

CITY OF ELY  
MURRY STREET SEWER MAIN UPGRADE PHASE-I & PHASE-II  
CDBG FUNDED PROJECT 19/PF/02 & 20/PF08  
BID OPENING & REQUIRED DOCUMENTS CHECKLIST

July 20, 2020

BID ITEMS CHECK LIST	JCR DEVELOPMENT	O'FLAHERTY PLUMBING & HEATING	GREAT BASIN ENG. CONTRACTORS	KAP MECHANICAL
BID PROPOSAL	YES	YES	YES	YES
BID BOND, CERTIFIED/CASHIERS CHECK, CASH	YES	YES	YES	YES
EXPERIENCE OF QUALIFICATIONS	YES	YES	YES	YES
DESIGNATION OF SUBCONTRACTORS	YES	YES	YES	YES
AFFIDAVIT OF NON-COLLUSION	YES	YES	YES	YES
E.E.O. CERTIFICATION - BIDDER / CONTRACTOR	YES	YES	YES	YES
E.E.O. CERTIFICATION - SUBCONTRACTOR	YES	YES	YES	YES
LOBBYING ASSURANCE - BIDDER / CONTRACTOR	YES	YES	YES	YES
LOBBYING ASSURANCE - SUBCONTRACTOR	YES	YES	YES	YES
DEBARMENT / INELIGIBILITY - CONTRACTOR / SUBCONTRACTOR	YES	YES	YES	YES
SECTION 3 CERTIFICATION - CONTRACTOR	YES	YES	YES	YES
SECTION 3 CERTIFICATION - SUBCONTRACTOR	YES	YES	YES	YES
SECTION 3 ESTIMATED WORKFORCE BREAKDOWN	YES	YES	YES	YES
ADDENDUM - 1	YES	YES	YES	YES

BASE BID BIDDING SCHEDULE	UNIT	AMOUNT	JCR DEVELOPMENT		O'FLAHERTY PLUMBING & HEATING		GREAT BASIN ENG. CONTRACTORS		KAP MECHANICAL	
			UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
1 MOBILIZATION / DEMOBILIZATION	LS	1	\$ 5,500.00	\$ 5,500.00	\$ 3,000.00	\$ 3,000.00	\$ 70,744.05	\$ 70,744.05	\$ 110,000.00	\$ 110,000.00
2 8-INCH SEWER MAIN	LF	1,170	\$ 140.00	\$ 163,800.00	\$ 209.99	\$ 245,688.30	\$ 239.15	\$ 279,805.50	\$ 189.00	\$ 221,130.00
3 8-INCH SEWER CONNECTION	EA	1	\$ 4,000.00	\$ 4,000.00	\$ 6,824.00	\$ 6,824.00	\$ 6,002.33	\$ 6,002.33	\$ 12,000.00	\$ 12,000.00
4 4-INCH SEWER SERVICE	LF	803	\$ 120.00	\$ 96,360.00	\$ 164.00	\$ 131,692.00	\$ 170.64	\$ 137,023.92	\$ 180.00	\$ 144,540.00
5 LOCATE AND CONNECT SEWER SERVICE	EA	35	\$ 2,000.00	\$ 70,000.00	\$ 200.00	\$ 7,000.00	\$ 1,706.36	\$ 59,722.60	\$ 1,800.00	\$ 63,000.00
6 48-INCH SEWER MANHOLE	EA	4	\$ 8,000.00	\$ 32,000.00	\$ 8,500.00	\$ 34,000.00	\$ 2,400.93	\$ 9,603.72	\$ 6,800.00	\$ 27,200.00
7 CONNECT TO EXISTING MANHOLE	EA	1	\$ 3,000.00	\$ 3,000.00	\$ 6,824.00	\$ 6,824.00	\$ 6,122.37	\$ 6,122.37	\$ 12,000.00	\$ 12,000.00
8 REMOVAL AND FILLING EXISTING MANHOLE	EA	4	\$ 4,000.00	\$ 16,000.00	\$ 3,750.00	\$ 15,000.00	\$ 3,001.16	\$ 12,004.64	\$ 2,375.00	\$ 9,500.00
9 FRENCH DRAIN SYSTEM	LF	1,164	\$ 45.00	\$ 52,380.00	\$ 35.00	\$ 40,740.00	\$ 30.40	\$ 35,385.60	\$ 37.00	\$ 43,068.00
10 3/4" WATER SERVICE	LF	382	\$ 100.00	\$ 38,200.00	\$ 200.00	\$ 76,400.00	\$ 89.28	\$ 34,104.96	\$ 80.00	\$ 30,560.00
11 3/4" METER BOX	EA	18	\$ 3,500.00	\$ 63,000.00	\$ 3,150.00	\$ 56,700.00	\$ 3,962.67	\$ 71,328.06	\$ 2,600.00	\$ 46,800.00
12 REPAIR DAMAGED UTILITY	EA	10	\$ 800.00	\$ 8,000.00	\$ 1,000.00	\$ 10,000.00	\$ 4,801.86	\$ 48,018.60	\$ 5,000.00	\$ 50,000.00
13 DRAIN ROCK FOUNDATION	LF	2,400	\$ 25.00	\$ 60,000.00	\$ 3.00	\$ 7,200.00	\$ 11.56	\$ 27,744.00	\$ 26.00	\$ 62,400.00
14 TRENCH BOTTOM STABILIZATION	LF	2,400	\$ 12.00	\$ 28,800.00	\$ 3.00	\$ 7,200.00	\$ 14.61	\$ 35,064.00	\$ 29.00	\$ 69,600.00
15 PIT RUN GRAVEL BACKFILL	LF	2,400	\$ 20.00	\$ 48,000.00	\$ 32.50	\$ 78,000.00	\$ 12.00	\$ 28,800.00	\$ 72.00	\$ 172,800.00
16 TYPE-II BASE	SF	500	\$ 10.00	\$ 5,000.00	\$ 2.50	\$ 1,250.00	\$ 2.40	\$ 1,200.00	\$ 5.00	\$ 2,500.00
17 REMOVAL OF EXISTING STEEL WATER MAIN	LF	150	\$ 200.00	\$ 30,000.00	\$ 75.00	\$ 11,250.00	\$ 25.00	\$ 3,750.00	\$ 50.00	\$ 7,500.00
<b>OVERALL PROJECT BID PRICE</b>				<b>\$ 724,040.00</b>		<b>\$ 738,768.30</b>		<b>\$ 866,424.35</b>		<b>\$ 1,084,598.00</b>

O'FLAHERTY PLUMBING & HEATING - TOTAL BASE BID PRICE ON BID PROPOSAL INDICATED TO BE \$737,610.00. ACTUAL PER TOTAL IS \$738,768.30. A DIFFERENCE OF \$1,158.00.

## Jennifer Lee

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**From:** Devin Gross <devin@biobot.io>  
**Sent:** Wednesday, July 22, 2020 2:38 PM  
**To:** Jennifer Lee  
**Subject:** Re: Intro to Biobot Analytics - Ely City  
**Attachments:** GovernmentPriceList.pdf; Biobot\_OnePager.pdf; SampleReport.pdf; Biobot\_Generic\_Proposal.pdf

Hi Jennifer,

Our generic proposal and the government price list will give you most of the technical and commercial information for a discussion. We do not provide any equipment nor any preliminary free testing. The equipment required, a composite sampler and flow meter, are often already installed at wastewater treatment plant influent locations or they can be rented through a local manufacturer's rep (most customers use Teledyne ISCO)

In summary, Biobot's program provides a population-wide analysis of SARS-CoV-2. The benefit of using a wastewater surveillance program is that it can capture both symptomatic and asymptomatic cases, as both types of cases shed the virus in stool equally. In addition, at a weekly testing frequency, you can measure the viral concentration in a community for less than \$5K a month. This trend data provides valuable feedback to what public health policy measures are working and provides advance notice (wastewater viral concentrations are a leading indicator of next week's clinical cases typically). Many cities and counties are using this data to inform their communities, increase educational PSAs, and inform future policy decisions.

Biobot papers on the subject:

<https://www.medrxiv.org/content/10.1101/2020.04.05.20051540v1.full.pdf>

<https://www.medrxiv.org/content/10.1101/2020.06.15.20117747v1.full.pdf>

If you need anything else before the meeting or if I can clarify anything, please let me know. I tried to provide as much info as possible.

Best Regards,  
Devin Gross

On Wed, Jul 22, 2020 at 1:39 PM Jennifer Lee <[jlee@elycity.com](mailto:jlee@elycity.com)> wrote:

Devin:

Thank you for your prompt response.

My understanding of Biobot's SARS-CoV-2 testing program is that the machine is loaned to an entity, the first few tests are free and subsequent tests are \$1,200.00 each; please provide me with a written overview of the program addressing these points, as well as other requirements. Ely's Municipal Utilities Board and City Council will be considering Biobot's program at their meetings tomorrow; see attached.

Jennifer Lee, City Clerk

City of Ely

501 Mill Street

Ely, Nevada 89301

(775) 289-2430

[jlee@elycity.com](mailto:jlee@elycity.com)

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**From:** Devin Gross <[devin@biobot.io](mailto:devin@biobot.io)>

**Sent:** Tuesday, July 21, 2020 4:26 PM

**To:** [jlee@elycity.com](mailto:jlee@elycity.com)

**Subject:** Intro to Biobot Analytics - Ely City

Hi Jennifer,

Thank you for reaching out to Biobot. I'm part of the Business Development team here and I would be happy to answer any questions you might have about our SARS-CoV-2 wastewater surveillance program through an introductory call. If you already have specific questions and a general understanding of the program, I am also able to answer any questions via email if you prefer.

I look forward to hearing from you on next steps.

--

**Devin Gross**

Business Development

[Biobot Analytics](#)

Mobile: 610-564-1552



## Biobot Analytics

**Biobot's unique wastewater monitoring platform helps local governments proactively address the Covid19 crisis by tracking the spread and scale of the outbreak.**

We propose wide-scale and regular unbiased testing of the American population for Covid19 using wastewater epidemiology. Not only will this data help guide reopening strategies, but will serve as an early warning system for local re-emergence events to enable rapid containment.

Our platform reveals the spread and scale of the Covid19 virus. Current testing strategies are hamstrung by limited individual patient testing and asymptomatic patients. **The Biobot platform analyzes wastewater to detect SARS-CoV-2 at the community level — providing an unbiased, comprehensive picture of Covid19's reach.**

Preliminary results reveal a marked discrepancy between confirmed clinical cases and numbers of infected:

- Samples collected in Massachusetts on the week of March 23rd, estimated that up to 115,000 people (5% of population) were infected with Covid19 (Wu et al., 2020). In contrast, the number of confirmed clinical cases at the time was about 400 (0.026% of population).
- On March 27th, we launched a *pro bono* national campaign to accept weekly samples from wastewater treatment facilities across America. Our campaign spans several hundred of facilities representing 42 states and over 10% of the U.S. population. Preliminary results indicate that we are consistently detecting about 10-times more Covid19 cases than confirmed cases (Figure 1).

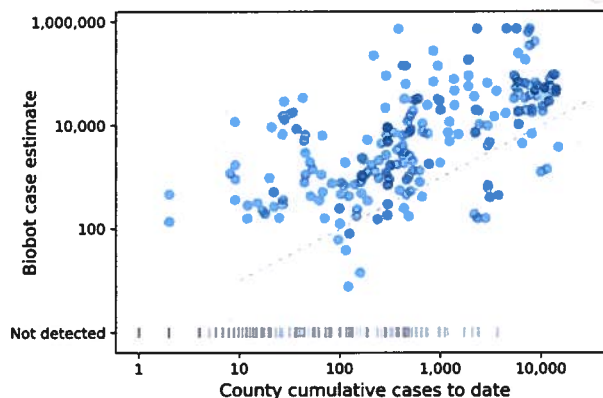


Figure 1. Covid19 prevalences estimated by Biobot are consistently 10-times higher than reported confirmed cases.

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Contact: Newsha Ghaeli, newsha@biobot.io



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## Project Proposal

We believe that Covid19 estimates from sewage are a critical component of any surveillance program.

### **How it works:**

Our Covid19 wastewater testing process has been deployed since March 2020 and is trusted by hundreds of wastewater treatment facilities across the country. This is how it works:

1. **Biobot ships** self-contained sampling kits to participating facilities.
2. **Facilities collect** a composite sample of their wastewater, safely packaging and returning to Biobot in Boston. Sample collection and shipping protocols are provided.
3. **Biobot processes** the sample, isolating the genetic material (RNA) of SARS-CoV-2 and analyzing the amount of the virus present via qPCR and the type of strain via sequencing analysis.
4. **Biobot implements models** to identify strains circulating in the state, and to estimate Covid19 cases.
5. **Biobot expedites** reporting, contextualizing data with thousands of samples collected across 42 states to date.

We are committed to a data turnaround time of 3 business days from when we receive the samples but can discuss pricing options if more expedited services are required.

### **Biobot Analytics has all the necessary expertise, protocols, pipelines, and materials available today to begin testing right away, including:**

- Relevant staff and capacity, no new staff needs to be added to accommodate the scope of work outlined below.
- Wastewater treatment facility sample collection protocols that have been implemented by hundreds of facilities across the country.
- Transportation protocols and relationships with shipping providers accustomed to transporting hundreds of wastewater samples to Biobot per week.
- Custom manufactured shipping kits and materials required for the kits.
- Established laboratory assays for SARS-CoV-2 RNA extraction and quantification with qPCR, tested and optimized over thousands of wastewater samples to date.
- Established QA/QC controls including: transportation blank, internal control, and spike-in control.
- Computational biology pipeline to identify SARS-CoV-2 strains based on high throughput sequencing data.

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Contact: Newsha Ghaeli, newsha@biobot.io



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- Access to latest data modeling pipelines to convert quantitative estimates of virus concentration to Covid19 case estimates.
  - Results communicated via a report, with data contextualized with thousands of samples collected across 42 states.

### **Program Rollout Plan:**

#### **Program development & project management.**

Biobot will coordinate across all members of your team who are required to design and deploy the sampling program, receive and integrate data, and interpret the results. Biobot will assist in the design of the sampling campaign and assist in the selection of the appropriate automated sampling devices.

#### **Sampling logistics.**

Biobot will coordinate and support sample collection across all selected locations. Biobot will coordinate the shipping of sampling kits to and from each sampling location. Biobot will also coordinate the collection of non-epidemiological data needed for data interpretation (such as average flow rate, catchment population, etc.). Biobot's Technical Support Team will be on hand to troubleshoot problems and questions.

#### **Molecular lab analysis.**

Application of Biobot's existing molecular biology pipeline to generate qPCR and sequencing data. Figure 1 below shows that Biobot is able to quantitatively measure SARS-CoV-2 viral titers in sewage and that we are capturing the effect of public health policies, in this case the state-level stay at home order issued by Governor Baker on March 23rd.

#### **Data analysis.**

Weekly reports including:

- A quantitative estimate of the virus in wastewater.
- Trend analysis of the change in viral load in wastewater from previous weeks.
- Time series analysis of the viral load standardized by flow conditions from each sampling site.
- Analysis of the viral load standardized to a fecal biomarker.
- Time series comparisons of wastewater-based virus with clinical cases.
- Assessment of strains circulating in the community.
- Geographical trend and movement data from surrounding communities based on Biobots extensive nationwide testing.

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Contact: Newsha Ghaeli, [newsha@biobot.io](mailto:newsha@biobot.io)



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**Data interpretation and communication.**

Reporting, recommendations, and ongoing data management with relevant stakeholders on a weekly basis to interpret the reports, answer questions, gather feedback, and integrate into reports and analysis moving forward. Hold larger and more in depth stakeholder meetings to review monthly reports with added analysis. Biobot will integrate the data collected with existing IT infrastructure or emergency operations dashboards, if requested.

**Key Personnel:**

Leveraging technology developed at MIT, Biobot is the first company in the world to make wastewater epidemiology commercially available at scale.

Biobot's team includes company founders Dr. Mariana Matus (CEO), a leading global expert in the field of wastewater-based epidemiology Newsha Ghaeli (President), a smart cities expert and urban planner. In addition, MIT Professor of biological engineering Dr. Eric Alm is a Scientific Advisor; Eric is a tenured faculty and the Director of MIT's Center For Microbiome Informatics and Therapeutics.

Advisors include: Deepak Mulchandani, the former SVP of Product Engineering at Peloton who took the company through scale-up and IPO; Theresa Tribble, former Chief Business Officer of Everlywell who scaled a kit-based testing platform from <100 to 2,000+ samples / week; and Orin Hoffman, formerly CTO of Endeavor Robotics and most recently a Senior Government Civilian for the DoD at Defense Innovation Unit Experimental.

In addition, Biobot is supported by top tier deep tech and strategic venture firms including The Engine, Y Combinator, DCVC, and the American Family Institute.

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# BIOBOT ANALYTICS

Pioneering a better way to track Covid-19

## Government Service Pricing

*Municiple, County, State, Federal Agencies*

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**Non-contract price: \$1,200 per sampling event**

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### 6-month Contract

**\$1,020** per sampling event

2 sampling events per month, minimum

### 12-month Contract

**\$960** per sampling event

2 sampling events per month, minimum

### 24-month Contract

**\$780** per sampling event

2 sampling events per month, minimum

## What's Included

- **Program design.** We develop the appropriate sampling program for your needs.
- **Sample collection.** We provide sampling protocols, mail-in kits, and hardware. *Each contract subscriber will be provided 2x sampling kits per month, minimum.*
- **Lab analysis.** We isolate the unique genetic signature of SARS-CoV-2 and analyze the amount of the virus present.
- **Data analysis.** Leveraging our data science models, built with thousands of samples, we estimate the prevalence of Covid-19 in the sample population.
- **Data interpretation.** Through data visualizations and weekly webinars, we provide expert customer support.

- *Every contract subscriber has access to additional product lines including: opioids, antibiotic resistant bacteria, and others under development.*
- *For contract subscribers, additional sampling kits over the 2x per month minimum will be billed at the contract rate.*
- *Contracts are billed monthly.*

## Contact Us

covid19@biobot.io | www.biobot.io | @BiobotAnalytics





# BIOBOT ANALYTICS

## Pioneering a better way to track Covid-19

### The nation's leader in wastewater epidemiology

SARS-CoV-2 is shed in the stool of Covid-19 patients, making its way into our sewers. We analyze sewage to determine the presence of infected individuals and estimate the number of cases.

#### Trend analysis

- Determine when to safely re-open, and keep open, our communities and businesses through frequent sampling.

#### Early warning

- Detect the re-emergence of Covid-19 in a population to rapidly take action and contain new outbreaks.

#### Test at scale

- For a fraction of the cost of mass individual testing, get an overview of the scope of the outbreak.

### Comprehensive product

- 1. Program design.** We develop the appropriate sampling program for your needs.
- 2. Sample collection.** We provide sampling protocols, mail-in kits, and hardware.
- 3. Lab analysis.** We isolate the unique genetic signature of SARS-CoV-2 and analyze the amount of the virus present.
- 4. Data analysis.** Leveraging our data science models, built with thousands of samples, we estimate the prevalence of Covid-19 in the sample population.
- 5. Data interpretation.** Through data visualizations and weekly webinars, we provide expert customer support.
- 6. Additional product lines.** Be first to access our additional product lines: opioids, antibiotic resistant bacteria, and others under development.

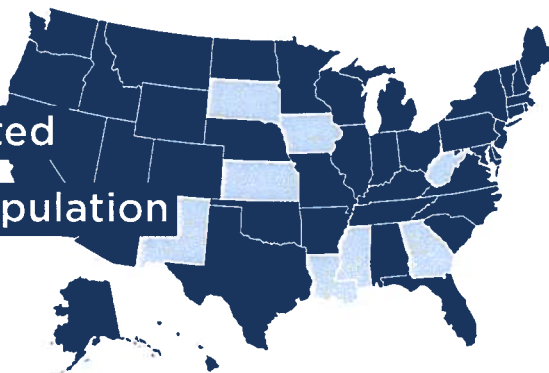
### Our Covid-19 testing presence

400 testing sites

42 states represented

~10% of the U.S. population

Weekly testing



### Contact Us

covid19@biobot.io

www.biobot.io

@BiobotAnalytics

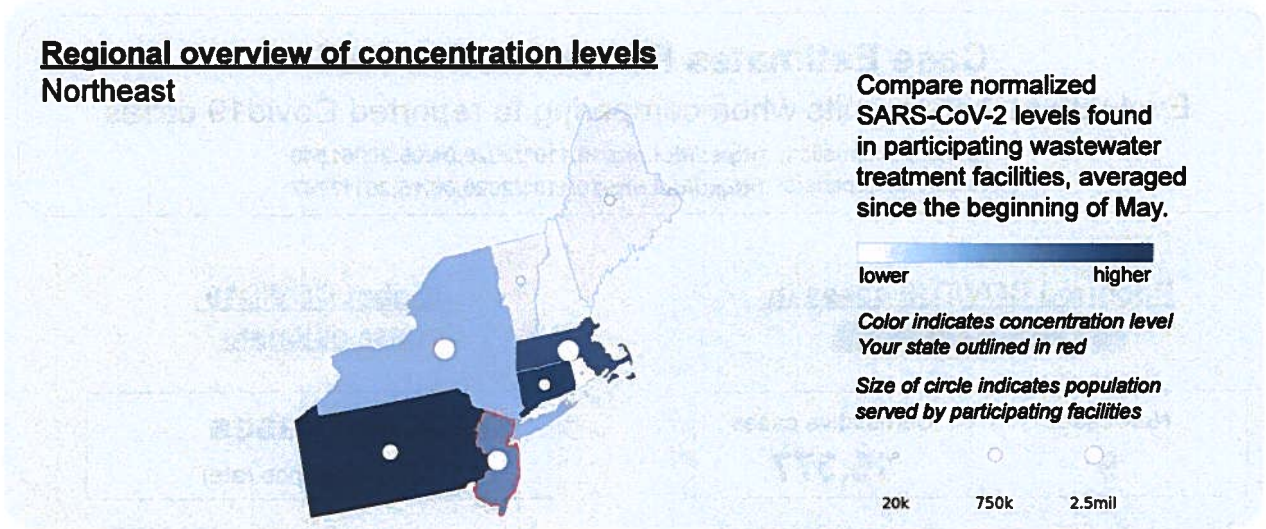
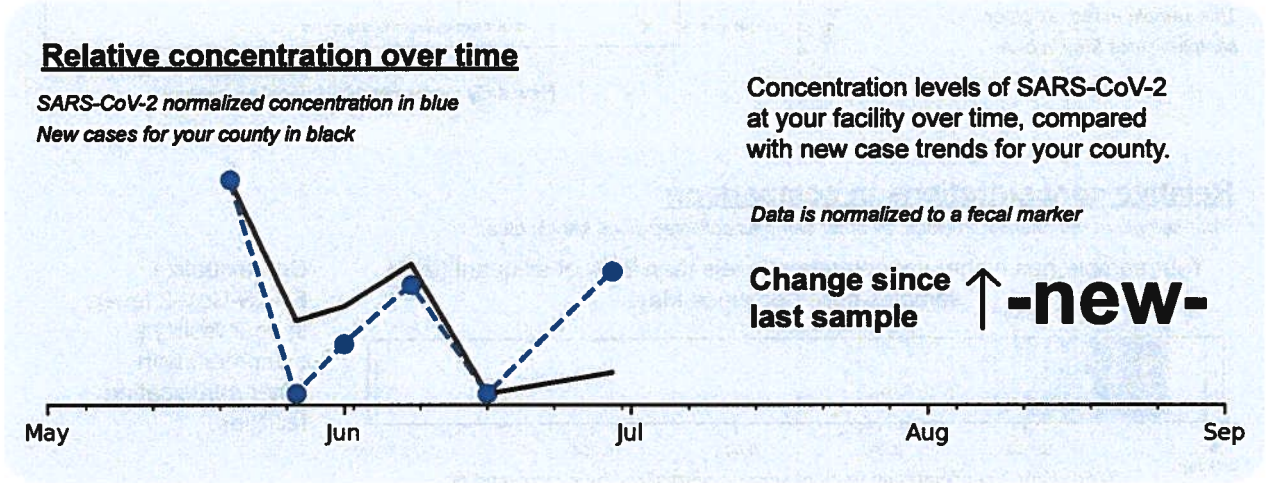


Sample collection date: June [REDACTED]

**SARS-CoV-2 virus in sewage**

**DETECTED**

Virus concentration per liter of sewage  
**18,594 copies**



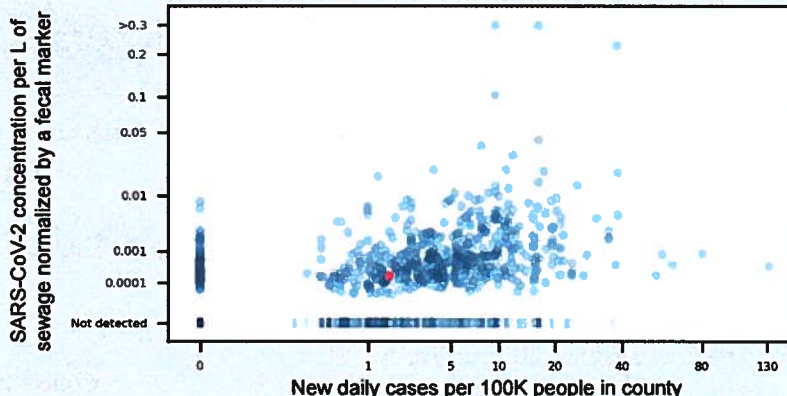
**About the data**

Our methods for detecting SARS-CoV-2 in sewage are adapted from CDC protocols and available at [www.biobot.io/covid19](http://www.biobot.io/covid19). Our approach relies on detecting genetic fragments of the virus that are excreted in stool, which does not determine if the virus is dead or active.

**Relative concentrations trend with new cases**

Concentration levels are trending with the county's new reported cases at the time of sample collection.

*This sample in red, all other samples since May in blue.*

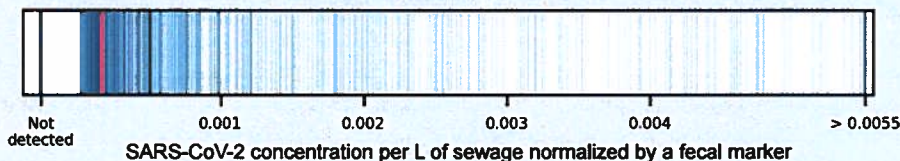


**Relative concentrations in comparison**

*Your sample in red, median in black, all other samples collected since May in blue*

Your sample has higher concentration levels than **21%** of all quantifiable samples collected since May.

Contextualize SARS-CoV-2 levels in your facility's catchment with other participating facilities.



**Case Estimates Reflect Active R&D**  
Evaluate as beta results when comparing to reported Covid19 cases  
For more information, <https://doi.org/10.1101/2020.04.05.20051540>  
read the whitepapers: <https://doi.org/10.1101/2020.06.15.20117747>

**Reported COVID19 cases in**  
**[REDACTED]**

New cases	Cumulative cases
<b>9</b>	<b>16,377</b>

On June 29, 2020, as reported by USAfacts.org

**Biobot COVID19 case estimate**

<b>2,900 cases</b> (1.2% incidence rate)
---------------------------------------------

Using a reported flow rate of 30 MGD



### Biobot's wastewater testing protocols

We are continuously working to improve our protocols to increase the sensitivity of our measurements and reduce variability. We use a qPCR-based method to detect and quantify the SARS-CoV-2 virus and an associated fecal normalization control.

The RNA extraction method changed between protocols v1 and v2 to improve the sensitivity of our measurements. Protocols v2.1-v2.3 reflect changes in our quantification method to further improve the precision of our analysis and reduce variability. Internal tests have been conducted to assure data integrity. The SARS-CoV-2 viral titers that we report may be affected by slight batch effects between these protocol versions.

The sensitivity of our assay varies slightly between these protocols. The exact limit of detection (LOD) that applies to your sample can vary. Generally, the LOD for each protocol is: v1: 6,400 copies/L; v2: 34,000 copies/L; v2.1: 1,700 copies/L; v2.2: 2,100 copies/L; v2.3: 3,600 copies/L.

### *Why normalize with a fecal marker?*

We normalize SARS-CoV-2 viral titers to account for differences in the total people contributing to each sample. We use PMMV as this internal control, which is an RNA virus that is excreted in stool.

### Biobot's COVID19 case estimate

We measure the concentration of SARS-CoV-2 in sewage. We convert our measurements into a COVID19 case estimate using the following basic equation:

$$\text{Number of infected people} = \frac{\text{total amount of virus per day}}{\text{virus shed per infected person per day}}$$

### Comparing with confirmed clinical cases

Our COVID19 case estimates may not match the confirmed case numbers in the community for a variety of reasons. Clinical testing may not represent the entire infected population. The SARS-CoV-2 virus may start being shed before patients develop symptoms and seek testing.

We encourage you to share these reports with your local public health officials to compare our case estimates with the number of confirmed cases in your local community.

### Data use

The Biobot COVID19 case estimates provide an alternative metric to guide responses to the outbreak. We recommend that you share this information with local public health officials. We believe this work will have the greatest impact on a statewide level, and hope that you will reach out to your state officials and encourage the expansion of our partnership across your state.

## Pioneering a better way to track Covid-19

We are the nation's leader in wastewater epidemiology. We analyze sewage to determine the presence of infected individuals and estimate the number of Covid-19 cases, providing:

- **Trend analysis**: Determine when to safely re-open, and keep open, our communities and businesses through frequent sampling.
- **Early warning**: Detect the re-emergence of Covid-19 in a population to rapidly take action and contain new outbreaks.
- **Testing at scale**: For a fraction of the cost of mass individual testing, get an overview of the scope of the outbreak.

For questions, email [support@biobot.io](mailto:support@biobot.io)







# CITY OF ELY

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501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430 – Fax (775) 289-1463

April 26, 2018

Via U.S.P.S.

Frederick Partey, Environmental Manager  
KGHM International, Ltd.  
Robinson Mine, Robinson Nevada Mining Company  
P.O. Box 382  
4232 W. White Pine County Rd. 44  
Ruth, NV 89319

Re: Dewatering Agreement – Murray Springs

Dear Mr. Partey:

In August 2017, members of KGHM International, Ltd. presented to the Utility Board, City Council and County Commissioners an updated assessment on the impacts of KGHM's dewatering program at the Robinson Mine. During that presentation, your staff indicated, based upon the current dewatering program, they expected 100 years to pass before Murry Springs would recover sufficiently to support the previous level of 3000 gpm average over 12 consecutive months.

The Agreement entered into between the parties, including the City of Ely and the Ely Municipal Utilities Board on or about February 12, 2009 was entered into upon the belief that after dewatering it could take up to 25 years for the system to recover. Based upon that assumption, the parties entered into an escrow agreement that provided for the payment of the power to operate the replacement wells for a period not to exceed 25 years after cessation of the dewatering program.

Based upon the information provided by your staff in 2017, it now appears that the worst case scenario anticipated in 2009 is not the worst case scenario facing the City today, and the assumption that 25 years was sufficient to recover the system has been amended by your staff.

As a result, the City respectfully requests the parties re-open negotiations on the long term effects of dewatering upon the population of the City of Ely, and discuss alternatives, including expanding the escrow agreement for not less than 100 years, discuss the funding of that escrow account and potential modification of the escrow agreement, or identifying other sources of water supplies for the City.

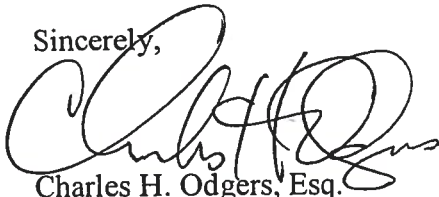
\*City of Ely is an equal opportunity provider and employer\*

On or about February 12, 2010 the parties amended the original contract terms to allow for the drilling of RW-6P, RW-7P and if necessary RW-8P and to take the wells located at 17<sup>th</sup> Street and Avenue M and North Street off line, unless absolutely necessary to provide water to the residents of Ely. The 2010 amendment had the effect of paying the costs of power for water production from RW-6P and RW-7P. It is my understanding that KGHM intends on requesting to take RW-6P off-line in the near future due to geological constraints. As a consequence, the City has concerns regarding the impact of taking RW-6P off-line on the City's ability to provide water to its residents.

Therefore, the City respectfully requests the parties meet, pursuant to paragraph III.g.iii. to discuss these issues and hopefully come to a mutually agreed upon resolution.

I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles H. Odgers", written over a white background.

Charles H. Odgers, Esq.  
City Attorney

cc: Mayor, City Council, Utility Board Members  
City Administrator, City Engineer

Utilities Board **ATTENDANCE LIST**

**DATE:** 7-23-20

**Print name below** \_\_\_\_\_

George Chachas

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