

**BEFORE THE IDAHO WATER RESOURCE BOARD**

**IN THE MATTER OF THE PRIEST LAKE WATER  
MANAGEMENT PROJECT CONSTRUCTION  
(PHASE 4)**

**RESOLUTION TO AMEND THE PRIEST LAKE  
OUTLET DAM CONSTRUCTION CONTRACT**

1           WHEREAS, the State of Idaho owns the Priest Lake Outlet Dam (dam) which was constructed in  
2 1950 and reconstructed in 1978 as an outlet control structure to maintain lake levels in the Priest Lake in  
3 accordance with Idaho Code §70-507; and  
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5           WHEREAS, as a result of drought conditions in northern Idaho in 2015 and 2016, it was difficult  
6 to maintain required lake pool levels and downstream minimum flows in the Priest River during the  
7 recreational season; and,  
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9           WHEREAS, in 2016 the Idaho Water Resource Board (IWRB) authorized the expenditure of funds  
10 from the Revolving Development Account to complete the Priest Lake Water Management Study to  
11 evaluate strategies to meet long-term water management objectives for the Priest Lake and Priest River  
12 system; and  
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14           WHEREAS, bids were opened in July 2020 and Strider Construction Co., Inc. (Strider) provided  
15 the low bid for the construction of the Outlet dam portion of the Priest Lake Water Management  
16 Project; and  
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18           WHEREAS, in August 2020, the IWRB authorized the expenditure of funds from the Revolving  
19 Development Account for the construction of the Outlet dam portion and executing necessary  
20 contracts; and  
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22           WHEREAS, on August 20, 2020, the IWRB executed a contract with Strider for Outlet dam  
23 construction, which requires Strider substantially complete construction by April 1, 2021; and  
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25           WHEREAS, in February 2021, Strider, indicated it has encountered conditions not anticipated  
26 below the outlet dam and believes it may take more than one season to complete the construction; and  
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28           WHEREAS, Mott MacDonald, the Project engineer and Owner's Representative, has evaluated  
29 Strider's claim and recommends moving phase 2 work to a second season. Mott MacDonald's  
30 recommendation is based upon project performance thus far and risk associated with a tight  
31 construction timeline and spring runoff; and  
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33           NOW, THEREFORE, BE IT RESOLVED that the IWRB agrees with Mott MacDonald's analysis; and  
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35           NOW, THEREFORE, BE IT FURTHER RESOLVED that the IWRB authorizes an extension of the  
36 Substantial Completion Date to April 1, 2022; and  
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38 NOW, THEREFORE, BE IT FURTHER RESOLVED that the IWRB authorizes the Chairman, or his  
39 designee, to negotiate the terms of the Contract Date extension but does not authorize the Chairman,  
40 or his designee, to agree to any changes in Contract Price without further resolution of the IWRB.  
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42 NOW, THEREFORE, BE IT FURTHER RESOLVED that a condition of the contract extension date is the  
43 contractor shall make the outlet dam operational for the 2021 Priest Lake Management season; and  
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45 NOW, THEREFORE, BE IT FURTHER RESOLVED that the extension of the substantial completion  
46 date does not constitute agreement on the part of the IWRB regarding any change of conditions.

DATED this 18<sup>TH</sup> day of February 2021.

  
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Jeff Raybould, Chairman  
Idaho Water Resource Board

ATTEST   
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Jo Ann Cole-Hansen, Secretary