

*Proposal to Serve as*

Interim Executive Director

*for the*  
Southeast  
Metro  
Stormwater  
Authority

**NOLTE**

BEYOND ENGINEERING

October 20, 2006

October 20, 2006

Mr. Steve Gardner  
Southeast Metro Stormwater Authority

Mr. Kyle Hamilton  
Southeast Metro Stormwater Authority

**Re: Statement of Interest & Qualifications for Southeast Metro Stormwater Authority  
Interim Position – Executive Director**

Dear Mr. Gardner and Mr. Hamilton:

Please consider this document as our Statement of Interest and Qualifications to provide professional services for the Interim Executive Director (Director) position of the Southeast Metro Stormwater Authority (SEMSWA). As you know, Nolte is very involved in activities within the boundaries of this new Authority, as well as the key municipal entities, and have been following the formation of SEMSWA for some time. You will find Nolte's qualifications and our past performance as the Director for other agencies meets or exceeds your needs. We understand that the public requires that SEMSWA work in their best interests; and they want to see results for the fees they are paying. SEMSWA is accountable to the public. Our proposal is written to assure you that the personnel SEMSWA receives will have the skills that are needed to assist in accomplishing this objective.

While our proposal is somewhat directed to the management of the technical aspects of the position, we also understand that our role is to work with SEMSWA fulltime staff. We will oversee the day to day activities of staff, and as SEMSWA grows, we will be cognizant of the staff's desire to personally grow in their careers, and help them be successful. This includes not only the technical office staff but also the field operations and maintenance staff. It is a team effort that will combine the engineering technical skills of the office, the field operations, the financial team, and the legal team. Development and refinement of policies and procedures will also be an integral part of the services we will provide. This team effort, orchestrated by the Director, will accomplish the Board's objectives and accountabilities to the public.

We are prepared to bring management, operational and technical skills to this position. All need to be present to set the platform for the Board to recruit and hire a competent, skilled individual to be the permanent director. The better we do our job, the better the chance the Board has to find a top Executive Director candidate. We look forward to setting the ground work for the new Executive Director.

**Identification of Key Staff**

We are proposing that we utilize the most appropriate resources of Nolte Associates to give you the best direction and support for the startup and implementation of the policies and mandate of SEMSWA. Leading this effort will be Ken Rudolph, PE, LEED®AP, CCE, and Regional Sr. Vice President of the Nolte Rocky Mountain Region. Serving in a role of additional support will be Joseph Culkin, PE, Associate and Manager of Construction Services in Nolte's Denver office. We are proposing a prime lead person (Ken) and a support staff (Joe) to add strength to both the administrative responsibilities that are needed, and to provide an additional resource for the sharp ramp up of the operational responsibilities.

*In **Ken Rudolph's** role as Sr. VP he is responsible for the efficient operational and financial management of three offices with a total of over 120 employees serving clients across Colorado and into neighboring states. He also serves on Nolte's Executive Committee guiding the operations of over 450 professionals in 14 offices, serving clients with civil and structural engineering, survey, and construction management. He has been in charge of the Engineering and Planning Divisions since 1980. Ken is a registered engineer with excellent, broad-based qualifications in the areas of flood control and drainage, roadway design, residential, commercial and industrial subdivision design, water distribution and wastewater collection, parks and recreational facilities, project management, and construction-related engineering services. His major responsibility region-wide is to remain in communication with discipline managers and office directors to oversee the work efforts, operation, and productivity of the divisions and offices. He has served in the role of District Manager/District Engineer for the Highlands Ranch Metropolitan Districts and the Plum Creek Metropolitan District, and as Assistant County Engineer for Arapahoe County, Colorado.*

*As the Manager of the Construction Services Group, Joe Culkin manages 14 personnel overseeing the formation, development, and construction of infrastructure for a number of land development entities in the Denver Metro Area. Joe brings 22 years of experience and an established reputation in analyzing and providing innovative solutions to complex problems with the ability to overcome obstacles and influence strategic/tactical plans. Joe is now using his depth of knowledge and the resources of his group to bring about innovative solutions for the infrastructure needs of Nolte clients. Those clients include:*

- ▶ Adonea Metro District
- ▶ Antelope General Improvement District
- ▶ Broadway Station Metro District (Gates Redevelopment Project)
- ▶ Beacon Point Metro District
- ▶ Enclave Metro District
- ▶ High Plains Metro District
- ▶ Heritage Todd Creek Metro District
- ▶ Jordan Crossing Metro District
- ▶ Plum Creek Metro District
- ▶ Regency Metro District
- ▶ RockingHorse Metro District
- ▶ Salisbury Heights Metro District
- ▶ Southgate Water & Sanitation District
- ▶ Tablerock Metro District
- ▶ Vintage Reserve Metro District

Joe serves as the District Engineer and Construction Manager for many of these entities and has overseen the formation of the entity as well as the engineering design of the infrastructure. The formation and engineering processes are outlined below.

***Implementation***

The formation of the Authority relies on the Service Plan. Ken and Joe will work with the current staff and Board, legal counsel, financial officer and other professionals to successfully implement the Service Plan and provide administrative accountabilities of the position for SEMSWA.

Ken and Joe will work with the Board and SEMSWA Team to manage both the administrative and operational activities of SEMSWA. The Scope of Work for the Director is well defined and very similar to the role that both of these men perform in their every day management activities for Nolte. In addition to the daily operational roles of the Director, the individuals providing these services must also understand the many facets of the Stormwater Management Plan(s) to be used by SEMSWA. These areas are covered through the Engineering background of Ken and Joe. The Board has to have confidence in the skills of these individuals to help them develop and carry out policies of SEMSWA. The Board also needs to be confident that members of their team have the ability to represent them, as well as the mission of the Board in a professional, respectable manner to the constituents within SEMSWA boundaries. We are confident that we have the skills to represent the Board in public matters. This new entity will need patient but direct guidance as it's mission unfolds to serve the public.

***Engineering and Management***

Nolte's role as Director is to ensure that SEMSWA provides quality, consistent stormwater management services, and to ensure that your obligations are met. This translates to an understanding of what the stormwater system entails in the areas of operation, maintenance, improvements, and future additions and modifications to the system. Ken and Joe will work with staff to develop an in-depth knowledge of this system and determine current needs, in addition to the best ways to meet those needs for the future. Our objective is to make sure that the goals of SEMSWA are met through proper planning and coordination with the Board, other stakeholders in SEMSWA and it's Service Plan. Because our team has a strong background in design and construction, we are able to provide thorough oversight of SEMSWA staff for the analysis and constructability review of the Service Plan and its proposed improvements. We are prepared to direct and oversee the staff's work for both the conceptual and pro-forma cost estimates essential to the implementation of the Service Plan. These estimates are used to determine the assessed value of the SEMSWA system; the rates needed to maintain and improve the system, and are critical to the financial success of SEMSWA. In addition to the cost estimate component of the Service Plan, Nolte can provide valuable

**KEY SERVICES**

- ▶ *Service Plan*
- ▶ *Management of Financial Resources*
- ▶ *Establish Priorities, Goals and Objectives*
- ▶ *Represent Authority in Policy and Public Matters*
- ▶ *Intergovernmental, Cost Share & License Agreements*
- ▶ *Easements and Dedications*

**KEY SERVICES**

- ▶ *Capital Improvement Plan*
- ▶ *Review of Existing Need and Capacity of System*
- ▶ *Development of License Agreements, Easements, and Dedications for capital improvement projects in the future.*
- ▶ *Evaluation of existing systems for future acquisition by SEMSWA*

assistance in developing Inter-Governmental and Cost Sharing Agreements. Our proposed staff works in this environment daily in the private sector and Ken's public experience will provide the link to bring good business practices in his role to represent the best interests of the Board and SEMSWA.

***Other Valuable Experience***

Ken and Joe will also bring valuable experience in the area of project construction services. As an Authority, SEMSWA will have great latitude in the selection of contractors through the public bidding process by using performance-based bid selection. Contractor pre-qualification is the first step in this process. Having solicited bids for projects totaling well over \$200 million over the last two years, Nolte has developed contacts with highly qualified and capable contractors in the Front Range for the full spectrum of infrastructure improvements. We will provide proven systems to SEMSWA staff to assist them in soliciting and analyzing qualification statements from these contractors as well as other interested firms. This process provides assurance that SEMSWA is requesting bids from a pool of contractors capable of performing the work to the high standards required.

As the Director, we will work with the staff in their operations to ensure SEMSWA is preparing complete bid and contract documents for the capital improvement projects. Our extensive experience in construction management has shown us that the most important component of these documents is a well defined project scope – that is the bid schedule and comprehensive project specifications. By preparing detailed quantity take-offs and project specifications for each bid item, we are able to present a well developed project scope. By doing this during the bid process, we are able to significantly reduce the amount of extra costs during construction. As part of the bid and award process, our system completes a detailed bid analysis and comparison. We look at each contractor's unit prices and schedule to determine the most responsive bid and make the contract recommendation to the SEMSWA Board accordingly.

As another part of our management of Authorities, Nolte has developed strong skills to provide for the verification of infrastructure costs for capital improvement projects. We offer our system to review, code, and track all invoices and pay applications. Project cost and budget information in the project database can be provided in the format needed by SEMSWA to efficiently process the payments and for future funds planning purposes. We will work with staff to incorporate this information into the working construction budget and cash flow projections and report the construction status to the SEMSWA board.

In addition to these technical needs, the staff needs to work as team to ensure all team members are consulted. That includes the Board, legal staff, financial staff and office and field operations. They all need to work together and understand what each brings to the successful implementation of SEMSWA's mandate.

***2006 and 2007 Billable Rates***

Bill Rates for Nolte are evaluated annually and any changes go into effect at the beginning of our fiscal year on October 1<sup>st</sup> of each year. The current bill rates effective through September 30, 2007 for Ken and Joe are as follows:

- ▶ Ken Rudolph, PE, LEED® AP, CCE, Sr Vice President and Regional Managing Director      \$178.00/hour
- ▶ Joe Culkin, PE, Associate and Manager of Construction Services      \$153.00/hour

I have also included as attachments the resumes for Joe Culkin and myself, along with selected project experience that highlights a few of the projects we mentioned in this letter. I look forward to working with both of you as well as the Board of Directors. If you should have questions concerning this proposal, please call me at 303.220.6400.

Sincerely,

**NOLTE ASSOCIATES, INC.**



Kenneth Rudolph, PE, LEED® AP, CCE  
Regional Senior Vice President

## Kenneth A. Rudolph, PE, CCE, LEED® AP

*Senior Vice President*

- Education** BS Civil Engineering - North Dakota State University (1973)  
Senior Executives Institute, Booking Institute/Advanced Management Institute for Architecture and Engineering (2004)
- Registrations** Professional Engineer - CO #15397 (2/22/1978); NM #12093 (5/28/1993); WY #9851 (3/3/03); MT #15820 (3/3/03); ID #10904-CE (2/28/03)  
Certified Consulting Engineer - CO #229 (1/27/1995)  
Certified Expert Witness - CO #5 (1/1/1996)  
LEED® Accredited Professional (2004)

Ken is a senior vice president and serves on Nolte's Executive Committee. He is also the managing principal of Nolte's Colorado Rocky Mountain Region offices located in Englewood, Colorado Springs, and Fort Collins. He has been in charge of the Engineering and Planning Divisions since 1980. His major responsibilities are to oversee the work efforts, operation, and productivity of these divisions and offices.

Ken is a registered engineer with excellent, broad-based qualifications in the areas of flood control and drainage, roadway design, residential, commercial and industrial subdivision design, water distribution and wastewater collection, parks and recreational facilities, project management, and construction-related engineering services.

### SELECTED PROJECT EXPERIENCE

#### ***Flood Control and Drainage***

Ken has been developing his hydrology and hydraulics engineering experience since 1973. His scope of responsibilities have included supervising the preparation and processing of major floodway master plans and flood hazard area delineation reports; organizing and preparing construction plans, construction documents, and specifications; and providing construction management for more than \$6 million of infrastructure storm drainage improvements. These projects have included the design of storm drainage pipes and roadway culverts (ranging in size from 15 to 132 inches in diameter), as well as design for regional storm drainage detention facilities sized for 25 to 300 acre-feet of storage. In addition, he has had project responsibility for the subdivision design of over 6,000 dwelling units including storm drainage analyses. His past experience has included design, construction administration, and field inspection responsibilities for storm drainage replacement and improvement projects for existing commercial, industrial, and residential areas.

Ken has also served as district engineer for Plum Creek Metropolitan District and acting district manager for the Highlands Ranch Metropolitan Districts (HRMD) where his responsibilities included the development of the District Service Plan, as well as yearly updates to the Capital Improvement Facility Plan. During his tenure as acting district manager, Ken assisted in developing their yearly operation and maintenance budgets.

In addition to his on the job experience, Ken has expanded his knowledge with continuing education courses in storm drainage hydrology and NPDES sampling and permitting.

- ▶ **Dad Clark Gulch Flood Hazard Area Delineation Report and Master Plan of Drainage:** - Highlands Ranch, CO
- ▶ **Little Dry Creek Drainage Master Plan Preliminary Design:** - Englewood, CO

## Kenneth A. Rudolph (cont)

- ▶ **Marcy Gulch Flood Hazard Area Delineation Report and Master Plan of Drainage:** - Highlands Ranch, CO
- ▶ **Big Dry Creek Master Plan of Drainage:** - Highlands Ranch, CO
- ▶ **Plum Creek Master Plan of Drainage:** - Highlands Ranch, CO
- ▶ **Spring Creek Master Plan of Detention:** - Highlands Ranch, CO
- ▶ **Master Planned Community:** Subdivision storm drainage reports, construction documents and construction administration for over 7,000 acres of residential, commercial and industrial subdivisions - Highlands Ranch, CO
- ▶ **Final Drainage Report for Target Site:** - Aurora, CO
- ▶ **Final Drainage Report and Design Documents:** Centennial Shopping Center, Safeway Incorporated - Littleton, CO
- ▶ **Lakewood Gulch Preliminary Design:** Erosion Control and Final Design for the Urban Drainage and Flood Control District - Denver, CO
- ▶ **Jimmy Camp Creek Regional Detention Pond:** Banning-Lewis Ranch, Aries Corporation, - Colorado Springs, CO
- ▶ **On-Call Services:** Urban Drainage and Flood Control District - Denver, CO
- ▶ **Target Shopping Center Drainage Project:** - Aurora, CO

### *Land Development*

Ken is experienced in engineering design and construction experience for major land development projects. His responsibilities have included the management of the land development engineering group for the development of the 22,000-acre Highlands Ranch Community in Douglas County, Colorado. This project included design, scheduling, budgeting, and governmental processing requirements for Mission Viejo Company's town of Highlands Ranch near Denver, Colorado. His work experience has included the preparation of all aspects of land development engineering plans, plats, drainage studies, landscape plans, drainage improvements, urban arterial roadways, and has worked on more than 7,000 acres of residential, commercial, and industrial land development projects.

In addition, he was also in charge of engineering for the Mission Viejo Development in Aurora, Colorado, and served as project manager for a number of land development projects in the metropolitan Denver area. Outside the state, he has coordinated the design for the Northgate Development project in Vallejo, California, in conjunction with Nolte's Walnut Creek office. He was also involved in the overall Master Utility Planning for the Master Planned Community of Lakeborough in Stanislaus County, California. As a part of his work efforts with other Nolte offices, he has prepared construction documents and bid specifications for the Mello-Roos Special Improvement Districts in the City of Mission Viejo in Orange County, California.

- ▶ **22,000-acre Highlands Ranch Master Planned Community:** - Douglas County, Colorado
- ▶ **Cherry Glen Townhomes:** - Mission Viejo/Aurora, CO
- ▶ **Northgate Community:** - Vallejo, CA
- ▶ **Brandywine Subdivision:** - Westminster, CO
- ▶ **Northgate Neighborhood G:** - Vallejo, CA
- ▶ **Feasibility Study for 42-acre Green Mountain Residential Tract:** - Lakewood, CO

## Kenneth A. Rudolph (cont)

### ***Recreational Facilities***

Ken has been involved in the design and development of public and private park and recreation facilities. His scope of responsibilities range from the integration of parks and landscape improvements into a large number of commercial development and residential subdivisions, to stand-alone facilities. He has supervised coordination, design, and construction management for more than \$4.6 million of roadway and park landscaping projects. He served as district engineer and acting district manager for the Highlands Ranch Metropolitan Districts (HRMD). His responsibilities, on behalf of the District, included the development of the District Service Plan as well as yearly updates to the Capital Improvement Facility Plan. During his tenure as acting district manager, he helped develop the yearly landscaping operation and maintenance budgets, as well as those for storm drainage and roadway improvements.

- ▶ **Northridge Recreation Center:** - Highlands Ranch, CO
- ▶ **The Links Golf Course:** - Highlands Ranch, CO
- ▶ **Planning Area 46, Springer Park:** - Douglas County, CO
- ▶ **Planning Area 25, Kistler Park:** - Douglas County, CO
- ▶ **Northridge Community Park:** - Highlands Ranch, CO
- ▶ **Highlands Ranch Community Park Ballfield No. 2:** - Highlands Ranch, CO
- ▶ **Community Landscape Monument Identification Project:** - Highlands Ranch, CO
- ▶ **Pueblo Reservoir:** Master planning layout of the water distribution and wastewater collection system for the Visitors Center, comfort stations, and picnic facilities as well as the layout of the overall irrigation system for the various campground and landscape amenity areas - CO
- ▶ **Blue Mesa Reservoir:** Design of an insulating blanket for the water distribution tank at Blue Mesa Reservoir and the insulation of the water distribution mainline from the tank to the Park Ranger headquarter facilities - CO
- ▶ **Highlands Ranch Dam and Reservoir Project Planning and Preliminary Engineering Design Report:** Design development of a 220-surface acre reservoir to act as a water amenity as well as a water storage reservoir for the 22,000-acre Highlands Ranch project - Highlands Ranch, CO
- ▶ **Heritage Regional Park:** This project involved the preparation of plans for the parking lot and entry road facilities for the Highlands Heritage Regional Park - Douglas County, CO

### ***Site Engineering***

- ▶ **Fort Lewis College Parking Lots:** - Durango, CO
- ▶ **Cunningham Replacement School:** - Aurora, CO
- ▶ **Elementary School #31:** - Arapahoe County, CO
- ▶ **Plum Creek Elementary:** - Roxborough Park, CO
- ▶ **Highlands Quebec Center:** - Douglas County, CO
- ▶ **Martin Marietta Warehouse Facility, Santa Fe Industrial Park:** - Douglas County, CO
- ▶ **Promenade Shopping Center:** - Littleton, CO
- ▶ **Santa Fe Industrial Park:** - Douglas County, CO
- ▶ **Centennial Shopping Center:** - Sheridan, CO
- ▶ **Target Shopping Center:** - Aurora, CO
- ▶ **Highlands Ranch Convenience Center:** - Highlands Ranch, CO
- ▶ **United Bank Building:** - Highlands Ranch, CO
- ▶ **County Line Commercial Center:** - Douglas County, CO
- ▶ **AAA Mini-Storage:** - Littleton, CO
- ▶ **Chatfield Industrial Park:** - Douglas County, CO

## Kenneth A. Rudolph (cont)

### ***Streets and Roads***

Ken's roadway design experience has included supervision of the preparation and processing of construction plans, construction bid documents and specifications, and construction management inspection for over 20 miles of four and six-lane urban arterial roadways costing over \$20 million. These projects also included the design of associated storm drainage facilities, traffic striping, traffic signal conduits, and signage, as well as life cycle costs analyses for the comparison of various roadway paving alternatives. In addition, he has directed design, bidding, and construction management services for urban arterial parkway landscape projects, including monument signage for project identification. He has assisted in the preparation of an access control plan for Arapahoe Road in Arapahoe County. He also worked with the Colorado Department of State Highways in the negotiation and preparation of construction plans for access to several state highways for numerous large commercial and industrial developments.

Ken has broadened his skills with continuing education courses in the evaluation of concrete and asphalt paving systems. His experience in concrete paving systems has enabled him to conduct a number of presentations on roadway design, construction inspection, and construction administration for concrete roadways.

- ▶ **1981 - 1988 Arterial Roadway Projects for Highlands Ranch Metropolitan District:** - Highlands Ranch, CO
- ▶ **County Line Road (C-470) Access and Widening Plan:** - Littleton, CO
- ▶ **Santa Fe Industrial Park Access Plan:** - Douglas County, CO
- ▶ **Chatfield Industrial Park Access Plan:** - Douglas County, CO
- ▶ **Quebec Street Extension/University Boulevard Widening:** - Highlands Ranch, CO
- ▶ **1990 Venneford Ranch Road:** - Highlands Ranch, CO
- ▶ **Highlands Ranch Business Park Life Cycle Cost Analysis for Pavement Systems:** - Highlands Ranch, CO
- ▶ **Special Roadway Improvement District for Lima Street:** - Arapahoe County, CO
- ▶ **Preliminary Design for Widening of Santa Fe Boulevard:** Widening from Carter Court to North Highlands Ranch Parkway - Douglas County, CO
- ▶ **Sun Valley Road Extension:** Preliminary traffic analysis, final design, and construction - Douglas County, CO
- ▶ **1991 Quebec Street Widening Project, Highlands Ranch Metropolitan District:** - Douglas County, CO
- ▶ **1991 North Highlands Ranch Parkway Widening Project, Highlands Ranch Metropolitan District:** - Douglas County, CO
- ▶ **South Ranch Road Alignment Alternative Study:** - Douglas County, CO

### ***CDOT Experience***

Ken has worked with CDOT on the Roxborough Road Bridge over the Highline Canal project and the Sanitary Sewer Relocation, Santa Fe at Belleview Overpass-CDOT Project #085-2(57). Ken has also worked with CDOT on previous projects including Plaza Drive Access to State Highway 85, McLellan Interchange/C-470 Right of Way Map and Predesign Topography, County Line Road Access Plan, and Carvon Development-Durango Mall Traffic Access Plan.

Ken has also been involved with right of way negotiations between the Denver Water Board and several public and private clients. He was also the project manager for two box culvert bridges crossing the Highline

## Kenneth A. Rudolph (cont)

Canal for the Highlands Ranch Wastewater Treatment Plant and the PARK 85 Industrial Park. Ken has worked on several feasibility studies ranging from major drainageway improvements to roadway access issues.

### ***Water and Wastewater***

Ken's experience in water distribution and sanitary sewer collection systems includes design, construction administration, and field inspection responsibilities for water main extensions; relocation designs for water lines; and miles of infrastructure water line (ranging in size from 6 to 20 inches), and sanitary sewer line extensions for a wide range of clients. He was responsible for the design of a 7,000-acre subdivision project, which included the design of in-tract water and sanitary sewer facilities. In addition, he has managed the design of numerous sanitary sewer lift stations and a 12.5 mgd water pump station. He has also served as an expert witness on the construction of a water distribution system.

### ***Water and Wastewater***

- ▶ **Water Treatment Plant Expansion:** Principal in charge for this expansion project - Town of Wellington, CO
- ▶ **72nd Avenue and Rosemary Street, South Adams County Water and Sanitation District:** Water line design - South Adams County, CO
- ▶ **Willows Water Line Relocation, Willows Water District:** - CO
- ▶ **1988 Phase I Sanitary Sewer and 1989 Phase I Waterline, Centennial Water and Sanitation District:** - Douglas County, CO
- ▶ **Zone 5 - 12.5 mgd Pump Station, Centennial Water and Sanitation District:** - Douglas County, CO
- ▶ **88th Avenue Sanitary Sewer Lift Station, South Adams County Water and Sanitation District:** - Douglas County, CO

### ***Subdivision Water and Sanitary Sewer Projects***

- ▶ **7,000 Acres of Residential Land Development:** - CO
- ▶ **1,000 Acres of Commercial/Industrial Development:** - CO

### ***Commercial Land Development***

Ken's responsibilities have included supervision of the preparation and processing of subdivision plats, construction plans, construction documents and specifications; and construction management and inspection for a number of educational campuses, public building improvements, and shopping center projects. Project work has included site grading, sanitary sewer, water, storm drainage, parking facilities, retaining walls, and parking lot lighting coordination.

- ▶ **Centennial Shopping Center:** - Littleton, CO
- ▶ **Promenade Shopping Center:** - Douglas County, CO
- ▶ **Quebec Highlands Center:** - Douglas County, CO
- ▶ **AAA Mini-Storage:** - Douglas County, CO
- ▶ **Santa Fe Industrial Park:** - Douglas County, CO
- ▶ **Chatfield Industrial Park:** - Douglas County, CO
- ▶ **Feasibility Study for Colorado Centre:** - Colorado Springs, CO
- ▶ **Martin Marietta Storage Facility:** - Littleton, CO

## Kenneth A. Rudolph (cont)

### *Expert Witness/Special Services*

- ▶ **Retained by David Bailey, Esq., of Jones, Day, Reavis and Pogue of Atlanta, Georgia in 1993:** Testimony in Federal Bankruptcy Court in Little Rock, Arkansas on behalf of Fairfield Properties of Little Rock, Arkansas. Testified as to relevance of subdivision improvement agreements and release of subdivision improvement warranty agreements for Fairfield Properties in Archuleta County, Colorado - Little Rock, AR
- ▶ **Retained William H. Knapp of Montgomery, Little and McGrew on behalf of GSM, Inc. Consulting Engineers in 1997:** Prepared report on claim issues against consultant
- ▶ **Retained by City of Colorado Springs to provide expert testimony on behalf of City on construction lawsuit 1997:** - Colorado Springs, CO
- ▶ **Retained by Jeff Stalder of Hall & Evans for a lawsuit involving construction documents and drainage on a townhome project in 1998:** Provided research and deposition testimony
- ▶ **Retained by Corey Hoffman, Hayes, Philips and Maloney, PC for a lawsuit involving construction documents on a roadway and drainage project 1999**
- ▶ **Retained by Bradley J. Haight of Hall & Evans for a lawsuit involving construction claims in 2000**
- ▶ **Retained by Rutherford, Mullen and Johnson, PC on a neighborhood drainage problem in 2000:** Colorado Springs, CO
- ▶ **Retained by McElroy, Deutsch & Mulvaney, PC on a lawsuit filed in a multi-family project relating to grading, drainage, and general site design issues 2000**
- ▶ **Retained by White and Steele as an expert for a lawsuit filed on a drainage problem in a residential area in Florence, Colorado 2001**
- ▶ **Retained by St. Paul Insurance Co. as an expert for Etkin-Skanska on a claim involving grading and drainage issues in an Assisted Living Facility in Greenwood Village, Colorado 2002**
- ▶ **Retained by White and Steele as an expert for a lawsuit involving a drainage damage claim in Vail, Colorado 2002**
- ▶ **Retained by White and Steele as an expert for a lawsuit involving a grading claim in Promontory Point, Westminster, Colorado 2002**
- ▶ **Retained by Jefferson County Attorney's Office as an expert for a lawsuit involving a land sale at the Jefferson County Airport 2002**
- ▶ **Retained by White and Steele as an expert for a lawsuit involving local drainage issues, Florence, Colorado 2003**
- ▶ **Retained by Harris, Karsteadt, Jamieson & Powers, PC as an expert for a townhome project in Quail Run, Aurora, Colorado 2003**
- ▶ **Retained by White and Steele as an expert for a lawsuit involving local drainage issues, Windsor, Colorado 2003**
- ▶ **Retained by Harris, Karsteadt, Jamieson & Powers, PC as an expert for a townhome project, Jefferson County, Colorado 2003**
- ▶ **Retained by Hassler, Fonfara and Maxwell, LLP, as an expert on a construction management claim, Fort Collins, Colorado 2004**
- ▶ **Retained by Berg, Hill, Greenleaf & Ruscitti, LLP, (Boulder, Colorado) as an expert on a drainage claim in Broomfield, Colorado 2004**
- ▶ **Retained by Shenandoah Land, LLC to provide arbitration services for a Cost Sharing Agreement with King Soopers 2005**

## Kenneth A. Rudolph (cont)

### ***Professional Affiliations***

- ▶ American Society of Civil Engineers (ASCE)
- ▶ American Council of Engineering Companies (ACEC)
  - Past President
  - Vice President
  - Secretary/Treasurer
  - Board Member
  - APWA/ACEC Liaison
  - AIA/AGC/ACEC Liaison Committee
  - Colorado State Procurement Procedures Committee
  - Program Chairman
  - Colorado Geological Survey
  - Unfair Competition Committee Chairman
  - Business Services Committee Chairman
- ▶ State Board of Registration Ethics Task Force
  - Expert Witness Committee
  - Legislative Committee
- ▶ American Public Works Association (APWA)
- ▶ Colorado Municipal League (CML)
- ▶ Colorado Special Districts Association (CSDA)
- ▶ Douglas County Library Board
  - Past President
- ▶ Denver Chamber of Commerce
- ▶ Aurora Chamber of Commerce
- ▶ Urban Land Institute (ULI)
  - Local District Council Steering Committee Member
  - Public Officials Education Committee
  - Sustainable Design Council Member (National)
- ▶ Southeast Business Partnership (SEBP)
- ▶ Denver International Airport Business Partnership
  - Board Member
- ▶ Colorado Community Design Network - Board Member

### ***Articles***

- ▶ The Emerging Emphasis on Sustainability – ACEC Supplement “Celebrating 50 Years of Engineering in Colorado”, June 2006
- ▶ Engineers Can Take Leadership Approach to Sustainable Building – The Daily Journal, March 30, 2005
- ▶ Forming Strategic Alliances in Engineering - The Daily Journal, March 24, 2004

## Joseph M. Culkin, PE

*Associate/Engineering Manager*

**Education** BS Mining Engineering - Colorado School of Mines (1984)

**Registrations** Professional Engineer – CO #31647 (2/11/1997)

Joseph is an accomplished, results driven multi-skilled professional with extensive experience in leading high profile projects in numerous environments across multiple industries. He has an established reputation in analyzing and providing innovative solutions to complex problems with the ability to overcome obstacles and influence strategic/tactical plans for operational efficiency. Known for effective diplomacy in difficult situations with the ability to lead diverse groups of people through critical, complex projects and work well under pressure.

Joe is highly effective in sophisticated, technical environments with proven success in financial management and effective cost control. He has demonstrated expertise in research and compiling data to collect information affecting complex projects including budget development, laws, regulations, materials, processes and products. Key skill in managing stakeholder relationships with the ability to build collaborative environments with cross-functional teams.

Attentive to detail with the ability to articulate goals, maintain direction and manage scope of contracts for major projects. Recognized for the ability to make tough decisions with a focus on creating win-win situations.

### SELECTED PROJECT EXPERIENCE

#### ***Metro Districts***

- ▶ **Heritage Todd Creek Metro District:** Project manager responsible for providing District Engineer & Construction Observation services for the administration of this 1364 home, 700-acre Metro District. Services include development of cost estimates, detailed construction scheduling, preparation of a contracting strategy, pre-qualification of contractors, bid, and award of contracts, and contract administration. Provided coordination of dry utility installations, water systems, and other services necessary for District implementation. Also assisted with the development and implementation of cash flow spreadsheets for the District and provided determination and assistance of developer reimbursement agreements. An important aspect of the project is coordination with multiple consultants monitoring design and cost implications to the District, including coordination with Kerr-McGee for oil well abandonment and gas line relocations throughout the site - Thornton, CO
- ▶ **Plum Creek Metro District:** Project manager providing district engineer services for administration of this 140 home, 78-acre Metro District. Services include detailed cost estimates; project scheduling, bid and award of contracts, contract administration, monthly project progress reports and project coordination and public relations - Castle Rock, CO
- ▶ **Tablerock Metro District:** Project manager providing District Engineer & Construction Observation services for administration of this 270 home, 202-acre Metro District. Services include development of service plan exhibits and cost estimates, contract administration, construction observation and preparation of monthly progress reports for District Board Meetings. Additional District services included development and implementation of cash flows, construction budgets, assistance with developer reimbursement agreements, and other services as necessary for district implementation - Golden, Jefferson County, CO

## Joseph M. Culkin (cont)

- ▶ **Vintage Reserve Metro District:** Project manager providing District Engineer & Construction Observation services for administration of this 230 home, 90-acre Metro District. Services include development of service plan exhibits and cost estimates, contract administration, construction observation, and preparation of monthly progress reports for District Board Meetings. Additional District services included development and implementation of cash flows, construction budgets, assistance with developer reimbursement agreements and other services as necessary for district implementation - Littleton, Jefferson County, CO
- ▶ **East Plains Metro District (High Plains and Beacon Point Developments):** Project manager providing District Engineer services for administration of these two 900 home Metro Districts. Services include: development of service plan exhibits and cost estimates, detailed project design and construction scheduling, preparation of a contracting strategy, pre-qualification of contractors, bid and award of contracts, contract administration and inspections, coordination of unexploded ordinance, coordination of dry utility installations, development and implementation of a cash flow database for the District, and determination and assistance of developer reimbursement agreements. Led in the development of a database for analysis of annual bid price coordination with the City of Aurora for sanitary systems, water quality by-pass system, offsite roads, and other services as necessary for district implementation. An important aspect of the project is coordination with multiple consultants monitoring design and cost implication to the District - Aurora, CO
- ▶ **Southgate Water & Sanitation District - Inspection Services** - Managed on-call inspection services to support the construction of water and sanitary systems throughout the Southgate Water & Sanitary District. Responsibilities included attending preconstruction meetings and inspection of the installation of water and sanitary lines to verify and document that the contractor installed the system(s) within the guidelines established by the District's specifications. Work also included witnessing pressure tests, reviewing data and providing recommendations for acceptance or rejection of the projects, reviewing and commenting on contractor's redline drawings, reviewing as-builts and recommending acceptance; reviewing all documentation associated with the pipeline systems and making sure the contractor completed all necessary testing, and assuring that the systems met the District's requirements for acceptance - Littleton, CO
- ▶ **Serenity Ridge Metro District:** Project manager for the Metro District development of 400 homes and extensive offsite improvements. Providing service plan exhibits, cost estimates, and interface with City of Aurora staff for extension of services. Extensive coordination with other developers and existing adjacent residents is required. Provide construction services including, bid and award, contract administration and construction inspection. Also providing all design work for the development and the Metro District. It is anticipated that the Metro District and Developer contracts will be let and managed separately - Aurora, CO

### ***Municipal***

- ▶ **Town of Parker On-Call Construction Inspection Services** - Construction Manager to provide construction inspection services for development improvements in the Town of Parker in Douglas County, Colorado. The Town was recently named the fastest growing city in the fastest growing county (Douglas) in the United States, so this project represents a significant number of projects with many on a fast-track. Work on this on-call contract is to inspect public works construction of real estate development construction and all other construction in the public right-of-way except water and sanitation district work and some capital projects. Inspected all new residential subdivisions and commercial infrastructure construction within Parker over a period of several years.

## Joseph M. Culkin (cont)

Projects have included quality assurance for 47 subdivisions; 4 apartment complexes, approximately 500 units; 2 supermarket anchored shopping centers; and a 'big box' shopping complex. Responsible for conducting pre-construction meetings and construction inspection services. Meets with Public Work's staff to coordinate ongoing projects on a regular basis, and provides coordination with Colorado Department of Transportation, Douglas County, the Urban Drainage and Flood Control District, and the US Army Corps of Engineers - Parker, CO

- ▶ **Antelope Subdivision, Water Improvements** – Project Manager for this project representing the City of Centennial and the residents of the Antelope Subdivision. The project consists of the review, observation, and monitoring of design and construction for a new water distribution system providing potable water to the subdivision.

### ***Aviation***

- ▶ **ACM Aviation:** Managed the design and future construction for a \$30 million, 60,000 square-foot private jet hangar at the San Jose International Airport. This general aviation facility includes a five-level post-tensioned concrete automobile parking structure and three-level terminal. Researched all construction legal issues, coordinated in-house architects and project consultants including owner's representatives and regulatory agencies. Gained favorable status from all stakeholders, developed project budget and scheduling, compiled data from numerous sources, and wrote reports for presentation - San Jose, CA

### ***Light Rail***

- ▶ **UTA Trax/Light Rail System - Central Business District and Corridor Projects:** Managed all aspects of construction for underground electrical system for the Salt Lake City light rail system including accountability for \$13 million budget and oversight of project superintendents, subcontractors, vendors, craftsmen, and equipment operators. These high profile projects included the installation of tens of thousands of feet of underground duct bank for power, fiber optic communications, and traffic signal interconnections. Five passenger stations were constructed downtown and 11 through the corridor project. New traffic signal systems and grade crossing warning systems were constructed, as well as many blocks of city sidewalk complete with various lighting systems. The two projects, although integral parts of a single system were vastly different from each other. The downtown project offered constant technical and logistical challenges while working in the confinement of the city, whereas the sheer volume in the corridor far outweighed this project's technical challenges - Salt Lake City, UT

### ***Remediation***

- ▶ **Montana Pole Remedial Action:** Led final design and construction phases of soil and water treatment facility for the 70-acre hazardous waste remediation project at this former wood treating plant site. The project included deep slurry trench construction, oil and water collection, treatment systems, and multiple soil treating areas. Each of the numerous pumping systems are connected to the main treatment plant and operated via a main computer system - Butte, MT
- ▶ **Ogden Defense Depot:** Remediation of multiple contaminated burn pits and the construction and prove-out of a ground water collection, purification, and re-injection system for the associated contaminated ground water plume. Over 25,000 tons of contaminated soils were excavated from this facility's 50-year-old waste oil and solvent disposal pits. 60 groundwater wells were constructed to contain and flush contaminants from the underlying aquifer - Ogden, UT

## Joseph M. Culkin (cont)

- ▶ **Sharon Steel Residential Clean-up:** Remediation of over 200 homes and businesses surrounding the Sharon Steel Smelter in Midvale over a two year period under two separate contracts totaling \$9 million. This project required the removal and replacement of two feet of soil, all plants, fences and miscellaneous structures throughout this neighborhood - Midvale, UT

### *Electrical*

- ▶ **Newman Elementary School:** - Salt Lake City, UT
- ▶ **Whittier Elementary School:** - Salt Lake City, UT
- ▶ **Westminster College Residence Hall:** Three-story wood-frame residence hall - UT
- ▶ **Church of Latter-Day Saints:** Five-story underground parking structure - UT
- ▶ **Salt Lake City Maintenance Contract:** Miscellaneous electrical maintenance for City owned facilities - Salt Lake City, UT
- ▶ **Park City Mass Transit Center:** Transit center specifically designed for the Winter Olympics - Park City, UT

## East Plains Metropolitan District: Beacon Point Subdivision

AURORA, COLORADO  
LENNAR COLORADO LLC, DEVELOPER



### KEY SERVICES

- ✓ Metropolitan District
- ✓ Construction Management

### PROJECT INFORMATION

372 Acres  
880 Single-Family Homesites

### COMPLETION

Scheduled for 2007

### PROJECT COST

\$45 Million

Nolte, as the District Engineer, has provided Metropolitan District and Construction Management services for the Beacon Point Subdivision – a single-family community located adjacent to the Aurora Reservoir.

Nolte assisted in the Metro District formation by preparing the Service Plan exhibits, developing the project phasing and establishing the conceptual project budget.

Nolte has provided on-site management and coordination of the infrastructure improvements. Major arterial roadways constructed include the new Powhatan Road and Calhoun Road. Two State certified dam structures were built as part of a regional stormwater diversion project. A Neighborhood Activity Center and multiple parks connected by a meandering sidewalk are a feature of the development. Other infrastructure improvements include un-exploded military ordinance removal, dry utility installation, wet utilities installation, street improvements and landscaping.

Nolte has provided change order and invoice processing as well as tracking and reporting of the overall project costs to date and monthly cash flow as part of the contract administration provided to the Metro District.

This particular development has required extensive coordination of multiple consultants and contractors, as well as a number of public and private entities including the City of Aurora and multiple private land owners.



## East Plains Metropolitan District: Blackstone Country Club Subdivision

AURORA, COLORADO  
LENNAR COLORADO LLC, DEVELOPER



### KEY SERVICES

- ✓ Metropolitan District
- ✓ Construction Management

### PROJECT INFORMATION

640 Acres  
897 Single-Family Homesites

### COMPLETION

Scheduled for early 2008

### PROJECT COST

\$93.6 Million

Nolte, as the District Engineer, has provided Metropolitan District and Construction Management services for the Blackstone Country Club Subdivision – a single-family community developed around an eighteen-hole private golf course.

During the pre-construction phase, Nolte assisted in the Metro District formation by preparing the Service Plan exhibits, developing the project phasing and establishing the conceptual project budget. Nolte also assisted with drafting the contractor qualification, bidding and contract award strategy.

During construction, Nolte is providing on-site management and coordination of the infrastructure improvements. These improvements include un-exploded military ordinance removal, dry utility installation, wet utilities installation, street improvements and landscaping. Construction of major arterial roadways includes the new Powhaton Road, extension of Smoky Hill Road and re-alignment of County Line Road. Nolte is providing assistance to the developer for construction of the golf course clubhouse and related structures.

Nolte is also providing extensive contract administration for the project including contract award, change order and invoice processing, and tracking of the overall project budget, costs to date and monthly cash flow.

This particular development has required extensive coordination of multiple consultants and contractors, as well as a number of public and private entities including Douglas, Elbert and Arapahoe Counties, the City of Aurora, the State Land Board and multiple private land owners.



## Plum Creek Metropolitan District

CASTLE ROCK, COLORADO

BCX DEVELOPMENT PARTNERS LLC, DEVELOPER



### KEY SERVICES

- ✓ Metropolitan District
- ✓ Construction Management

### PROJECT INFORMATION

78 Acres  
140 Single-Family Homesites

### COMPLETION

Fall 2006

### PROJECT COST

\$1.6 Million

As the District Engineer for this residential subdivision, Nolte managed the bid process for the infrastructure improvements, including preparation of the engineer's estimate, bid schedule, and bid documents. Nolte prepared a detailed bid comparison and recommended contract awards.

The offsite improvements had an impact on the existing homes adjacent to the project. These impacts required Nolte to communicate with the homeowners to quell any concerns that arose from the new construction. Nolte was successful in ensuring that the project proceeded on schedule and within budget while satisfying resident concerns.

Construction management services include detailed cost estimates, project scheduling, contract administration, monthly project progress reports, project coordination and public relations.

Completed infrastructure improvements include: sanitary, water and storm utilities; concrete curb, gutter and sidewalks; and asphalt paving.



## Table Rock Subdivision

GOLDEN, COLORADO

LENNAR COLORADO LLC, DEVELOPER



### KEY SERVICES

- ✓ Metropolitan District
- ✓ Construction Management

### PROJECT INFORMATION

203 Acres  
270 Single-Family Homesites

### COMPLETION

Scheduled for 2007

### PROJECT COST

\$7.6 Million

Initially, Nolte assisted with the development of service plan exhibits and cost estimates in conjunction with the preparation of the District Engineer's Certification of Construction Costs to support the Metro District's acquisition of the completed improvements from the Developer.

Nolte has since been responsible for the construction administration of this community. Services being provided include contract administration and inspections, preparation of monthly progress reports and cash flow spreadsheets for the District, determination and assistance of developer reimbursement agreements, coordination of multiple consultants and contractors on-site, and other services as necessary for district implementation.

The project is in the final stages and efforts have been focused punchlist work and transferring the ongoing operations to the Homeowners Association.



## Heritage Todd Creek Metropolitan District

THORNTON, COLORADO

LENNAR COLORADO LLC, DEVELOPER



### KEY SERVICES

- ✓ Metropolitan District
- ✓ Construction Management

### PROJECT INFORMATION

690 Acres  
1364 Single and Multi-Family Homesites

### COMPLETION

Scheduled for 2010

### PROJECT COST

\$73 Million

Heritage Todd Creek is being developed as an active adult community with a public golf course and clubhouse.

Nolte Associates, Inc. has served as the District Engineer since the infrastructure construction began in 2005. Phase 1 and 2 of the project are substantially complete. Completed improvements include wet and dry utilities for 415 homesites, local and collector street improvements, and storm improvements including the construction of 4 ponds, 2 large box culverts and the mitigation of 62 acres of wetlands. Arterial improvements include small bridge improvements on Yosemite Street and traffic improvements at the intersection of Yosemite and Highway 7. Extensive perimeter landscape improvements include a gated community wall and fence, guardshack, retaining walls and irrigation.

Nolte has developed cost estimates, exhibits, and project scheduling in support of the Service Plan and for the ongoing construction. Nolte is providing both administrative and field construction support services for the project. These services include: maintaining the overall project budget and reporting on the costs to date and anticipated cash flows, contract bidding and award, change order review, and pay application approval.

Nolte is providing onsite field observation and coordination of the multiple contractors and consultants onsite as well as coordinating with the Kerr McGee for oil well abandonment and gas line relocations throughout the site.

In addition to the infrastructure improvements, Nolte is providing coordination for the final design, permitting and construction of the Clubhouse, maintenance facility and associated structures – which account for \$12 million dollars of the overall project cost.



## Vintage Reserve Subdivision

LITTLETON, COLORADO

LENNAR COLORADO LLC, DEVELOPER



### KEY SERVICES

- ✓ Metropolitan District
- ✓ Construction Management

### PROJECT INFORMATION

92 Acres  
220 Single-Family Homesites

### COMPLETION

Scheduled for 2007

### PROJECT COST

\$14.4 Million

Initially, Nolte assisted with the development of service plan exhibits and cost estimates in conjunction with the preparation of the District Engineer's Certification of Construction Costs to support the Metro District's acquisition of the completed improvements from the Developer.

Nolte has since been responsible for the construction administration of this community. Services being provided include contract administration and inspections, preparation of monthly progress reports and cash flow spreadsheets for the District, determination and assistance of developer reimbursement agreements, coordination of multiple consultants and contractors on-site, and other services as necessary for district implementation.

The project is in the final stages and efforts have been focused punchlist work and transferring the ongoing operations to the Homeowners Association. As part of the final phase at this site, the "Blue House" was demolished. This existing structure required hazardous material remediation prior to demolition.



# NOLTE

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