

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF THE  
VISTAS AT WEST MESA METROPOLITAN DISTRICT**

**REGARDING ACCEPTANCE OF DISTRICT ELIGIBLE COSTS AND  
ACQUISITION OF PUBLIC IMPROVEMENTS**

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WHEREAS, Vistas at West Mesa Metropolitan District, City of Colorado Springs, El Paso County, State of Colorado ("**District**"), is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, the District was formed, inter alia, for the purpose of designing, acquiring, constructing, installing, operating, maintaining and financing street improvements, parks and recreational facilities, storm sewer improvements, water improvements, traffic and safety controls, transportation improvements, mosquito control, television relay and translator facilities, fire protection improvements, and sanitary sewer improvements (collectively, the "**Public Improvements**") within and without the boundaries of the District; subject to any limitations contained in the Service Plan for the District; and

WHEREAS, in accordance with § 32-1-1001(1)(f), C.R.S., the District has the power to acquire real and personal property, including rights and interests in property and easements necessary to its functions or operations; and

WHEREAS, the District has entered into an Infrastructure Acquisition and Reimbursement Agreement, dated March 11, 2022, (the "**Acquisition Agreement**") by and between the District and Grays Development Company, Inc. (the "**Developer**") which sets forth the procedure for documenting, certifying, and reimbursing the Developer for certain costs related to Public Improvements that may be lawfully funded by the District; and

WHEREAS, the Developer has funded certain costs related to the Public Improvements for the benefit of the District; and

WHEREAS, pursuant to the Acquisition Agreement, the District has agreed to reimburse the Developer for "**District Eligible Costs**," subject to the satisfaction of certain terms and conditions as set forth in the Acquisition Agreement; and

WHEREAS, the Acquisition Agreement requires that the Developer furnish copies of all invoices, statements and evidence of payment equal to the proposed District Eligible Costs, including lien waivers from suppliers and subcontractors, as applicable, to the District related to the costs funded by the Developer related to the Public Improvements (collectively, the

“**Payment Information**”) in order to, inter alia, allow the District to substantiate the amount of District Eligible Costs; and

WHEREAS, the Developer has furnished the Payment Information and all other requested information to the District; and

WHEREAS, the Board of Directors of the District (the “**Board**”) engaged Independent District Engineering Services, LLC (the “**District Engineer**”), an independent engineer, who has reviewed the Payment Information to substantiate the amount of District Eligible Costs, and the District Engineer has advised the Board that certain of the costs submitted by the Developer are reasonable and appropriate and related to the Public Improvements authorized and contemplated under the terms of the Service Plan and Acquisition Agreement and are therefore eligible for reimbursement by the District; and

WHEREAS, the Board engaged Schooler & Associates, Inc. d/b/a Walker Schooler District Managers the (“**District Accountant**”) who has also reviewed the Payment Information to substantiate the amount of District Eligible Costs, and the District Accountant has advised the Board that certain of the costs submitted by the Developer are reasonable and appropriate and related to the Public Improvements authorized and contemplated under the terms of the Service Plan and Acquisition Agreement and are therefore eligible for reimbursement by the District; and

WHEREAS, the Board has reviewed the information submitted by the District Engineer and District Accountant and other information as appropriate and has determined that the best interests of the District, its residents, users, and property owners would be served by the District’s recognition and acceptance of the District Eligible Costs, and, as applicable, acquisition of the Public Improvements from the Developer, and the District should expend funds for such purposes; and

WHEREAS, the Board desires to recognize and reimburse the Developer for the District Eligible Costs and, as applicable, acquire certain of the Public Improvements from the Developer, subject to the availability of District funds for such purpose.

NOW, THEREFORE, be it resolved by the Board of the District as follows:

1. District Eligible Costs. The Developer has represented that it has funded or caused to be funded District Eligible Costs at its sole cost and expense, which District Eligible Costs are directly related to the Public Improvements, and has provided the Payment Information to the District.

2. Cost Certification. As required under Section 3 of the Acquisition Agreement, the District Engineer and District Accountant have each reviewed the Payment Information, and have issued “**Cost Certifications**,” attached as **Exhibit A** and **Exhibit B** respectively, certifying the amount of District Eligible Costs to be reimbursed to the Developer.

3. Acceptance of District Eligible Costs. The Board hereby finds that the applicable requirements set forth in the Acquisition Agreement have been met, and that the District Eligible Costs are hereby accepted and approved for reimbursement by the District.

4. Dedicated Improvements. The Board acknowledges that certain of the Public Improvements may be dedicated to other governmental entities. For such Public Improvements, the Developer has provided the information as required by the Acquisition Agreement, as applicable, in form and substance satisfactory to the District (or has provided assurance acceptable to the District, that the Developer will provide such information).

5. Engineer's Certification. To the extent the District is acquiring Public Improvements, the Developer has provided the information as required by the Acquisition Agreement, as applicable, in form and substance satisfactory to the District (or has provided assurance acceptable to the District, that the Developer will provide such information) and the District is in receipt of an "**Engineer's Inspection Certification**" included in **Exhibit A**.

6. Acceptance of District Eligible Costs. The Board, having reviewed the certifications and recommendations of the District Engineer and District Accountant, finds and determines that the total amount of District Eligible Costs to be reimbursed to the Developer is Seven Hundred Thirty-Three Thousand Eight Hundred Thirteen Dollars and Fifty-Six Cents (\$733,813.56). The Board further finds that the applicable requirements set forth in the Acquisition Agreement have been met, and that the District Eligible Costs are hereby accepted and approved for reimbursement by the District. To the extent required by the Acquisition Agreement, this Resolution shall be deemed the "**Acceptance Letter**" to be issued by the District.

7. Subject to Annual Appropriations. Any payments due hereunder are subject to annual appropriation by the District and do not create a multiple-fiscal year obligation or debt whatsoever. Furthermore, any payments due hereunder are subject to any repayment terms and conditions as set forth in the Acquisition Agreement.

8. Definitions. Capitalized terms not defined herein, shall have the meanings set forth in the Acquisition Agreement.

*Signature page follows.*

ADOPTED THIS 23<sup>RD</sup> DAY OF JUNE, 2023.

**VISTAS AT WEST MESA METROPOLITAN  
DISTRICT**

*Jeff Powles*

\_\_\_\_\_  
Officer of the District

*Thomas Pucciano*

\_\_\_\_\_  
Thomas Pucciano (Jun 23, 2023 12:00 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

*George M. Rowley*

\_\_\_\_\_  
General Counsel to the District

**EXHIBIT A**

**Engineer's Cost Certification**

# Vistas at West Mesa Metropolitan District Cost Certification



**Report #3**  
**June 2023**



Independent District Engineering Services, LLC  
1626 Cole Blvd, Suite 125  
Lakewood, CO 80401  
[www.idesllc.com](http://www.idesllc.com)

# Vistas at West Mesa Metropolitan District Cost Certification Report #3

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June 23, 2023

Vistas at West Mesa Metropolitan District  
2154 E. Commons Avenue  
Suite 2000  
Centennial, Colorado 80122

## **VISTAS AT WEST MESA METROPOLITAN DISTRICT COST CERTIFICATION REPORT #3**

### **INTRODUCTION**

Independent District Engineering Services, LLC (Engineer) was hired by the Vistas at West Mesa Metropolitan District (District) to review the materials presented by Grays Development Company, Inc. (Developer) and substantiate the costs related to the financing, construction, and installation of the public improvements (District Eligible Costs). The District Eligible Costs reviewed are for the Centennial Townes development located in the City of Colorado Springs, Colorado (Project). This cost certification report summarizes the Engineer's approach and declares the total amount of District Eligible Costs associated with public improvements proposed for reimbursement.

The invoices reviewed were paid for by the Developer and are being certified as District Eligible Costs in the amount of **\$733,813.56**.

This report generally covers costs for the following public improvements: Earthwork, Compaction and Concrete Testing, Retaining Wall Construction, Fence Installation, Street Signage Installation, Paving Activities, Street Lighting, Surveying Services, and Soft Costs related to the public improvements such as Stormwater Management, Planning & Design Services, and the Payment of Permit Fees.

### **REFERENCE DOCUMENTS**

The following documents were used in determining recommendations for this report:

- Infrastructure Acquisition and Reimbursement Agreement; by and between Vistas at West Mesa Metropolitan District and Grays Development Company, Inc; dated March 11, 2022
- Service Plan for Vistas at West Mesa Metropolitan District; by Lokal Homes; dated July 15, 2021
- Surveyor's Affidavit of Correction; by Bowman Consulting Group, Ltd.; recorded March 1, 2022.

The Engineer used the above documents only as a general guideline in certification of costs.

### **ASSUMPTIONS**

The following assumptions were made for this report.

- No other entity will reimburse the developer for the District Eligible Costs included in this report.
- The Developer completed all storm water management practice inspections and requirements.
- It is assumed that geotechnical pavement designs have been performed and followed. It is assumed materials testing was performed during construction.
- Invoices presented do not represent the entire Project value, but rather the portion of the Project value provided for the Engineer's review. Other expenditures for the project exist.
- Expenditures that did not have enough information to be certified with this report may be certified in a future report.
- The appropriate land deeds will be granted before the District provides reimbursement.
- Public improvements included in this report will obtain acceptance.

## DISCUSSION

### Activities Conducted

For this report, the following activities were performed:

- The reference documents provided by the District and the Developer were reviewed.
- The invoices and other materials presented by the Developer were reviewed.
- A site visit was conducted. Project improvements were photographed when possible.
- Contact was made with Developer to verify knowledge of the work and services performed.
- Select invoiced unit costs were compared to other projects constructed in Colorado. Not all unit costs were compared, only a representative sample to ensure that the expenditures were reasonable overall.
- Select billed quantities were compared to construction document quantities to confirm amounts were reasonable.

This report was prepared with a specific scope and an elaborate analysis was not performed. Daily construction observation was not performed. This is a realistic and reasonable analysis to verify the public expenditures for the invoices and information provided by the Developer. Additional expenditures and information may result in adjustments to our cost certification.

### Improvements

The reviewed improvement locations are generally represented in Attachment A and shown on the following documents:

- Centennial Townes Filing No. 1 Final Plat, by Bowman Consulting Group, Ltd., recorded December 20, 2021
- Final Landscape Plan, by National Engineering Services (N.E.S.) Inc., dated April 7, 2022
- Grading and Erosion Control Plan, by Bowman Consulting Group, Ltd., dated October 5, 2021
- PUD Development Plan, by National Engineering Services (N.E.S.) Inc., dated April 21, 2021
- Townhomes Utility Service Plan, by Bowman Consulting Group, Ltd., dated January 9, 2022
- Townhomes Wastewater Construction Plan, by Bowman Consulting Group, Ltd., dated January 9, 2022
- Townhomes Water Construction Plan, by Bowman Consulting Group, Ltd., dated January 9, 2022

Improvements to be acquired by the district for ownership, operation, & maintenance are listed below:

#### **Parks & Recreation Improvements (Retaining Walls):**

Location: Northern and Southwestern boundary of Tract L

#### **Parks & Recreation Improvements (Fencing):**

Location: Northern and Southwestern boundary of Tract L

#### **Streets Improvements (“Alleys”):**

Locations:

- Berg Point – Tracts C & F
- Drumlin Grove – Tracts E & F
- Bivy Point – Tracts G & H
- Sobo View – Tracts I & J
- Aguille Point – Tract K
- Hook Grove – also Tract K

These improvements appear to have been constructed in substantial accordance with the Construction Drawings, as defined in the Infrastructure Agreement, and are fit for their intended purposes.

## Review of Expenditures

Invoices provided by the Developer were considered District Eligible Costs (eligible for District reimbursement) or Non-Eligible Cost (not eligible for District reimbursement). Expenditures reviewed were invoiced to the Developer between January of 2022 and March of 2023. Costs for work such as storm water management, planning, project management, and environmental studies pertaining to both public improvements, as described in the Special District Act, and private improvements. These costs were considered 64% District Eligible Costs based on the land area ratio (the "District Site Percent"). Retaining walls have been constructed on Tract A and Tract L. At the time of the Engineer's site visit, the retaining walls and fencing located on Tract A were not in satisfactory condition. Therefore, expenditures related to the construction of retaining walls and fencing were not considered eligible for public financing. Attachment C contains a summary of the certified District Eligible Costs for the invoices provided.

Developer provided check copies were reviewed and used to confirm payment. The Engineer confirmed the invoiced amounts matched the amounts paid and that the payments were from the Developers account. The Engineer did not collect lien waivers or contact vendors to verify payments.

## Vendors

All contractors, consultants, and vendors whose invoice information was submitted, were evaluated for their project participation and services performed, materials provided, or work completed. A summary of vendor participation is included as Attachment B.

## Site Visit

A site visit was conducted May of 2023. When possible, photos were taken of the project to memorialize the construction of infrastructure and are included in Attachment D. From our visual inspection, it appears the completed improvements were constructed in a quality manner consistent with other similar projects and meeting generally accepted construction requirements.

## SUMMARY OF EXPENDITURES BY CATEGORY

The table below provides a summary of expenditures by category as set forth in the service plan. The major elements of the improvements were allocated across these specific categories.

Cost Certification Category		
Category	Amount	Percent
Water	\$0.00	0.00%
Sanitary Sewer	\$0.00	0.00%
Storm Sewer	\$759.91	0.10%
Street	\$543,828.29	74.11%
Park & Rec	\$189,225.36	25.79%
<b>Total</b>	<b>\$733,813.56</b>	<b>100.00%</b>

## RECOMMENDATION

In our professional opinion the District Eligible Costs included in this report were found to be reasonable and appropriate for the type of improvements constructed. Based on the information provided and level of analysis completed, the Engineer certifies the total amount of District Eligible Costs associated with the public improvements proposed for reimbursement to be **\$733,813.56**.

This report is not an acceptance of improvements, but a certification of the costs associated with the public improvements proposed for reimbursement. The cost certification is only one of the requirements from the

Infrastructure Acquisition and Reimbursement Agreement for the District to reimburse the Developer.

Should you have any questions or require further information please feel free to contact us.

Respectfully Submitted,

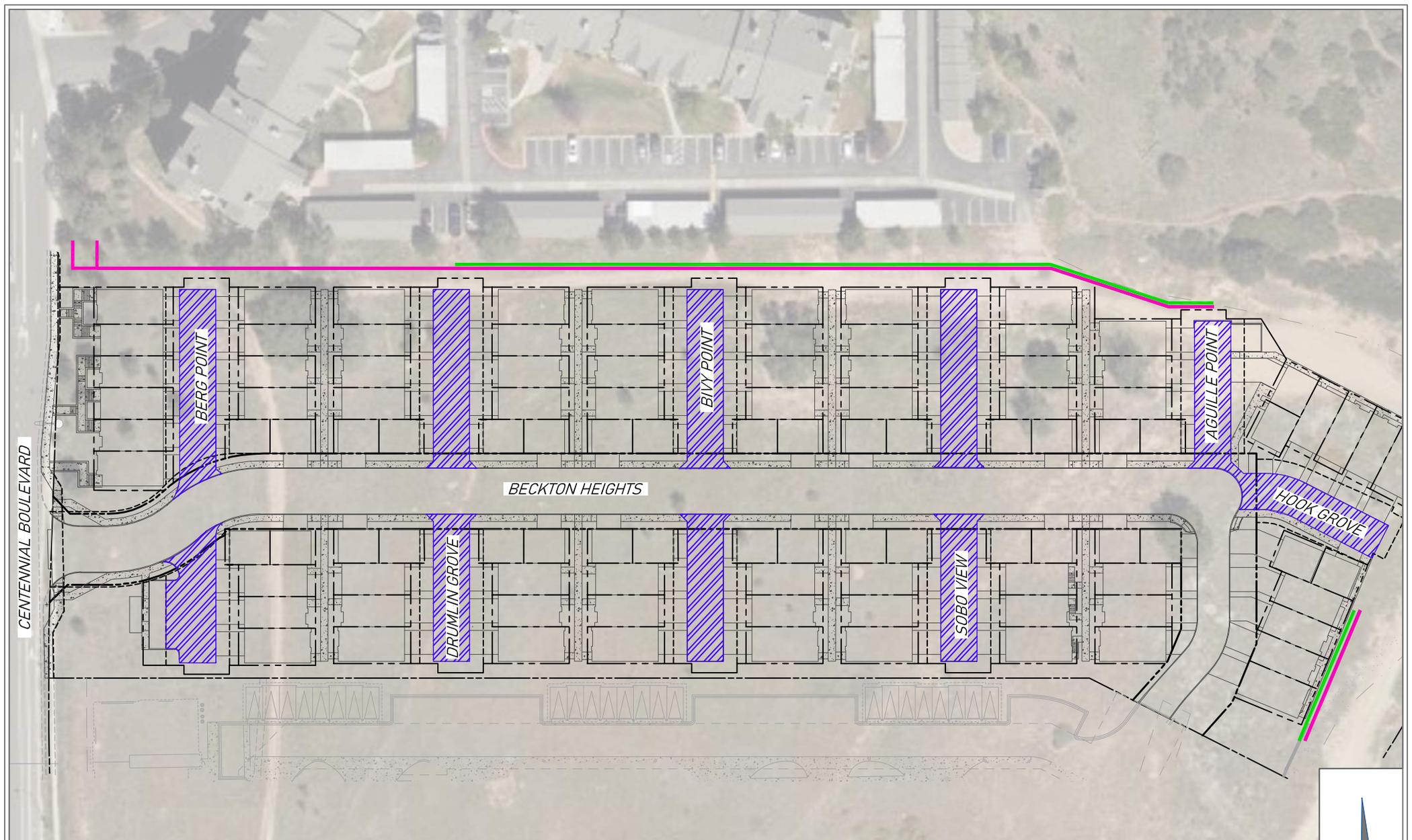
  
Stan Fowler, PE  
Independent District Engineering Services, LLC

Digitally signed by Stanley E.  
Fowler J., PE  
Date: 2023.06.21  
08:28:55-08'00'

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# Attachment A

## Site Map



CENTENNIAL BOULEVARD

BECKTON HEIGHTS

HOOK GROVE

BERG POINT

BIVY POINT

AGUILLE POINT

DRUMLIN GROVE

SOBOR VIEW

**Legend**

-  Street Improvements
-  Retaining Wall Improvements
-  Fence Improvements



INDEPENDENT DISTRICT ENGINEERING SERVICES, LLC  
 1626 COLE BOULEVARD #125, LAKEWOOD, CO 80401

VISTAS AT WEST MESA METROPOLITAN DISTRICT  
 COST CERTIFICATION #3  
 ATTACHMENT A - PUBLIC IMPROVEMENTS EXHIBIT

SHEET  
 1 of 1  
 SCALE: NOT TO SCALE  
 DATE:  
 06/13/2023

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# Attachment B

## Vendors

# Attachment B

## Vendors

Following is a summary of the contractors, consultants and vendors that performed work and services for the report.

**Bowman Consulting Group** Engineering Consultant who provided planning, engineering, and surveying services for the development. Costs related to lots and dry utilities were not considered eligible for public financing. Costs associated with project management were considered eligible at Site Percent. Retaining wall design costs were considered 100% eligible. Surveying services were generally considered eligible unless related to private lots.

**City of Colorado Springs** Authority having jurisdiction in which the Project is located who collected payment for a Warranty Bond related to public improvements for the Project. This Warranty Bond collected by City of Colorado Springs was considered eligible for public financing.

**CMS Environmental Solutions, LLC** Storm water management contractor who conducted inspections for the Project. Expenditures generated by CMS Environmental Solutions were considered eligible for public financing at the Site Percent.

**Colorado Department of Public Health & Environment** Regulatory agency who collected fees for Water Quality Control Division (WQCD) permits related to the construction of the Project. These expenditures were considered eligible for public financing at the Site Percent.

**Colorado Flatwork, Inc.** Concrete contractor who installed sidewalks, curb and gutter and concrete alleyways for the Project. These expenditures were considered eligible for public financing.

**Colorado Springs Utilities** Community owned utilities company who provided dry utility infrastructure for the Project. Expenditures for dry utilities were not considered eligible.

**Consolidated Divisions, Inc.** Commercial landscape contracting company who provided earthwork services for the Project. Expenditures of earthwork related to the retaining wall were considered eligible for public financing. General expenditures for the overall site were considered eligible for public financing at the site percent. Earthwork related to private lots were considered not eligible for public financing.

**CTL Thompson, Inc** Geotechnical consulting firm who conducted compaction testing. Compaction testing and concrete testing were considered eligible for public financing.

**Down to Earth Compliance, LLC** Erosion control contractor who provided erosion control services during the construction of the project. These expenditures were considered eligible for public financing at site percent.

**Franceschelli Excavating, Inc** Wet utility contractor who provided earthwork and irrigation installation services. Expenditures for irrigation improvements were considered eligible for public financing. Expenditures for earthwork were considered eligible at the Site Percent. Costs related to the sales event were not considered eligible.

**N.E.S., Inc** Engineering consultant who provided construction documents for the development. Costs generated by N.E.S. were considered eligible for public financing at site percent.

**Pinnacle Structures, Inc.** Retaining wall contractor who provided services to design and construct retaining walls on Tract A and L. Expenditures generated for retaining wall construction plans were considered eligible for public financing. Expenditures for the construction of retaining walls on Tract L were considered eligible. However, expenditures for the construction of retaining walls on Tract A were not considered eligible due to unsatisfactory condition. These expenditures may be reviewed in a future report after punchlist items have been completed.

**S & S Striping and Signage** Company who provided street signage for the Project. These expenditures were considered eligible for public financing.

**Schmidt Construction Company** General contractor who provided asphalt paving services for the Project. These expenditures were considered eligible for public financing.

**Standard Fence Company** Fencing contractor who provided fence installation services for the Project. Expenditures for a barrier gate were considered eligible for public financing. Expenditures for fencing along retaining walls on Tract L were considered eligible. However, expenditures for fencing along retaining walls on Tract A were not considered eligible due to unsatisfactory condition. These expenditures may be reviewed in a future report after punchlist items have been completed.

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# Attachment C

## Expenditure Data

Attachment C

Vistas at West Mesa Metropolitan District

Engineer's Summary for Cost Certification 3

Invoice #	Invoice Date	Invoice Provided	Check #	Check Date	Description	Invoiced Amount	District Eligible Costs	Non-Eligible Costs	Notes
<b>Bowman Consulting Group</b>									
345181	7/25/22	Yes	A1528-00000140	9/21/22	Engineering Consultant	\$ 4,156.25	\$ 1,051.19	\$ 3,105.06	Construction Admin eligible at Site %. Plot Plans not eligible
348007	8/22/22	Yes	A1528-00000140	9/21/22	Engineering Consultant	\$ 6,177.50	\$ 6,107.66	\$ 69.84	Dry Utility Staking, Party Wall not eligible, Project Management eligible at Site %
351251	9/23/22	Yes	A1528-00000174	10/27/22	Engineering Consultant	\$ 6,995.00	\$ 1,175.55	\$ 5,819.45	Plot Plans not eligible, Coordination eligible at Site %
351263	9/23/22	Yes	A1528-00000174	10/27/22	Engineering Consultant	\$ 11,857.00	\$ 7,370.07	\$ 4,486.93	Lot staking, Party Wall not eligible. Project Management eligible at Site %
357916	11/21/22	Yes	A1528-00000373	4/19/23	Engineering Consultant	\$ 1,948.50	\$ 1,131.76	\$ 816.74	Project management at Site %, Party Wall and Lot Staking not eligible
358147	11/30/22	Yes	A1528-00000335	3/24/23	Engineering Consultant	\$ 3,481.25	\$ 3,481.25	\$ 0.00	
361385	12/21/22	Yes	A1528-00000373	4/19/23	Engineering Consultant	\$ 1,515.75	\$ 645.00	\$ 870.75	Lot costs not eligible
364433	1/20/23	Yes	A1528-00000332	3/17/23	Engineering Consultant	\$ 405.00	\$ 0.00	\$ 405.00	Address Correction not eligible
367531	2/20/23	Yes	A1528-00000373	4/19/23	Engineering Consultant	\$ 5,000.00	\$ 3,219.32	\$ 1,780.68	Record Drawings eligible at Site %
<b>Subtotal Bowman Consulting Group</b>						<b>\$ 41,536.25</b>	<b>\$ 24,181.80</b>	<b>\$ 17,354.45</b>	
<b>City of Colorado Springs</b>									
N/A	2/7/23	Yes	A1528-00000282	2/8/23	Warranty Bond	\$ 2,168.80	\$ 2,168.80	\$ 0.00	
<b>Subtotal City of Colorado Springs</b>						<b>\$ 2,168.80</b>	<b>\$ 2,168.80</b>	<b>\$ 0.00</b>	
<b>CMS Environmental Solutions, LLC</b>									
134469	5/1/22	Yes	A1528-00000137	9/21/22	Weekly Stormwater Inspections	\$ 575.00	\$ 370.22	\$ 204.78	Eligible at Site %
139895	9/1/22	Yes	A1528-00000170	10/27/22	Weekly Stormwater Inspections	\$ 575.00	\$ 370.22	\$ 204.78	Eligible at Site %
<b>Subtotal CMS Environmental Solutions, LLC</b>						<b>\$ 1,150.00</b>	<b>\$ 740.44</b>	<b>\$ 409.56</b>	
<b>Colorado Department of Public Health and Environment</b>									
WC231131062	7/29/22	Yes	A1528-00000142	9/21/22	WQCD Permit Fees	\$ 350.00	\$ 225.35	\$ 124.65	Eligible at Site %
<b>Subtotal Colorado Department of Public Health and Environment</b>						<b>\$ 350.00</b>	<b>\$ 225.35</b>	<b>\$ 124.65</b>	
<b>Colorado Flatwork, Inc.</b>									
40320 - R	7/11/22	Yes	A1528-00000227	12/19/22	Retainage release	\$ 4,054.85	\$ 4,054.85	\$ 0.00	
40351	10/5/22	Yes	A1528-00000190	11/21/22	Concrete	\$ 238,802.45	\$ 238,802.45	\$ 0.00	
40351 - R	10/5/22	Yes	A1528-00000376	4/19/23	Retainage release	\$ 12,568.55	\$ 12,568.55	\$ 0.00	
40363	10/27/22	Yes	A1528-00000227	12/19/22	Concrete	\$ 21,915.22	\$ 21,915.22	\$ 0.00	
40363 - R	10/27/22	Yes	A1528-00000376	4/19/23	Retainage release	\$ 1,153.43	\$ 1,153.43	\$ 0.00	
40378	1/17/23	Yes	A1528-00000300	2/21/23	Concrete	\$ 16,756.91	\$ 16,756.91	\$ 0.00	
40378 - R	1/17/23	Yes	A1528-00000376	4/19/23	Retainage release	\$ 881.94	\$ 881.94	\$ 0.00	
<b>Subtotal Colorado Flatwork, Inc.</b>						<b>\$ 296,133.35</b>	<b>\$ 296,133.35</b>	<b>\$ 0.00</b>	
<b>Colorado Springs Utilities</b>									
3836530-01	1/26/22	Yes	A1528-00000118	8/15/22	Dry Utilities	\$ 34,189.39	\$ 0.00	\$ 34,189.39	Dry Utilities not eligible
<b>Subtotal Colorado Springs Utilities</b>						<b>\$ 34,189.39</b>	<b>\$ 0.00</b>	<b>\$ 34,189.39</b>	
<b>Consolidated Divisions, Inc.</b>									
2007239	12/31/22	Yes	A1528-00000237	1/11/23	Earthwork	\$ 5,975.00	\$ 2,825.00	\$ 3,150.00	Lot Grading not eligible
2007847	12/31/22	Yes	A1528-00000302	2/21/23	Earthwork	\$ 3,000.00	\$ 1,931.59	\$ 1,068.41	Eligible at Site %
2008101	1/31/23	Yes	A1528-00000330	3/17/23	Earthwork	\$ 2,400.00	\$ 1,545.27	\$ 854.73	Eligible at Site %
2008121	2/28/23	Yes	A1528-00000330	3/17/23	Earthwork	\$ 9,125.00	\$ 9,125.00	\$ 0.00	
<b>Subtotal Consolidated Divisions, Inc.</b>						<b>\$ 20,500.00</b>	<b>\$ 15,426.86</b>	<b>\$ 5,073.14</b>	
<b>CTL Thompson, Inc</b>									
634424	7/31/22	Yes	A1528-00000141	9/21/22	Compaction Testing	\$ 2,282.00	\$ 2,282.00	\$ 0.00	
638148	8/31/22	Yes	A1528-00000141	9/21/22	Compaction Testing	\$ 534.00	\$ 534.00	\$ 0.00	
642280	9/30/22	Yes	A1528-00000171	10/27/22	Compaction Testing	\$ 801.00	\$ 801.00	\$ 0.00	
645710	10/31/22	Yes	A1528-00000191	11/21/22	Compaction Testing	\$ 496.00	\$ 496.00	\$ 0.00	
653393	1/31/23	Yes	A1528-00000301	2/21/23	Compaction and Concrete Testing	\$ 1,838.00	\$ 1,838.00	\$ 0.00	
655672	2/28/23	Yes	A1528-00000333	3/17/23	Concrete Testing	\$ 431.50	\$ 431.50	\$ 0.00	
<b>Subtotal CTL Thompson, Inc</b>						<b>\$ 6,382.50</b>	<b>\$ 6,382.50</b>	<b>\$ 0.00</b>	
<b>Down to Earth Compliance, LLC</b>									
55393	8/10/22	Yes	None Provided	N/A	Erosion Control	\$ 1,874.25	\$ 0.00	\$ 1,874.25	No Proof of Payment was provided
<b>Subtotal Down to Earth Compliance, LLC</b>						<b>\$ 1,874.25</b>	<b>\$ 0.00</b>	<b>\$ 1,874.25</b>	
<b>Franceschelli Excavating, Inc</b>									
122640	8/24/22	Yes	A1528-00000143	9/21/22	Earthwork	\$ 26,724.50	\$ 26,079.00	\$ 645.50	Dirt Export eligible at Site %
122641	9/22/22	Yes	A1528-00000172	10/27/22	Earthwork and Wet Utility Services	\$ 28,171.00	\$ 28,171.00	\$ 0.00	
122644	11/23/22	Yes	A1528-00000229	12/19/22		\$ 30,956.75	\$ 13,144.46	\$ 17,812.29	Sales Event Costs not eligible, Dirt Export eligible at Site %
122652	2/21/23	Yes	A1528-00000334	3/17/23	Asphalt Demo	\$ 1,775.00	\$ 1,775.00	\$ 0.00	
<b>Subtotal Franceschelli Excavating, Inc</b>						<b>\$ 87,627.25</b>	<b>\$ 69,169.47</b>	<b>\$ 18,457.78</b>	

Attachment C

Vistas at West Mesa Metropolitan District

Engineer's Summary for Cost Certification 3

Invoice #	Invoice Date	Invoice Provided	Check #	Check Date	Description	Invoiced Amount	District Eligible Costs	Non-Eligible Costs	Notes
<b>National Engineering Services (N.E.S.), Inc.</b>									
14368	6/30/22	Yes	A1528-00000144	9/21/22	Engineering Consultant	\$ 1,005.00	\$ 944.46	\$ 60.54	Eligible at Site %
14503	8/30/22	Yes	A1528-00000169	10/27/22	Engineering Consultant	\$ 251.27	\$ 197.40	\$ 53.87	Eligible at Site %
14923	11/29/22	Yes	A1528-00000236	1/11/23	Engineering Consultant	\$ 2,000.00	\$ 1,451.91	\$ 548.09	Eligible at Site %
15402	3/23/23	Yes	A1528-00000375	4/19/23	Engineering Consultant	\$ 793.75	\$ 511.07	\$ 282.68	Eligible at Site %
15401	3/28/23	Yes	A1528-00000375	4/19/23	Engineering Consultant	\$ 362.50	\$ 233.40	\$ 129.10	Eligible at Site %
<b>Subtotal National Engineering Services (N.E.S.), Inc.</b>						<b>\$ 4,412.52</b>	<b>\$ 3,338.23</b>	<b>\$ 1,074.29</b>	
<b>Pinnacle Structures, Inc.</b>									
992	7/27/22	Yes	A1528-00000139	9/21/22	Retaining Wall Plans	\$ 1,850.00	\$ 1,850.00	\$ 0.00	
994	8/29/22	Yes	A1528-00000173	10/27/22	Retaining Wall Installation	\$ 30,000.00	\$ 24,652.02	\$ 5,347.98	Tract A Retaining Walls not in satisfactory condition. May be reviewed in future report.
1003	9/25/22	Yes	A1528-00000173	10/27/22	Retaining Wall Installation	\$ 104,880.00	\$ 86,183.45	\$ 18,696.55	Tract A Retaining Walls not in satisfactory condition. May be reviewed in future report.
1015	12/1/22	Yes	A1528-00000238	1/11/23	Earthwork	\$ 14,030.00	\$ 11,528.93	\$ 2,501.07	Tract A Retaining Walls not in satisfactory condition. May be reviewed in future report.
<b>Subtotal Pinnacle Structures, Inc.</b>						<b>\$ 150,760.00</b>	<b>\$ 124,214.39</b>	<b>\$ 26,545.61</b>	
<b>S &amp; S Striping and Signage</b>									
4368	1/31/23	Yes	A1528-00000331	3/17/23	Street Signage	\$ 9,295.00	\$ 9,295.00	\$ 0.00	
4417	3/22/23	Yes	A1528-00000374	4/19/23	Street Signage	\$ 850.00	\$ 850.00	\$ 0.00	
<b>Subtotal S &amp; S Striping and Signage</b>						<b>\$ 10,145.00</b>	<b>\$ 10,145.00</b>	<b>\$ 0.00</b>	
<b>Schmidt Construction Company</b>									
155079	11/21/22	Yes	A1528-00000226	12/19/22	Paving	\$ 101,786.80	\$ 101,786.80	\$ 0.00	
155287	12/12/22	Yes	A1528-00000234	1/11/23	Paving	\$ 47,880.00	\$ 47,880.00	\$ 0.00	
<b>Subtotal Schmidt Construction Company</b>						<b>\$ 149,666.80</b>	<b>\$ 149,666.80</b>	<b>\$ 0.00</b>	
<b>Standard Fence Company</b>									
93967	11/15/22	Yes	A1528-00000228	12/19/22	Fence Install	\$ 35,878.50	\$ 29,482.58	\$ 6,395.92	Tract A Fencing not in satisfactory condition. May be reviewed in future report.
93970	11/15/22	Yes	A1528-00000228	12/19/22	Fence Install	\$ 2,538.00	\$ 2,538.00	\$ 0.00	
<b>Subtotal Standard Fence Company</b>						<b>\$ 38,416.50</b>	<b>\$ 32,020.58</b>	<b>\$ 6,395.92</b>	
<b>Total</b>						<b>\$ 845,312.61</b>	<b>\$ 733,813.56</b>	<b>\$ 111,499.04</b>	

"District Eligible Expenses" is the amount being recommended for reimbursement from the District

"Non Eligible Expenses" is the difference between the Invoiced Amount and the District Portion

These amounts do not include interest

Work that is both District and Non Eligible in nature was prorated at the Site % of 64% District eligible based on area percentage.

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# Attachment D

## Project Photos

# Vistas at West Mesa Metropolitan District Site Photos



Beckton Heights – Facing West



Beckton Heights – Facing East



Tract G



Tract I



Tract L - North Retaining Wall



Tract L - North Retaining Wall, East End



Tract L - North Retaining Wall



Tract L - North Retaining Wall



Tract L - North Retaining Wall, West End



Tract L – Southeast Retaining Wall



Tract L – Southeast Retaining Wall



Tract L – Southeast Retaining Wall, South End



Tract A – Retaining Wall, North End



Tract A – Retaining Walls



Tract A – Retaining Wall



Tract A – Retaining Wall



**WALKER SCHOOLER**  
**DISTRICT MANAGERS**

**ACCOUNTANT'S CERTIFICATE**

June 23, 2023

Board of Directors  
Vistas at West Mesa Metropolitan District  
614 N. Tejon St.  
Colorado Springs, CO 80903

Re: District Eligible Improvements Cost Certification

This report summarizes the results of the procedures we have performed related to substantiation of the costs of District Eligible Improvements (defined below) to be reimbursed or paid as an acquisition price by Vistas at West Mesa Metropolitan District (the "District") pursuant to the Infrastructure Acquisition and Reimbursement Agreement dated March 11, 2022 (the "Reimbursement Agreement") adopted by the District.

For purposes of this report, the term "District Eligible Improvements" are those improvements described in the **Engineer's Certification**, attached hereto, and incorporated herein by this reference.

Independent District Engineering Services, Inc, the engineer engaged to certify the eligible costs, has reviewed certain underlying documentation supporting the costs and has submitted an engineering certification certifying that, to the best of their knowledge and belief, the costs of Public Improvements as shown in their report to be reasonable and consistent with the costs of similar Public Infrastructure constructed for similar purposes. (the "Engineer's Certification").

We have reviewed the Engineer's Certification regarding the costs associated with the Public Improvements. We have also reviewed certain underlying documentation supporting their certification as necessary and appropriate in accordance with accounting principles generally accepted in the United States of America to verify the material accuracy of the cost summary and the related conclusions in the Engineer's Certification. Based on the above-described procedures, we have determined and are of the opinion that the amount of \$733,813.56 certified by the Engineer is District eligible.

We did not conduct a full evaluation of the quantity and quality measurements with respect to materials and or contractor overhead rates used in the construction of the District Eligible Improvements and are reliant on the opinion of the Engineer to determine that the costs are reasonable and consistent with costs of similar Public Infrastructure constructed for similar purposes.

Based on our review, the District Eligible Improvements were constructed for one or more of the following authorized purposes:

- Water Improvements
- Sanitary Sewer Improvements
- Storm Sewer Improvements
- Street Improvements
- Parks and Recreation Facilities

We were not engaged to, and did not conduct, an examination in accordance with generally accepted auditing standards in the United States of America, the objective of which would be the expression of an opinion on the financial statements of the District. Accordingly, we do not express such an opinion. We performed our engagement as a consulting service under the American Institute of Certified Public Accountants' Statement of Standards for Consulting Services, and in that regard employed accounting standards and procedures that were professionally adequate to draw the opinions expressed herein. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you, but nonetheless the scope of our services and procedures were again sufficient to support the foregoing determinations under accounting principles generally accepted in the United States of America.

We are not independent with respect to the District, but that lack of independence does not impair our professional capacity to properly reach the determinations expressed herein.

We also covenant that we will employ and adhere to the same professional accounting methods and evaluative standards used to render the opinions and determinations set forth herein for purposes of evaluating and giving corresponding opinions and determinations for any remaining incomplete District Eligible Improvements when the same have been completed.

Respectfully submitted,



Sue Gonzales, CPA  
WSDM, LLC

# Resolution Regarding Acceptance of District Eligible Costs and Acquisition of Public Improvements, 2023-06-23 - sent

Final Audit Report

2023-06-23

Created:	2023-06-23
By:	Heather Smith (heather.s@wsdistricts.co)
Status:	Signed
Transaction ID:	CBJCHBCAABAAjGf8iuVNkCP2aYnTamBC4Lg-h5t2AhIC

## "Resolution Regarding Acceptance of District Eligible Costs and Acquisition of Public Improvements, 2023-06-23 - sent" History

-  Document created by Heather Smith (heather.s@wsdistricts.co)  
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2023-06-23 - 5:49:49 PM GMT
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 Document e-signed by Thomas Pucciano (tpucciano@lokalhomes.com)

Signature Date: 2023-06-23 - 6:00:25 PM GMT - Time Source: server

 Agreement completed.

2023-06-23 - 6:00:25 PM GMT