



## King County

Department of Natural Resources and Parks  
**Wastewater Treatment Division**

King Street Center, KSC-NR-0500  
201 South Jackson Street  
Seattle, WA 98104-3855

July 24, 2019

John C. (Jay) Krauss, General Manager  
Sammamish Plateau Water and Sewer District  
1510 228<sup>th</sup> Ave SE  
Sammamish, WA 98075

RE: Letter Agreement for Sammamish Plateau Water North Diversion Interim  
Improvements Study

Dear Mr. Krauss:

I am writing as a follow-up to our discussions regarding the launch of a Sammamish Plateau Water and Sewer District (District) consultant/staff effort to identify necessary improvements in the local sewer system related to the deferral of the King County Wastewater Treatment Division's (WTD) Sammamish Plateau Diversion regional conveyance system improvement project (Diversion project). Per our discussions and your letter of August 8, 2018, the District would have staff capacity beginning in early 2019 to manage consultant work on identifying interim improvements.

In 2017, WTD completed an update of the identification of the conveyance system improvement projects needed through 2060 in the separated portion of the County's regional wastewater service area. At the same time, WTD also implemented a portfolio management process as a tool for better prioritizing WTD's various capital needs including capacity improvements, asset management, and regulatory requirements among others. Based on the regional conveyance system needs assessment and all available information, WTD determined to defer the Diversion project and, therefore, it is not included in WTD's current six-year capital improvement plan. We remain committed though to working with the District in exploring options for near-term improvements in the local sewer system.

In September 2016, the District provided WTD a copy of the Sammamish Plateau Water North Diversion Interim Improvement Evaluation report (Evaluation) prepared by Gray & Osborne, Inc., ("G&O") a District consulting engineer that identified interim projects required for the District to maintain capacity during any deferral of the Diversion project. An updated Evaluation report (Updated Evaluation) will inform further discussions between WTD and the District on identifying which improvements to the District's local system benefit the local and regional sewer systems and the potential for cost-sharing on those improvements. WTD is very much

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interested in developing an agreement around cost-share funding of those improvements based on the deferral of the Diversion project.

Due to the County's reprogramming and removing the funding and construction of the Diversion project from the current WTD conveyance system improvement plan, WTD proposed to have G&O conduct the Updated Evaluation. Pursuant to this letter agreement, WTD agrees to pay for G&O's costs to prepare, and District staff time to support and manage, the Updated Evaluation up to a maximum total of \$100,000 on a cost reimbursement basis. I understand that District and WTD staff have developed a draft scope of work to be performed by G&O.

Please track time spent by the District staff on supporting the Updated Evaluation to calculate a monthly total cost for purposes of invoicing. Invoices should include 1) a copy of the consultant invoice, and 2) information on District costs including staff members, fully burdened rates, hours spent and a description of the work completed during the reporting period. Invoices should be sent on a monthly basis to Nicole Smith, Water Quality Planner/Manager III, at WTD. Payment shall be made to the District within 30 days of receiving a complete invoice; invoices not paid within 30 days of receipt by King County shall incur interest at the rate of 10% per annum until fully paid.

Either WTD or the District may terminate this letter agreement with no less than 30 days written notice. Upon such notice, WTD shall reimburse the District for any costs incurred under this letter agreement through the date of termination. This letter only deals with cost reimbursement related to consultant and District staff costs for the Updated Evaluation and is not intended to alter the terms of any other agreement(s) between the District and WTD.

Further, King County recognizes that the District's participation in the Updated Evaluation study shall not operate as a waiver with respect to the District's position under the Agreement for Sewage Disposal dated August 16, 1973, as amended (Agreement), with King County, as successor to the Municipality of Metropolitan Seattle (1) that the Diversion project should be constructed now to provide sufficient permanent capacity for the District's immediate and long-term wastewater disposal capacity needs and local resiliency, (2) that the District makes no commitment to participate in the cost of any interim projects identified in the Updated Evaluation, and (3) that if King County determines to proceed with the construction of any interim facilities identified in the Updated Evaluation, any such facilities should not become permanent in lieu of constructing the Diversion Project.

The Parties agree that they will, in good faith, consider the Updated Evaluation; however, nothing in this letter agreement, or in the Updated Evaluation, shall be deemed to obligate the District or the County to fund, design or construct any facilities or upgrades to facilities that may be recommended by the Updated Evaluation. Further, by entering into this letter agreement, neither the District nor the County waive or relinquish any rights they may have under the Agreement.

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If you find the cost-share proposal on the consultant work acceptable, your signature below will serve as the District's concurrence. Please send an original signed copy to Nicole Smith for our records. Thank you again for the District's willingness to work with WTD on this matter.


If you have any questions, please feel free to contact me at (206) 477-4601.

Sincerely,



Mark Isaacson  
Division Director

Countersigned:

  
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John C. (Jay) Krauss, General Manager  
Sammamish Plateau Water  
\_\_\_\_\_  
Date

cc: Sharman Herrin, Government Relations Administrator, Wastewater Treatment Division  
(WTD), Department of Natural Resources and Parks (DNRP)  
Steve Tolzman, Conveyance System Improvement Program Manager, WTD, DNRP  
Nicole Smith, Water Quality Planner/Project Manager III, WTD, DNRP