



April 10, 2024

Landmark Job No. 2199-002

City of Steamboat Springs Planning Department
PO Box 775088
Steamboat Springs, CO 80477

**RE: Bear Claw Estates
Steamboat Springs, Colorado
Surety Calculation Update/Status of Improvements**

Ladies and Gentlemen,

The purpose of this letter is to provide the City of Steamboat Springs (City) Planning with information regarding the status of the Bear Claw Estates subdivision improvements described on the May 1, 2019, Civil Construction Drawings (Subdivision drawings) prepared by Landmark Consultants, Inc. (Landmark). These drawings were used as the basis for the surety calculation in the Improvements Agreement (IA) that accompanied the Bear Claw Estates final plat recorded at File No. 14436 in Routt County, Colorado.

Disclaimer and Background:

Landmark prepared the above referenced Subdivision construction drawings and Bear Claw Estates final plat that created Lots 11A and 11B. Subsequently, a duplex was constructed on Lot 11B by Fox Construction on behalf of Steve Rumsey and 5R Steamboat, LLC. A Townhome Plat for this duplex has been submitted to the City and was still under review as of the date on this letter.

It is our understanding that the obligation to construct the above-described subdivision improvements was assumed by the buyers of Lot 11A and 11B. However, Landmark did not provide engineering services (e.g. design or construction administration services) for the Owner/developers of the individual lots, particularly for Lot 11B.

Our services and involvement for that duplex were strictly related to construction surveying services based on approved plans that were provided by Others and the production of the above-mentioned townhome plat.

To that end, Landmark's role in reviewing the constructed improvements, as stipulated in the IA, Mount Werner Water Standards, and the City's Community Development Code (CDC); was reduced to performing an after-action review.

Status of Improvements:



The statements in this letter are substantially based on reports and documentation provided by Others as compared to the Subdivision construction drawings. The following statements are further limited only to the subdivision improvements and do not relate to the building constructed on Lot 11B. In addition to the review of documents provided by Mount Werner Water and the General Contractor of the Lot 11B duplex, we conducted multiple site reviews to review visible surficial items towards developing this letter.

The scope of work described in the Subdivision IA's Engineer's Opinion of Probable Construction Cost prepared by Landmark and dated March 17, 2020, was reviewed and served a checklist for our review of the private improvements as defined in the CDC:

General:

Construction Sedimentation and Erosion Control: Land disturbances related solely to the Subdivision improvements could not be isolated or discerned separately from the construction activity attributable to the duplex. Although Construction BMPs were observed, construction activity was still evident and final stabilization has not occurred. **We recommend no adjustments to funds for this item.**

Surveying, Materials Testing, and Construction Observation: With the presumption that the City will deem the Lot 11B improvements acceptable, **we recommend that the 50% of the secured funds be released for this item with the other 50% held until Lot 11A requirements have been met.**

Water Service:

The Subdivision construction drawings showed a single water service to be extended to Lot 11B. The water service for Lot 11A existed prior to the Bear Claw Estates plat. The 11B water service appeared to have been installed as observed by Mount Werner Water and we are not aware of any deficiencies. **We recommend that all of the funds held for the Water Service be released.**

Sanitary Sewer Service:

Similar to the above-described water service, the connections to the existing sewer main and the installation of sanitary sewer services were coordinated directly with Mount Werner Water. A substantial retaining wall was constructed within the private sewer easements and the wall appeared to extend over the private sewer services. At Landmark's request, the interior of the pipes was reviewed by All Drain Services, LLC., using their video equipment. After removal of observed debris, the pipes were flushed and re-videoed and appeared to be operational as intended. The sanitary sewer service to Lot 11A was extended through Lot 11B and therefore the Subdivision requirement appears to have been satisfied. **We recommend that all the funds held for the Sanitary Sewer Service be released.**

Storm Sewer:

The storm sewer improvements for Lot 11B appear to have been installed. The Lot 11B general contractor provided photographs taken during the installation of the 24" pipe and the 4" connection to the existing RCP. An attempt to video the interior of the storm pipes by All Drain Services, LLC. was not successful due to the camera being uncontrollable within the larger (unconfined) pipe. Landmark is not aware of any



deficiencies with the installed Lot 11B storm improvements. We recommend that the funds associated with the Lot 11B storm sewer be released. The remaining amounts shown on the surety calculation spreadsheet reflect the requirements for Lot 11A.

Conclusion:

Please reference the attached surety calculator and marked up Site Plan taken from the Subdivision construction drawings for the work remaining as part of the IA.

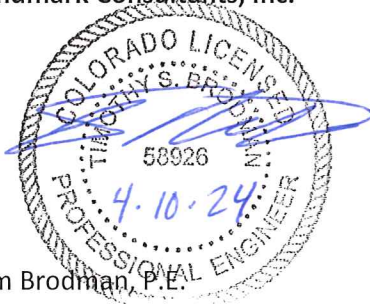
Landmark does not provide a guarantee or warranty of the work, nor do we suggest that items not listed on the "Engineer's Opinion of Probable Construction Costs" are satisfactory by default. Further, the observations and statements described herein do not relieve the Contractor or Developer from compliance with the requirements of the plans and specifications.

This letter does not constitute a guarantee or acceptance either expressed or implied of work not in compliance with the approved documents or work not properly maintained. Nor is this a release of the Owner's or Contractor's obligation to complete work in accordance with the same or provide proper maintenance of the work.

As normal with any site, future and on-going maintenance will be required for the site improvements by the existing and future property owners or ownerships. If you have any questions or comments, please do not hesitate to contact us.

Sincerely,

Landmark Consultants, Inc.



Tim Brodman, P.E.

Attachments: Engineer's Opinion of Probable Cost
MWW Field Reports
Site Photos



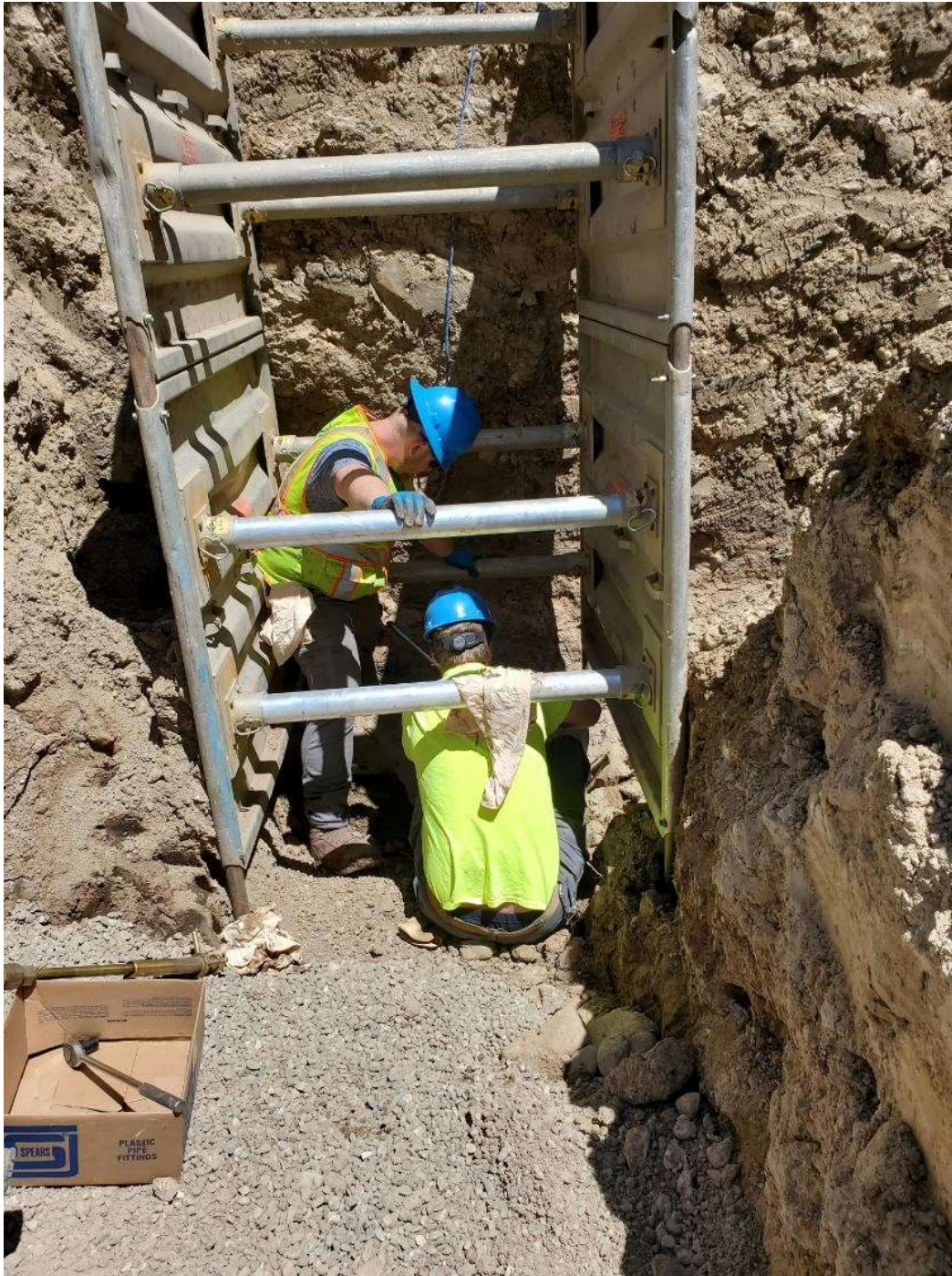
Sanitary sewer services (Photo from Fox Construction)



MWW Personnel perform sanitary sewer service tap (Photo from Fox Construction)



Sanitary sewer service taps (Photo from Fox Construction)



MWW personnel perform water service tap (Photo from Fox Construction)



Storm sewer piping (Photo from Fox Construction)



Storm sewer piping (Photo from Fox Construction)



Storm sewer piping (Photo from Fox Construction)