Subdivision No.2; Lower Fairway Subdivision – Steve was the project surveyor responsible for the construction surveying and topographic mapping for site improvements and infrastructure for these projects. He was responsible for surveying for construction of roadways, parking, curb and gutter, sidewalk, bike path, water and sewer systems, storm water, and grading and drainage improvements. He conducted topographic and boundary surveys and prepared utility mapping. He participated in preparation of the subdivision plats and As-built drawings.

Sun Valley Company, River Run PUD & Annexation, Ketchum, Idaho – Steve prepared topographic mapping and site data for various site studies including environmental studies, floodplain, wetlands, and avalanche studies. He conducted boundary and topographic surveys, environmental mapping and utility mapping.

Blaine County School District, New Wood River High School, Hailey, Idaho – As the project surveyor Steve conducted boundary and topographic surveys, prepared utility mapping and performed construction staking for all the site improvements. The site and infrastructure improvements included creek relocation, large parking areas, athletic stadium, roadway design, curb, gutter and sidewalk, water and sewer extensions and utilities.

Blaine County School District, Bellevue Elementary School, Bellevue, Idaho – As the project surveyor Steve conducted boundary and topographic surveys, prepared utility mapping and performed construction staking for all the site improvements. The site and infrastructure improvements included roadway design, parking lots, curb, gutter and sidewalk, ADA ramps and transitions, outdoor lighting, water and sewer extensions and utilities.

Sweetwater, LLC, Sweetwater PUD, Hailey, Idaho – Steve was the project surveyor responsible for the construction surveying and topographic mapping for all site improvements and the infrastructure. He was responsible for surveying for construction of roadways, parking lots, curb and gutter, sidewalk, bike path, water and sewer systems, storm water, and grading and drainage improvements. He conducted topographic and boundary surveys and prepared utility mapping. He participated in preparation of the subdivision plats and As-built drawings.

DDRM Greatplace & Helios Development, LLC, Warm Springs Ranch Resort – Ketchum, Idaho – Steve conducted boundary and topographic surveys, an ALTA survey and prepared utility mapping.



Education

BS, Surveying Engineering,
California State University,
Fresno

AS, Surveying, Sierra College,
California

Registrations

Professional Land Surveyor:
ID, NV, CA

Years of Experience & Employment History

20+ Years.

Benchmark Associates,

Ketchum, Idaho, Land
Surveyor, 2000 to present.

Owner, Orion Surveying

and Mapping, Hailey, Idaho

Owner/ Land Surveyor, 1998

to 2000.

Sawtooth Engineering,

Hailey, Idaho, Party Chief/

Land Surveyor, 1994 to

1998.

Jorgensen Engineering,

Jackson, Wyoming, Party

Chief: 1993-1994.

Sagebrush Surveying,

Truckee, California, Party

Chief: 1989-1993.

Bureau of Land

Management, Anchorage,

Alaska, Field Technician,

1988.

Sagebrush Surveying,

Truckee, California.

Chainman, 1985-1987.



Education

PhD, Water Resources Engineering, Utah State University
 MS, Civil Engineering, California Institute of Technology
 BS, Civil Engineering, University of Idaho
 Management and Civil Engineering, University of Colorado

Registrations

Professional Engineer: ID, CO, WA

Years of Experience & Employment History

40+ Years

Brockway Engineering PLLC
 Water Resources Engineering
 University of Idaho, USAID
 Pakistan Project on Irrigation Systems Management
 Research, 1984.
U.S. Bureau of Reclamation,
 Hydraulic Research
 Laboratory and Engineer,
 Denver, Colorado, 1963-1965.
U.S. Bureau of Reclamation,
 Boise, Idaho, Hydraulic
 Engineer, 1961-1963.
Converse Foundation
Engineering, Inc., Pasadena,
 California, Foundation
 Engineer, 1960-1961.

Brockway Engineering

DR. CHARLES E. BROCKWAY, SR., PE, PHD

Role

Water Rights Lead

Experience

The firm's senior partner, Dr. Charles E. Brockway is a Professor Emeritus at the University of Idaho. From the early 1970s through the present, Dr. Brockway has been instrumental in the characterization and analysis of water resources throughout southern Idaho and the Northwest. He headed a team of university researchers who developed the first numerical groundwater model of the Eastern Snake Plain Aquifer. He is an author of more than 100 publications, including many important reference works used by governmental agencies and private consultants. He has worked on a team that helped develop irrigation systems for water authorities in Pakistan. He is a former chairman of the Idaho Board of Professional Engineers and Professional Land Surveyors.

Chuck's client's have included:

Twin Falls Canal Company, Twin Falls, Idaho – Hydrology and water use

North Side Canal Company, Jerome, Idaho – Hydrology and water use

Micron Technology – Groundwater and water supply

J.R. Simplot Company – Land disposal of processing waste, water supply, water rights

City of Twin Falls – Water supply and hydrology

Idaho Trout Processors – Hydraulics and water supply

Cedar Mesa Reservoir and Canal Co – Water Management Consultant

Clear Springs Trout Company, Buhl, Idaho – Water supply and distribution systems

Idaho Power Company, Boise, Idaho – Relationships of groundwater and surface water – Upper Snake River Basin – water right adjudication

Idaho Department of Fish and Game – Evaluation of groundwater stream relationship for litigation – Parma vicinity

Blaine County, Idaho – Waste disposal systems for high-density rural subdivisions

City of Mountain Home, Idaho – Water Rights, hydrologic analysis

Rinker Company, Long Beach, CA – Hydrology, water rights

U.S. Bureau of Reclamation (frmly Maricopa County Water District) – Arizona Flood Study

Office of Technology Assessment – U.S. Congress – Irrigation Distribution Systems

U.S. Department of Justice – Indian Water Rights

Montgomery Engineers – Groundwater quality evaluations

J.U.B. Engineers, Twin Falls, Idaho – Groundwater and hydraulics

Amalgamated Sugar Company, Idaho – Hydrology and waste disposal

Pioneer Irrigation District, Idaho – Water rights and hydrology

DR. CHARLES G. BROCKWAY, JR., PE

Role

Water Rights Technical Support

Experience

Dr. Charles G. Brockway is the managing partner of the firm. He studied at the renowned Iowa Institute of Hydraulic Research at the University of Iowa under the Hunter Rouse Fellowship. Dr. Brockway's principal expertise is in computer modeling of physical systems, statistical hydrology, hydraulic design, water rights transactions, and land use issues including water supply and wastewater disposal evaluation. His areas of particular expertise include:

Computer Modeling – Development, testing, and implementation of computer models for deterministic and stochastic analysis of hydraulic and hydrologic systems, both surface water and groundwater.

Groundwater Evaluations – Data collection, evaluation, and analysis of groundwater flow systems and contaminant transport.

Hydraulic Analysis and Design – Design and analysis of canal diversion and regulation structures, water measurement structures, spillways, pipelines, culverts, aqueducts, canals, pumping stations, surge-control devices, groundwater wells, irrigation systems, pipeline networks, municipal distribution systems.

Land Application of Wastewater – Evaluation and design of all aspects of wastewater treatment by land application, including hydrogeologic analysis and modeling, parameter loading analysis, environmental impact evaluation, system management and design, and permit acquisition and compliance.

Stream Bank Protection – Analysis of sedimentation and meander pattern evolution in natural waterways, both mountainous and low-gradient. Design of bank stabilization and protection structures. Design of river management projects including flood channel restoration, natural gravel bar removal, drop structures, and sills.

Water Rights Evaluations – Hydrologic analysis and transaction preparation for water right permits and transfers in compliance with current state policies, rules, and statutes. Crop evapotranspiration determination, climatic analysis; statistical analysis of climate and crop use variables; water requirements evaluations for irrigation, domestic, commercial, and industrial applications; consumptive use determination; field investigations, measurement and analysis of diversion capacity and water requirements.

Flood Analysis and Control – Estimation of flood-frequency relationships in natural and man-made drainages using statistical and deterministic approaches. Hydraulic analysis and computer modeling of waterways to predict water surface elevations and extent of inundation during flood events. Design of flood control structures and bank protection structures.

Water Demand and Sufficiency Analyses – Analysis and determination of water supply suitability, source development feasibility, and other factors affecting water supplies for municipalities, residential developments, and industry.

Hydrography – Discharge measurements in open-channels and closed-conduits using current meters, in-pipe impeller and propeller meters, and non-intrusive ultrasonic meters.



Education

PhD, Civil and Environmental Engineering, University of Iowa

BS, Civil Engineering, University of Idaho
Physics, Northwest Nazarene College, Nampa, Idaho

Registrations

Professional Engineer: ID, WY

Years of Experience &

Employment History

22+ Years

Brockway Engineering

**Education**

Ph.D., Agricultural
Engineering, Ohio State
University
MS, Civil and Environmental
Engineering, Brigham Young
University
BS, Civil and Environmental
Engineering, Brigham Young
University

Registrations

Professional Engineer: ID
Engineer-in-Training: UT

**Years of Experience &
Employment History**

17+ Years

<< See Experience Section

E. ERICK POWELL**Role**

Technical Support to the civil design team

Experience

Erik is a resident engineer for Brockway Engineering. Erik completed his doctoral work in Agricultural Engineering at The Ohio State University with studies related to stream geomorphology and water quality modeling. As a project engineer, Erik works on hydrologic and hydraulic engineering design tasks, including: well design, well construction, well testing, water rights, water right transfers, pipeline design, water distribution systems, stream channel evaluation, floodplain assessment, irrigation water demand, and potable water demand.

Teaching experience

Adjunct Professor, Department of Physical Science, College of Southern Idaho – Adjunct professor for the College of Southern Idaho for physical geography, general education science course focusing on atmosphere, lithosphere, hydrosphere, and biosphere and the human interaction with these environmental spheres.

Graduate Teaching Associate, Department of Food, Agricultural, and Biological Engineering, Ohio State University, Columbus, Ohio – Departmental teaching appointment. Recipient of the Stanley W. Joehlin graduate teaching award 2002-2005. Provided instruction for multiple University sponsored workshops.

Instructor, Civil and Environmental Engineering Department, Brigham Young University, Provo, Utah – Responsible for course instruction, material evaluations, laboratory curriculum development and laboratory instruction. (1999-2002)

Professional Experience

- **Brockway Engineering** – Provides project engineering on hydrologic and hydraulic engineering design tasks, including: well design, well construction, well testing, water rights, water right transfers, pipeline design, water distribution systems, stream channel evaluation, floodplain assessment, irrigation water demand, and potable water demand.
- **Graduate Research Assistant, Department of Food, Agricultural, and Biological Engineering, Ohio State University, Columbus, Ohio** – Research consisting of: 1) evaluation of channel forming discharges, 2) two-stage channel design procedures, 3) nutrient performance within two-stage agricultural channels, and 4) theoretical nutrient spiraling under restored riparian projects. (2002 - 2006)
- **Civilian Contractor, Coastal and Hydraulics Laboratory, Waterways Experiment Station, United States Army Corps of Engineers, Vicksburg, Mississippi** – Developed numerical groundwater flow simulations using FEMWATER and Groundwater Modeling System (GMS). (2001)
- **Surveyor and Draftsman, Western Land Surveying, Provo, UT** – Chief draftsman and assistant surveyor for Western Land Surveying. (1998-1999)
- **Laboratory Research Assistant, KSU Soil Testing Laboratory, Kansas State University, Manhattan, KS** – Soil laboratory and research assistant. (1993 - 1995)

GeoEngineers, Inc.



MIKE HOMZA, PE, ASSOCIATE, WATER RESOURCES / RIVER ENGINEER

Role

Lead Hydraulic Engineer

Experience

Mike has been the lead hydraulic engineer on over 40 significant stream/river restoration projects throughout the United States. In addition, he has analyzed over 450 streams and rivers throughout the Pacific Northwest and Columbia Basin for a wide range of projects including habitat enhancement, flood mitigation, bridge design and scour mitigation. Mike was the lead design engineer on several local stream and river enhancement designs, including the Spring Canyon Ranch development outside of Hailey and the Warm Springs Ranch Resort in Ketchum. He also led GeoEngineers' team on the Wood River Land's Trust initial 2009 assessment of this Hulen Meadows site that helped provide direction for this proposed master plan. In the past 4 months, Mike's teams have overseen the construction of 3 major stream and river enhancement projects. In the past five years, Mike's projects have won a total of 15 awards from numerous professional societies, agencies and conservation groups. In the past three years, Mike has been the Associate-In-Charge and lead engineer on the following projects:

Wood River Land Trust, Hulen Meadows Enhancement Assessment / Blaine, ID

DDRM Great Places LLC, Warm Springs Ranch Resort, Conceptual Stream and Floodplain Enhancement Design / Ketchum, ID

Spring Canyon Ranch LLC, Spring Canyon Ranch Development, Stream, Floodplain, Wetland and Habitat Enhancement Design, Blaine County, ID

The Nature Conservancy, 45 Ranch River Restoration Enhancement Design and Construction / Owyhee County, ID

The Nature Conservancy, Flat Ranch/Henry's Fork Outlet Assessment, Fremont County, ID

Idaho Department of Fish and Game, Bob's Creek, Smith Creek, Amonson Pond, Fry Meadows, Pine Creek, Lemhi River, 12-Mile Side Channel / Throughout ID

Henry's Fork Foundation, Schneider Creek Fish Barrier Design / Clark County, ID

Idaho Transportation Department, Bridge Scour Analysis, 32 Bridges / Throughout ID

Shoshone-Bannock Tribes, Spring Creek D/B / Fort Hall Indian Reservation, ID

Confederated Tribes of the Umatilla Indian Reservation, Walla Walla River (Lampson Reach) Design and Construction / Umatilla County, OR

Walla Walla Basin Watershed Council, Walla Walla River Enhancement Assessment and Conceptual Design, Milton-Freewater, OR

Tri-State Steelheaders, Bridge-to-Bridge Walla Walla River Enhancement Assessment, Conceptual Design and Final Design, Walla Walla County, WA

City of Dayton, Touchet River, Geomorphic Assessment / Columbia County, WA

Education

BS, Civil Engineering,
University of Vermont
Continuing education
courses in hydrology,
hydraulics, modeling,
fish passage and fluvial
geomorphology

Registrations Professional
Engineer: WA, ID, OR, ME

Years of Experience &

Employment History

26 years

Mike started his career in traditional civil engineering and has designed the civil and site elements for many public- and private-sector projects. Mike gravitated to water resources engineering in the early 1990s; developing stormwater master plans for cities and counties and has focused almost exclusively on river planning, analyses, design and construction since 1997.



JASON POULSEN, SENIOR NATURAL RESOURCE SCIENTIST

Role

Permitting, Biological, Wetland and Natural Resource Specialist

Experience

Jason's 13 years of experience includes work in multiple environmental disciplines across 15 states. His experience encompasses a broad range of environmental / natural resource that includes all aspects of projects scheduling, public agency negotiation and collection and analytical analysis of field data to final production of client deliverables. Jason specializes in water and natural resource management work and environmental permitting. He has experience working with clients on a range of permitting and environmental issues including Endangered Species Act (ESA) requirements, Washington State Environmental Policy Act (SEPA) requirements, local environmental and sensitive area regulations, and wetland delineation and permitting. In addition to working within the environmental regulatory arena, Jason also has extensive experience performing field investigations such as habitat assessments, wetland determinations/delineations, plant and wildlife surveys and water quality investigations.

Jason's understanding of environmentally sensitive project issues highly complement GeoEngineers' approach to project management for our water and natural resource clients and federal and private clients alike. His relevant project experience is listed below.

Sun Valley Company, Sun Valley Ski Resort Wetland Delineation, Flood Plain and Habitat Assessment / Hailey, ID

Spring Creek Ranch, LLC, Wetland Delineation and Habitat Assessment / Blaine County, ID

Karuk Tribe, Seiad Creek - Stream Restoration and State and Federal Environmental Permitting / Seiad Valley, CA

Idaho Investment Properties LLC, Crane Shores Wetlands/Habitat Evaluation, Preliminary Floodplain Review, and Environmental Permitting / Donnelly, ID

The Nature Conservancy, 45 Ranch River Restoration Enhancement Design / Owyhee County, ID

Coast 2 Coast, LLC., Laguna Pointe Wetland Mitigation / Eagle, ID

OliverMcMillan, Everett Riverfront Redevelopment – Snohomish River / Everett, WA

"I have reviewed the revised mitigation plan for the Cheney Middle School. I appreciate the effort GeoEngineers has expended... I find this to be an exceptionally well thought out and prepared plan. Nice work."

*Jeremy Sikes, Wetland Specialist
Shorelands and Environmental Assistance Program
Washington State Department of Ecology*

Education
BS, Environmental Studies
with an emphasis in Natural
Resource Management, Utah
State University

**Years of Experience &
Employment History**
13 Years
Jason has worked with three
other firms managing natural
resource projects during
his 13 years of professional
experience.

JEFF FEALCO, PE, SENIOR WATER RESOURCES / RIVER ENGINEER

Role

Geomorphology and Hydraulic Modeling Specialist

Experience

Jeff is a senior water resources design engineer, and is an integral member of our River Team, excelling in natural channel design, modeling existing and proposed conditions and developing alternative analyzes and conceptual plans, material quantities and associated costs. Jeff is immersed in river restoration/enhancement projects, which include stream channel design; fish passage; hydrologic and hydraulic modeling; habitat design, sediment transport, hydraulic design of culverts; gravity and pressurized water line design; floodplain/floodway modeling; stormwater; civil engineering design; and construction inspection. His technical background and computer modeling proficiency continue to open up new and exciting doors in the world of water resources and river restoration.

In addition, his background and history in true hard civil design and construction inspection has facilitated the process between concept and final construction design. As a lifelong fisherman, his knowledge of rivers, fish and fish habitat is an invaluable asset and a continual instrument utilized within his engineering toolbox.

Some of his recent project experience includes:

Wood River Land Trust, Hulen Meadows Enhancement, Blaine County, ID

DDRM Companies, Warm Springs Ranch Resort Stream Enhancement / Blaine County, ID

Spring Canyon Ranch LLC, Spring Canyon Ranch Stream Enhancement / Hailey, ID

Idaho Department of Fish and Game, Bob's Creek, Smith Creek, Amonson Pond, Fry Meadows, Pine Creek, Lemhi River, 12-Mile Side Channel / Throughout Idaho

Idaho Transportation Department, Bridge Scour Analysis, 23 Bridges / Throughout ID

The Nature Conservancy, 45 Ranch River Restoration Enhancement Design / Owyhee County, ID

Confederated Tribes of the Umatilla Indian Reservation (CTUIR), Walla Walla River (Lampson Reach) & South Fork Walla Walla River (Kentch Reach) Geomorphic / Alternatives Assessment & Conceptual Design / Umatilla County, OR

City of Dayton, Touchet River, Geomorphic Assessment / Columbia County, WA

Tri-State Steelheaders, Touchet River Bank Stabilization / Touchet, WA

Confederated Tribes of the Warm Springs Indian Reservation, Mill Creek Stream Restoration Design / Warm Springs, OR

Karuk Tribe of California, Seiad Creek Alternatives Assessment and Preliminary Design / Happy Camp, CA

Confederated Tribes of the Umatilla Indian Reservation, Camas Creek Enhancement Design / Umatilla County, OR



Education

MS, Civil Engineer, Water Resources, University of Idaho

BS, Civil Engineering, University of Idaho

Registrations

Professional Engineer: ID, OR, MT

Years of Experience &

Employment History

8 Years

Jeff has over four years of experience with GeoEngineers completing numerous river enhancement projects and has worked for two other firms during his 8 years of professional experience in water resources.

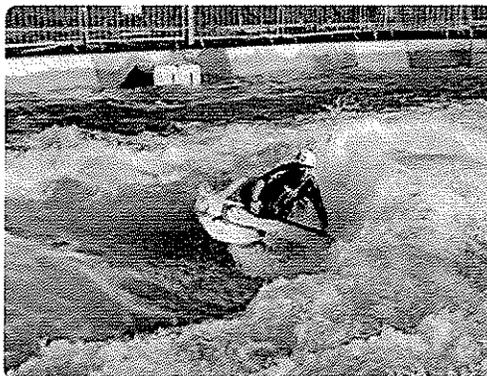
PREVIOUS WORK

S2O Design and Engineering has planned, conceived, designed and created some of the highest profile in-stream and pumped whitewater parks in existence today. Our in-stream parks include features and river restorations that range from small waves to massive, river-wide redesigns of dangerous weirs and dams. Our award-winning pumped parks are the largest and most dynamic in-stream and recirculating whitewater parks in the world. The quality of our work, and the depth of our experience, has made us the go-to team for discerning whitewater park projects throughout the world. We are the only design team that has created successful super-parks on three continents, including two Olympic facilities and the US National Whitewater Center.

We are the World's Premier River Recreation Design and Engineering Team.

S2O's advantage is its ability to incorporate cutting edge technology in a natural, sustainable, and environmentally friendly manner. Our innovations in whitewater design, some of them patent-pending, allow us to create waves that are pneumatically adjustable, or mechanically reconfigurable, yet are made of native rock and surrounded by the natural environment. Our designs and techniques, combined with nature's own gifts, provide unparalleled recreation in a stunning setting.

We employ an industry leading process that is collaborative and information-based, and is driven by the wishes and desires of the people who use the park. We center our design approach on public and stakeholder input and the information gathered is used to define the project's attributes and constraints.



The real S2O difference is our people. We are trained, licensed and innovative design and engineering professionals. We take great satisfaction in our ability to apply our technical expertise to create the optimal whitewater experience for all type of paddlers. Moreover, we are expert boaters that share a lifelong passion for whitewater recreation, and believe that a river experience for paddlers should be designed by paddlers!

Led by engineer, Olympian, three-time World Cup Kayak Champion and Freestyle Kayak Champion Scott Shipley, you can expect nothing short of championship-caliber results that are fun and friendly for the entire community.

Three of our previous whitewater park projects are described in the following pages.

» **London Whitewater Park / London**

Reference: Andy Laird, President of EPDUK (London Course Design Partner), P: 07554 442124

This course was cited by the International Canoe Federation (ICF) as the best use of design modeling, and the easiest to tune to an Olympic Standard. EPDUK/S20 were commissioned to complete the design for this Olympic Venue in London, England on a rush basis. Within four months of receiving authority to proceed, our team reviewed all pertinent materials, recreated the entire drawing set to a professional standard, created both computer and physical models, and completed design documents for the most modern whitewater park in the world.

The S20/EPDUK team continued to work with the Client to implement the design for construction, including construction oversight and project commissioning. The completed project was approved by the ICF, who cited the modeling and design as the most advanced and predictive ever used for a whitewater park.

The London Whitewater Park has been a tremendous success with athletes, who reference its challenging, yet predictive, flows as ideal for competition. The athletes and coaches also applaud the moveable obstacle system, innovated by S20 and EPDUK for this course. The movable obstacle system is a tremendous step forward from previous systems, and is the future of whitewater slalom channels.

**Project highlights:**

- S20 completed a remake of the master plan design documents, and created computer and a physical models within 12 weeks of receiving a contract.
- Commissioned the park in a record 3 weeks.
- Used advanced physical modeling to accurately predict flows and key features.
- S20 and EPDUK worked with the contractor to ensure a fast and cost efficient build.

S20 continues to work with the ODA to oversee construction and implementation of the channels, slalom systems, and a new patented obstacle system.

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» **Fall River Project**

Estes Park, Colorado

Reference: Not Available

The Fall River Project in Estes Park, Colorado highlights the natural beauty of this rugged mountain town. The park was created in a dilapidated part of Estes that featured an old trailer park, a sewer line, and a denuded and channelized riverbed. The river itself was choked with broken concrete reinforcement and cement walls. This river suffered from many impacts.

While at a previous firm, Scott Shipley designed this project to restore the natural beauty of the river, and to create an anchor attraction for the City's new events center. The design process involved working with Fish and Wildlife Regulators to formulate a design that recreated a vibrant fish and riparian zone habitat. The concrete and rip-rap were removed and replaced with gravel point bars, boulder clusters, willow plantings, and other features. Exposed sewer and pipe lines were rerouted or hidden in natural rock. Usage by visitors was also considered and selected trails, as well as access and egress points, were created to minimize bank erosion and riparian zone impacts.

This project also included an amphitheater—created of native Colorado flagstone—along with paths, picnic areas, and riverside seating. This project is an example of how a river can be restored to enhance habitat, and be the centerpiece of a beautiful mountain park.

Project Highlights:

- ✦ Enhanced the Fall River to restore key components of the river's in-stream and riparian zone habitat
- ✦ Created access and egress to the river and its banks in an ecologically responsible way so people could enjoy the river's natural beauty without damaging the river or its banks

The project included an amphitheater, paths, and seating to bring people to the river.

» **Smelter Whitewater Boating Park**

Durango, Colorado

Reference: Cathy Metz, Director of Parks and Recreation,

City of Durango, Colorado

P: (970) 375-7329

The design of the Smelter Whitewater Boating Park is an exercise in public process. This highly visible project involved numerous and varied stakeholders including the Bureau of Reclamation, the Animas River Task Force and numerous public and agencies and stakeholders. The design of this park involved an extensive public process including work with the Animas River Task Force, City of Durango, numerous stakeholders and various permitting agencies. In 2006 S2O won the competitive bid for this redesign and has since successfully worked with all parties combined to create a design that has been well received by all stakeholders.

Due to the numerous challenges associated with this park the design requirements were stringent and publicly reviewed by all parties. The design was further challenged when Durango submitted its park for a Recreational In-Channel Diversion (RICD) water right. As a part of this process S2O testified at the CWCB hearing, submitted expert reports on the park's design, and successfully defended the design on behalf of its stakeholders against the flow-restricting opposition. Based largely on the testimony of S2O's principal, the objectors eventually settled and the original flow claims proposed by S2O were awarded.

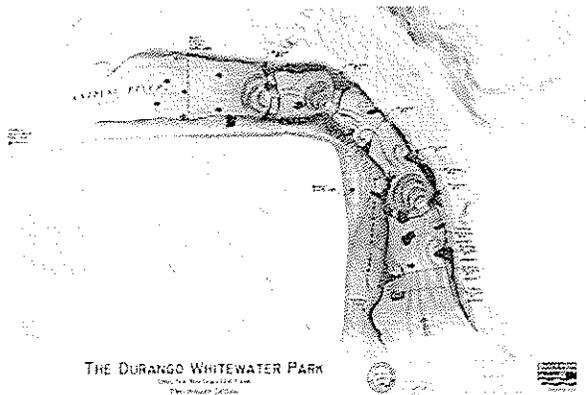
Project highlights:

Design efforts and testimony helped protect the flows of the Animas River for the foreseeable future, while avoiding an expensive, extended trial.

Obtained a RICD with maximum flows of 1,400 cfs, four times greater than the CWCB-proposed maximum.

Worked with varied stakeholders to create a design meeting everyone's needs.

Complete design and reporting package helped avoid a costly water rights trial.



Subconsultants Experience

As previously mentioned, we have included four other firms to join us in creating a master plan for the proposed Whitewater Park that considers every element. Here is a sampling of their experience.

Eggers Associates

Eggers has been involved in nearly 300 projects over the last 12 years. Their projects rang from backyard remodels to high-end custom residential, multi-family developments and community facilities. One of their local projects, includes:

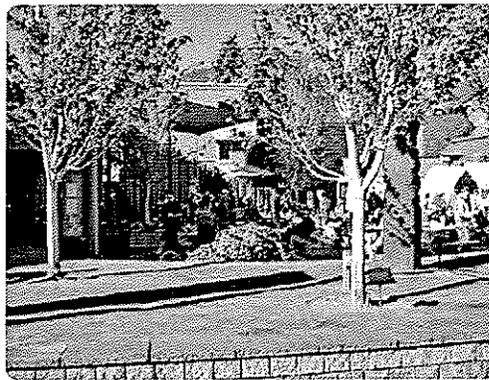
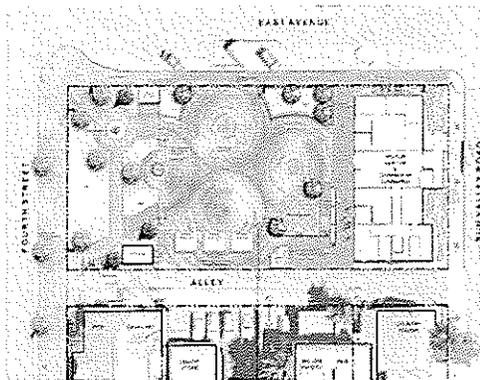
» City of Ketchum

Town Square / Ketchum, Idaho

References: Dale Bates, Living Architecture, P: (208) 726-3691 or

Adam Elias, Elias Construction, P: (208) 725-5400

Located in the heart of Ketchum, the Town Square has become a central hub for the community, holding events such as live music, festivals and fundraisers. As part of the local design team, Eggers Associates was responsible for preliminary design drafting and rendering, design development, construction drawings and construction supervision. As a public facility, the design had to be family and user-friendly, and be able to accommodate a multitude of uses simultaneously.



Visitors enjoy live music at the Ketchum Town Square

Benchmark Associates

Benchmark Associates is a full service multi-discipline firm providing professional services in civil engineering, land planning, surveying, and land information systems. They bring over 55 years of experience working on multi-disciplined projects where creative solutions are necessary to blend complex technical issues, environmental constraints and aesthetic requirements. Below are two of their representative projects.

» Sun Valley Company

Sun Valley Symphony Pavilion, Sun Valley Golf Clubhouse, White Clouds Subdivision,

Back Pay Way Subdivision No.2, Lower Fairway Subdivision

Reference: Wally Huffman, President of Sun Valley Company, P: (208) 622-2105

Benchmark Associates was the project engineer responsible for the design of the site improvements for these projects. Responsibilities included design of the roadway, curb and gutter, sidewalk, bike path, water and sewer systems, storm water, and grading and drainage improvements. Benchmark's survey department conducted topographic and boundary surveys, prepared utility mapping, and the construction staking for all the site improvements.

» **DDRM Greatplace & Helios Development, LLC**

Warm Springs Ranch Resort / Ketchum, Idaho

Reference: Truitt Alday, Project Director, P: (435) 655-3288 Ext. 219

Benchmark Associates is the project engineer responsible for the design of the site improvements for the approved Warm Springs Ranch Resort development. The engineering requirements will include the design of roadways, curb and gutter, sidewalks, water and sewer extensions, storm water improvements, grading and drainage, and utility planning. Our survey department conducted boundary and topographic surveys, ALTA survey, and prepared utility mapping. Benchmark Associates also participated in the creation of the Master Plan for the development.

Brockway Engineering

Brockway Engineering has been involved in design and development of private projects which included numerous large water amenities, stream development and realignment, and ground and surface water rights acquisition. One of their similar projects includes:

» **Heart Rock Ranch**

1,200 Acre Development, 50 Ponds and Wetland Basins / Idaho

Reference: George Kirk, Project Manager, P: (208) 726-6560 ext 128

A 1,200 acre development in Blaine County currently under construction involves nearly 50 ponds and wetland basins comprising over 183 acres of open water and over six miles of natural stream rehabilitation and realignment. The project also involves Big Wood River diversion structure rehabilitation, groundwater / surface water integration, and water rights realignment and changes to accommodate the water amenities. Brockway Engineering is responsible for development and management during construction of all water measurement requirements including flow and water quality, hydraulic design of conveyance structures, monitoring for Federal, State and County permits, and water rights management.

GeoEngineers, Inc.

GeoEngineers' ecological staff bring years of expertise in hydraulic engineering and modeling, process geomorphology, stream restoration, sediment transport analysis, permitting and project planning, design and geotechnical engineering, and surveying. GeoEngineers' team has provided successful concepts and design services on more than 2,700 water and natural resource projects, including 1,900 in the Pacific Northwest. One of their local projects in the Ketchum area, includes:

» **DDRM Greatplace, LLC.**

Warm Springs Ranch Resort, Comprehensive Stream Restoration Analysis and Design Services / Ketchum, Idaho

Reference: Chuck Klingenstein, DDRM Greatplace, LLC, (435) 655-3288

"[GeoEngineers], that is such a terrific project. I should say that I've worked with Mike before - in the interest of full disclosure - and they (GeoEngineers) just do incredible work."

Charles Conn
Former Ketchum City
Councilman

GeoEngineers worked with nationally-recognized team of designers developing a Five-Star Saint Regis hotel, spa and golf resort along historic Warm Springs Creek at the base of the Sun Valley Ski area in Ketchum, Idaho. GeoEngineers' design restored and enhanced 1-mile of the creek, floodplain and riparian habitat; establishing an ecologically-sensitive landscape foundation for the larger resort. The design significantly improves trout habitat by replacing artificially armored banks with native riparian vegetation; recreating the stream's natural sinuosity; sculpting pools and riffles; adding habitat complexity with woody habitat structures; and by reconnecting the stream to its floodplain. In addition to enhancing habitat for the full

complement of native animals and birds, the proposed floodplain enhancements will reduce flood hazards on site and on neighboring parcels.

Additional Pertinent Information

One key component our team brings to this project is that each team member has worked within the Wood River Valley.



LICENSURE

Our team has the necessary licenses to work in the state of Idaho.

INSURANCE

S20 Design is able to meet the required general liability insurance included in the RFP. A copy of our general liability insurance certificate is in **Attachment A**.

ATTACHMENT A



ATTACHMENT A



TAGGART & ASSOCIATES, INC/PHS
PO BOX 33015
SAN ANTONIO TX, 78265

CITY OF KETCHUM IDAHO
PARKS AND RECREATION DEPARTMENT
2315/900 PO BOX
KETCHUM, ID 83340

General Terms and Conditions

Revised April 2011

1. The General Terms and Conditions outlined below are part of the attached letter agreement and are hereby incorporated by reference. If **S2O** does not receive a response to the letter agreement within ninety (90) days, the fees for the design services will be subject to change. Please read these General Terms and Conditions carefully. Your acceptance of this agreement constitutes your acceptance of the foregoing terms and conditions.
2. The standard of care for all professional services performed or furnished by **S2O** under this agreement will be the skill and care used by consulting engineers and architects practicing under similar circumstances at the same time and in the same locality. **S2O** makes no warranties, either express or implied, under this agreement or otherwise, in connection with **S2O's** services.
3. The Client shall provide **S2O** with development program information regarding the requirements and objectives for the Project. Additionally, **S2O** shall be entitled to rely upon the accuracy and completeness of any information, reports and/or site surveys/base information supplied by the Client or by others authorized by Client.
4. If **S2O's** services under this letter agreement do not include services during the construction phase of the project, then Client assumes responsibility for the application and interpretation of **S2O's** drawings, specifications and other instruments of service; the observation and evaluation of Contractor's work and the performance of any other necessary construction phase engineering or professional services; and Client waives any claims against **S2O** that may be connected in any way thereto.
5. If **S2O's** services under this letter agreement include limited services during the construction phase of the project, then Client assumes responsibility, to the extent that **S2O** is not contracted to provide professional services for the project, for the application and interpretation of **S2O's** drawings, specifications and other instruments of service; the observation and evaluation of Contractor's work and the performance of any other necessary construction phase engineering or professional services; and Client waives any claims against **S2O** that may be connected in any way thereto.
6. In addition to professional fees outlined in the attached letter agreement, the Client shall pay all out-of-pocket expenses which are defined as actual expenditures made by **S2O**, their employees, and/or professional consultants in the interest of the project and include, but are not limited to, the following expenses:
 - a. Air Travel, including departure taxes (Business Class for flights scheduled for four [4] hours or greater) and related airline/agency fees
 - b. Hotel accommodations
 - c. Meals
 - d. Ground transportation, i.e., rental cars and taxis
 - e. Postage, freight, telephone, facsimile, overnight express mail and courier services
 - f. Blueprinting, photocopying, reproductions and printing
 - g. Photographic supplies and processing
 - h. Study model materials
 - i. Special renderings, models, photographs and special consultants, when authorized by Owner

The above listed items will be billed at the actual cost with no markup.

7. **S2O** will provide electronic transfer media of related materials for the project if available and as requested by the Client or authorized agent for the following costs:

CD-ROM	Fee: \$15.00
FTP Transfer	No Charge

If additional special drawing modifications are requested, i.e., special blocks, drawings, setting up special layering for files, etc., the associated time will be billed at **cost plus 10%**. Prior to the preparation of transfer media, both parties will agree upon the special modifications.

8. **S2O** will provide reproducible media of project related materials as available and as requested by the Client or authorized agent for the following fees:

Media	Monochrome	Color
REPRODUCIBLE VELLUM	Fee: \$0.70 per Sq. Ft.	Fee: \$1.50 per Sq. Ft.
OCE BOND	Fee: \$0.25 per Sq. Ft.	N/A
GLOSSY COATED PAPER	Fee: \$1.00 per Sq. Ft.	Fee: \$1.75 per Sq. Ft.
COATED ACETATE	Fee: \$1.00 per Sq. Ft.	Fee: \$1.75 per Sq. Ft.
COATED MYLAR	Fee: \$1.75 per Sq. Ft.	Fee: \$2.50 per Sq. Ft.

9. All documents prepared or furnished by **S2O** pursuant to this agreement are instruments of **S2O's** professional service, and **S2O** shall retain ownership according to all applicable laws. **S2O** grants Client a license to use instruments of **S2O's** professional service to construct, occupy, and maintain the project. Reuse or modification of such documents by Client, without **S2O's** written permission, shall be at Client's sole risk and Client agrees to indemnify and hold **S2O** harmless from all claims, damages, and expenses, including attorney's fees, arising out of such reuse by Client or others acting through Client. In addition, reuse or modification of such documents without **S2O's** written permission constitute a copyright infringement and may be subject to enforcement of such rights.

10. Client acknowledges that the information and data delivered to Client in machine-readable copies of the documents may vary from that contained on paper copies of the documents. Variances may be due to the use of different software, hardware, or output devices by Client or others from those used by **S2O** for original preparation and printing of the documents. Variances may also be the result of undocumented changes or modifications made to the machine-readable documents, whether inadvertently or otherwise and whether made by Client or others. **S2O**, therefore, reserves the right to retain the machine-readable media upon which the documents were originally prepared, and to retain paper or reproducible documentation delivered to Client in machine-readable form, that shall govern in the event of any inconsistency or discrepancy between the two. **S2O** also reserves the right to remove from machine-readable copies provided to Client, all identification reflecting the involvement of **S2O** in their preparation.

Client acknowledges that the automated conversion of documents from the system or format employed by **S2O** to that of Client or others cannot be accomplished without the introduction of inexactitude, abnormalities, and errors. In the event documents provided to Client in machine-readable form are so converted, Client agrees to assume all risks associated therewith and, to the fullest extent permitted by law, to hold harmless and indemnify **S2O** and **S2O's** professional associates and consultants from and against all arising claims, liabilities, losses, and expenses including attorney fees.