

LAKE LENAPE DAM RENOVATION

October 8, 2013

The lake is lowering. Due to the damage created by the previous contractor, a mattress was used (at the recommendation of an engineer) to hold back the water in the lake for the 2013 season. The mattress has degraded and the lake is lowering. We have a permit to lower the lake as well. Members of the board and association worked together to remove what was left of the mattress to aid in draining the lake to the level of the temporary inlet.

We put out for bids to 5 contactors to finish the job that was left by Adamsville Construction. Next Friday we should have them back. The goal is to finish the work this winter while the lake is lowered. The access agreement was made with the appropriate parties. We know the work needed to be completed; we need someone who can actually complete the work. We are trying to get our valve returned, it is currently in the hands of Adamsville, and we have not heard from them. Our new attorney seems to be representing us in a much better and more aggressive fashion and is willing to fight for our lake. There will be deadlines placed in future contracts to pressure future contractors to get the jobs done on time. When we receive bids from the contractors we should be able to inform the membership about what will be done this winter season.

September 10, 2013

The Board of Trustees is pleased and proud to have been able to provide the membership with all the recreational opportunities that our Lake has to offer during the summers of 2012 & 2013 while construction of our dam has been in progress. The Lake Lenape Dam project began as a mandate from the DEP division of dam safety. It is a project that has spanned many years, at least two engineering firms, several Lake Boards of Trustees, and has tested the patience of the membership. There is little doubt that everyone associated with this project wishes for its completion. However, for a number of reasons, many beyond the control of the board, the project is currently stalled. From the perspective of the trustees, the failure to have the project completed falls squarely on the contractor, Adamsville Construction (AMI). For that reason, the Board is currently negotiating through counsel to resolve several contractual issues which we hope to have resolved soon. In the meantime, to address some misinformation that has been circulated recently please review the following history.

Chronology of Lake Lenape Dam Project

Information provided by

Civil Dynamics PE (project manager)

August 2007... the cost was estimated at \$2.3 million. The Lake Board (LLA) then sought additional professional engineering recommendations.

August 2008... LLA contracted the engineering firm of Civil Dynamics (CD). In February 2011, CD submitted a design at an estimated cost of \$1.2 million. This design called for a complete lowering of the lake requiring removal of all fish (fish salvaging).

June 2011... (4) Bids were received. Low bid awarded at \$902,000. At that time LLA made the decision to include the installation of a new low level outlet valve to the project. This decision was based on the age of the existing valve and available funding through the state loan program.

August 2011... low bidder submitted a quote of \$98,000 for the valve and other changes. A contract was awarded to AMI

September 2011... LLA raises objections to the fish salvage and requests options. AMI is given notice to proceed. Contract duration is 180 days with end date of March 21, 2012

November 2011...AMI directed to order the low level outlet valve. LLA moves forward with CD recommendation of a cofferdam construction to avoid fish salvage. AMI submits estimate for coffer dam of \$85,000.

December 2011... AMI indicates valve shop drawings have been sent to CD for review. Issues potentially impacting completion schedule include DEP approval of cofferdam plan and delivery of valve.

January 2012... LLA Leadership change as result of trustee elections in December. CD approved shop drawings for the valve (anticipated delivery 10 – 12 wks. making delivery @ April / May). Due to late anticipated delivery of the valve discussions conducted regarding a two phase project (spring / fall). AMI to estimate added costs for re-mobilization.

February 2012...CD reports that final approval of cofferdam has not been issued by DEP. Subgrade conditions in the concrete training wall discovered requiring revised design and DEP approvals. CD challenges AMI lack of progress and notes that there has been no winter shutdown required due to weather.

March 2012...cofferdam design is reduced in scope...AMI submits revised cost for cofferdam as designed by CD. DEP issues approval for cofferdam authorizing AMI to proceed. AMI requests 14 day extension to substantial completion date to May 5, 2012. Based on anticipated late delivery of valve and lack of substantial progress during a winter favorable to construction, LLA informs CD of its decision to impose the Phase 2 plan as discussed with all parties. Based on best case scenario, to attempt completion of project in one phase would have severely impacted the lake summer season. AMI was authorized to construct the cofferdam to specification as the lake filled to expedite work scheduled for the fall. Since Phase 2 work would not impact dam crest, AMI was directed to complete all surface work as the lake level rose leaving only low level outlet work for phase 2.

April – June 2012....lack of substantial progress and poor workmanship in finish work by AMI prompted several conferences and was a contributing factor to the difficulty LLA experienced in securing an access agreement with property owners for phase 2.

September 2012....LLA attempts to open the valve with no success. It appears to be damaged. AMI is unresponsive. Access agreement negotiations continue between LLA and property owner. LLA completed AMI's request for retainage reduction from 5% to 2%. Access agreement reached on September 24.

October 2012....AMI unresponsive to reports of inoperable valve and inability to lower the lake. AMI proposes a change order to install siphon at additional cost to LLA stating scope of work includes use of LLO to lower the lake. Proposal rejected by LLA.

November 2012...AMI unresponsive to investigating valve condition. LLA contracts dive crew to investigate underwater conditions. Diver reports shaft pin broken and shaft buried in debris. Shaft pin is repaired making shaft operable, however DEP imposed deadline for lowering has expired.

January 2013....CD recommends payment application No. 9 - \$40,857

March 2013...CD recommends acceptance of change order for LLO slip lining \$17,950. Accepted by LLA. March 15 valve is opened. March 18 CD and AMI are notified that LLO is not flowing. March 26 AMI verifies that LLO is not flowing but is unresponsive to cause.

April 2013...April 5 LLA contracts ATLANTIC ENGINEERING to conduct underwater investigation. Cause is found to be valve buried by cofferdam as documented in video and PE written report. April 9 AMI on-site installing siphons and working from top of dam without prior approval. April 10 – 25 AMI continues attempts to uncover LLO and dewater the work area. CD, AMI, LLA agree to stop work if dewatering is not accomplished by April 27. AMI states they do not have an alternate plan and cannot estimate date of completion. Additionally, significant damage to previously completed work now exists, extending scope of work. April 29 EMERGENCY WORK MEETING conducted to discuss current conditions and remobilization to fall 2013. AMI installs temporary riser and cap to LLO allowing lake to fill for summer.

May 2013...AMI notified of their obligation to secure LLO and complete site clean-up. May 17 AMI submits letter to LLA "INTENT TO TERMINATE CONTRACT". May 26 AMI is notified that LLO blocking has failed and lake level is falling at an uncontrolled rate of flow. AMI is unresponsive. LLA membership secures LLO with weighted foam mattress. This emergency action is successful in stopping the uncontrolled flow and remains the only way of controlling LLO flow at the time of this report.

Summer 2013...In concert with existing counsel, LLA seeks legal counsel specific to construction law. LLA initiates negotiations with AMI in an attempt to resolve issues and movement toward the completion of the project.

September 2013...AMI unyielding in their demands and unreasonable in their expectations. On advice of counsel and in concert with our project manager (CD), LLA taking all necessary steps to secure the completion of the project in a timely manner without absolving AMI of their contractual obligations.

Members of the board have been challenged to explain their inability to effectively pressure AMI to complete what should be a relatively simple project. That is certainly a fair question. The answer, however, has more to do with the initial planning / contract awarding decisions in 2011 than with current conditions. In an effort to save money, the lake leadership was conservative in their approach to design as well as in contract development. Although their motive is understandable, the result has been an unbalanced playing field where the interests of the Association are not as well protected as are the interests of the contractor and project manager. The Board has learned valuable lessons from this experience

APRIL 29, 2013

This update summarizes the difficulties we have been experiencing in our efforts to complete the dam renovation project. The major portion of the dam renovation had been completed by last spring, with the exception of the installation of our new low level outlet valve. In April, 2012, the board directed the contractors to move that phase of the work to the fall in order to insure that we would have our Lake for the summer. In October, it became clear that there was a problem in the operation of the valve, to the extent that we were unable to lower the lake within DEP guidelines. PHASE 2 of the project was then scheduled for this spring.

On March 7, 2013 a construction meeting was held with our engineer and contractor to set timelines for the valve installation and final finish work. Our valve was opened on March 15, in keeping with our lowering permit. However, it was evident that there was still a problem. The board contracted with an independent firm, Atlantic Engineering, to conduct an underwater inspection of the conditions surrounding our valve. Their report verified that our valve was being obstructed by material improperly placed by our contractor during the construction of a temporary coffer dam.

Since early April, all work has focused on clearing materials from the valve and establishing a dry, safe work area required to complete the project. Our engineer and contractor have been in constant contact with each other and have kept the board fully informed of any developments. Sadly, it has become obvious that progress has been minimal.

On Monday, April 29, a decision was made to; once again, delay the installation of the valve and all other required work to the fall. The outlet pipe will now be capped and the lake will be brought up to normal depth for the summer. In September, we will lower the lake, complete the project and make all efforts to return to normal depth for the winter.

PROGRESS UPDATE

4/15/2012

Concrete armoring on the left side, downstream slope has been completed. It is anticipated that work will be completed on the left side over the next two to three weeks. This will include construction of the parapet wall and concrete armoring on the dam crest. This will conclude Phase 1 of the project. Phase 2, which will include all of the low level outlet work, will resume in the Fall. At this time the low level outlet valve is open slightly to provide flow in the stream. If anyone has any questions please feel free to call Dam Committee

Chair Ray Wexler at 973-219-4274.

PROGRESS UPDATE

3/26/2012

Dear Fellow Lake Lenape Association Member,

This letter is to inform our current and anticipated members about the progress of the dam rehabilitation project that began in September of 2011. Although we had initially hoped to complete the entire dam rehabilitation project by early May, the recent pattern of warm and dry weather, as well as, unforeseen delays, have prompted us to postpone phase 2 of the project until the fall. This decision was made to ensure that the lake is ready for our members to enjoy a full summer recreation season.

Phase 1 of the project is currently underway and will be completed in early May. Since the lake can be at nearly full capacity for the completion of this phase, the lake is currently in the process of being refilled. The purpose of this phase is to complete the state mandated armoring of the dam.

Phase 2 of the project will begin this Fall and be completed in time for winter skating and ice-fishing. Details of phase 2 include: replacing the low outlet valve with a sluice gate, relining of the low outlet pipe and completing masonry work on the head wall. This work needs to be done under dry conditions, therefore, last week a coffer dam was installed in the area surrounding the low outlet valve. This will allow for access to the low level outlet, but will leave enough water in the lake during phase 2 in order to support aquatic life.

In order to give our current and prospective members ample time to consider renewing their membership or joining for the first time, the Lake Lenape Board of Trustees has eliminated the late fees scheduled for the month of April. All membership applications received after April 30, 2012; however, are subject to the same late fees as described on the membership application. The next scheduled monthly board meeting is April 10, 2012 at 7pm at the clubhouse. As always, all members are invited and encouraged to attend the meeting to ask questions and/or to make suggestions.

For the convenience of our membership, we have been including more information on the Lake Lenape website. Please visit www.lakelenapenj.com to view meeting minutes, 2012 Lifeguard Applications, dam progress reports and the 2012 Calendar of Events. We look forward to seeing everyone at the Memorial

Day Picnic on Sunday, May 27, 2012 to kick-off our summer season.

Sincerely,

The Lake Lenape Association Board of Trustees

PROGRESS UPDATE

3/15/2012

Per information obtained today from Civil Dynamics and the Construction Superintendent, cofferdam construction will begin next week. The Construction Superintendent stated there will probably be some trucks on Monday (3/19/12), and that full scale transport of quarry process to the work site will probably begin on Tuesday (3/20/12). Depending on which quarry the trucks are coming from, their route to the work site will either be on Old Creamery Rd. to Lenape Ave, or Rt. 517 South to Lenape Ave. ("Trucks" meaning tandem axle dump trucks)

This information will be distributed to every residence on Lenape Ave. and on Old Creamery Road from Rt. 517 to the intersection of Lenape Ave.

PROGRESS UPDATE

3/13/2012

The Dam Committee is happy to report that work resumed on the left side training wall area on Friday, March 9th, and that we have received verbal approval from the DEP Division of Land Use Regulation to install a cofferdam constructed of quarry process (Q.P.), and to leave it in place. Several options to a Q.P. cofferdam were extensively discussed with Civil Dynamics (Sheet pile cofferdam, caisson box, Porta dam, valve chamber in the middle of the dam), all these options were discounted due to safety reasons and/or no guarantee of functioning properly. The Q.P. cofferdam will provide a safe work area for all necessary low level outlet work to be performed. This will include removal of a 90 degree bend in the outlet pipe, providing a straight pipe run from the sluice gate to the downstream outfall; lining the pipe with a cured in place liner (to maintain pipe capacity); construction of a new upstream headwall; installation of a 20" sluice gate and a new trash rack. All this work has to be performed in a dry environment; a diver cannot perform this scope of work. Working closely with Larry Kovar (our lake treatment and fishery expert) and the DEP Bureau of Freshwater Fisheries, Civil Dynamics has submitted a plan for a smaller cofferdam than the original design. Larry is confident that the lake can be lowered an additional 3 feet (from the current maintained level of elevation 610 feet to elevation of 607 feet).

This will result in an estimated reduction of 600 cubic yards of Q.P. and a construction cost reduction of \$20,000 dollars. (The original volume of the cofferdam was 1600 cubic yards of Q.P., it will now be 1,000

cubic yards) Larry will be monitoring the fishery during any period of this new lower level, and is confident there will be no harm to the fishery.

Once the cofferdam is constructed, all of the low level outlet work will be performed except the sluice gate and trash track. (Estimated time frame for all of this work is three weeks). The lake level will then be raised back up to elevation of 610 feet. It will be maintained at this elevation until probably a week or two prior to the sluice gate delivery, at which point the level will again be lowered to elevation of 607 feet. Adamsville Contracting has estimated one week for installation of the sluice gate/trash rack, immediately after which the lake will start refilling for good. Civil Dynamics has estimated a 17 day refill period (with no rain) to raise the level from elevation of 610 feet to elevation of 617.5 feet (the spillway crest). Add an estimated 7-9 days for the additional 3 feet.

Note: During and after the cofferdam construction, the lake level will be maintained using siphons. During the construction period, turbidity barriers will be in place.

PROGRESS UPDATE

3/1/2012

Shortly after the last update, work on the left side training wall extension had to be halted due to an unforeseen lack of sufficient bedrock for proper footing of the training wall in a portion of that work area. This necessitated the drawing of plans for a new concrete footing to take the place of the bedrock.

Work on this part of the project is expected to resume early next week.

PROGRESS UPDATE

2/14/12

Civil Dynamics (engineering & project manager), and Adamsville Construction (contractor) continue to work together with the LLA on our Dam Renovation. Most of the work on the right side has been completed. Currently, the downstream outflow pipe is being extended, the spillway trailing walls are being renovated, and work is continuing on the left side of the dam. Delivery of the LOW LEVEL SLUICE GATE is anticipated to be May 1, and we are currently awaiting a State permit for construction of the EARTHEN COFFERDAM.

Our Lake Board is committed to having the water at SPILLWAY LEVEL (water running over the dam spillway) by MEMORIAL DAY.

PROGRESS UPDATE

2/6/2012

The work on our Dam Renovation is currently on-schedule with the most recent revised project schedule. The majority of activity has been completed on the right side of the dam and a new concrete cap has been poured. Work will soon begin on the COFFERDAM in preparation for the installation of our new LOW LEVEL SLUICE GATE. Delivery of our new gate is expected in mid-April. Our engineers and construction supervisor are confident that Lake Lenape will be at full level by Memorial Day.

PROGRESS UPDATE

As members of the Lake Lenape Association, we all are committed to preserving the quality of life we have all come to enjoy in this beautiful community. The renovation of the dam will insure that we, and future generations, will continue to build a lifetime of memories of days on and around the lake.

In order to keep the membership updated on the progress of this very important project, we will post reports, approximately the 1st and 15th of the month. As updates are posted, you will see changes in anticipated dates. That is the nature of construction projects and the very reason this posting is being provided to you. If a member has a specific question or is in need of more detailed information, please forward your question to Ray Wexler, dam committee chair, or ask any of the board members to forward your question to Ray on your behalf.