

NATIONAL FLOOD INSURANCE PROGRAM

FLOODPROOFING CERTIFICATE

FOR NON-RESIDENTIAL STRUCTURES

City Arug
Pre-Construction

The floodproofing of non-residential buildings may be permitted as an alternative to elevating to or above the Base Flood Elevation; however, a floodproofing design certification is required. This form is to be used for that certification. Floodproofing of a residential building does not alter a community's floodplain management elevation requirements or effect the insurance rating unless the community has been issued an exception by FEMA to allow floodproofed residential basements. The permitting of a floodproofed residential basement requires a separate certification specifying that the design complies with the local floodplain management ordinance.

	FOR INSURANCE COMPANY USE	
BUILDING OWNER'S NAME <u>The Kaplan Company, LES KAPLAN</u>	POLICY NUMBER	
STREET ADDRESS (Including Apt. Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER <u>103 W. Mountain Ave - PLYMOUTH</u>	COMPANY NAIC NUMBER	
OTHER DESCRIPTION (Lot and Block Numbers, etc.) <u>OLD POUDBRE VALLEY BANK BUILDING</u>		
CITY <u>FORT COLLINS</u>	STATE <u>CO</u>	ZIP CODE <u>80521</u>

SECTION I FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Provide the following from the proper FIRM:

COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM INDEX	FIRM ZONE	BASE FLOOD ELEVATION (in AO Zones, use depth)
<u>0B0102</u>	<u>0004</u>	<u>C</u>	<u>3-18-96</u>	<u>X-outside 500</u>	<u>N/A</u>
<u>Old Town Master Plan</u>	<u>Fig. 5.7</u>	<u>N/A</u>	<u>1-7-93</u>	<u>100 yr.</u>	<u>4981.3</u>

SECTION II FLOODPROOFING INFORMATION (By a Registered Professional Engineer or Architect)

Floodproofing Design Elevation Information:

Building is floodproofed to an elevation of 4981.3 feet NGVD. (Elevation datum used must be the same as that on the FIRM.)

Height of floodproofing on the building above the lowest adjacent grade is 11.0 feet.

(NOTE: for insurance rating purposes, the building's floodproofed design elevation must be at least one foot above the Base Flood Elevation to receive rating credit. If the building is floodproofed only to the Base Flood Elevation, then the building's insurance rating will result in a higher premium.)

SECTION III CERTIFICATION (By a Registered Professional Engineer or Architect)

Non-Residential Floodproofed Construction Certification:

I certify that based upon development and/or review of structural design, specifications, and plans for construction that the design and methods of construction are in accordance with accepted standards of practice for meeting the following provisions:

The structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation indicated above, with walls that are substantially impermeable to the passage of water.

All structural components are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

I certify that the information on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME	LICENSE NUMBER (or Affix Seal)		
TITLE	COMPANY NAME		
ADDRESS	CITY	STATE	ZIP
SIGNATURE	DATE	PHONE	

Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

NATIONAL FLOOD INSURANCE PROGRAM
FLOODPROOFING CERTIFICATE
 FOR NON-RESIDENTIAL STRUCTURES

City of Fort Collins
 Post-Construction

The floodproofing of non-residential buildings may be permitted as an alternative to elevating to or above the Base Flood Elevation; however, a floodproofing design certification is required. This form is to be used for that certification. Floodproofing of a residential building does not alter a community's floodplain management elevation requirements or effect the insurance rating unless the community has been issued an exception by FEMA to allow floodproofed residential basements. The permitting of a floodproofed residential basement requires a separate certification specifying that the design complies with the local floodplain management ordinance.

BUILDING OWNER'S NAME <u>The Kaplan Company, LES KAPLAN</u>		FOR INSURANCE COMPANY USE	
STREET ADDRESS (Including Apt. Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER <u>103 W. Mountain Ave - RAYMOND</u>		POLICY NUMBER	
OTHER DESCRIPTION (Lot and Block Numbers, etc.) <u>OLD POUDBRE VALLEY BANK BUILDING</u>		COMPANY NAIC NUMBER	
CITY <u>FORT COLLINS</u>	STATE <u>CO</u>	ZIP CODE <u>80521</u>	

SECTION I FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

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<u>080102</u>	<u>0004</u>	<u>C</u>	<u>3-18-96</u>	<u>X-outside 500</u>	<u>N/A</u>
<u>Old Town Master Plan</u>	<u>Fig. 5.7</u>	<u>N/A</u>	<u>1-7-93</u>	<u>100 yri</u>	<u>4981.3</u>

SECTION II FLOODPROOFING INFORMATION (By a Registered Professional Engineer or Architect)

Floodproofing Design Elevation Information:

Building is floodproofed to an elevation of 4981.3 feet NGVD. (Elevation datum used must be the same as that on the FIRM.)

Height of floodproofing on the building above the lowest adjacent grade is 11.8 feet.

(NOTE: for insurance rating purposes, the building's floodproofed design elevation must be at least one foot above the Base Flood Elevation to receive rating credit. If the building is floodproofed only to the Base Flood Elevation, then the building's insurance rating will result in a higher premium.)

SECTION III CERTIFICATION (By a Registered Professional Engineer or Architect)

Non-Residential Floodproofed Construction Certification:

I certify that based upon development and/or review of structural design, specifications, and plans for construction that the design and methods of construction are in accordance with accepted standards of practice for meeting the following provisions:

The structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation indicated above, with walls that are substantially impermeable to the passage of water.

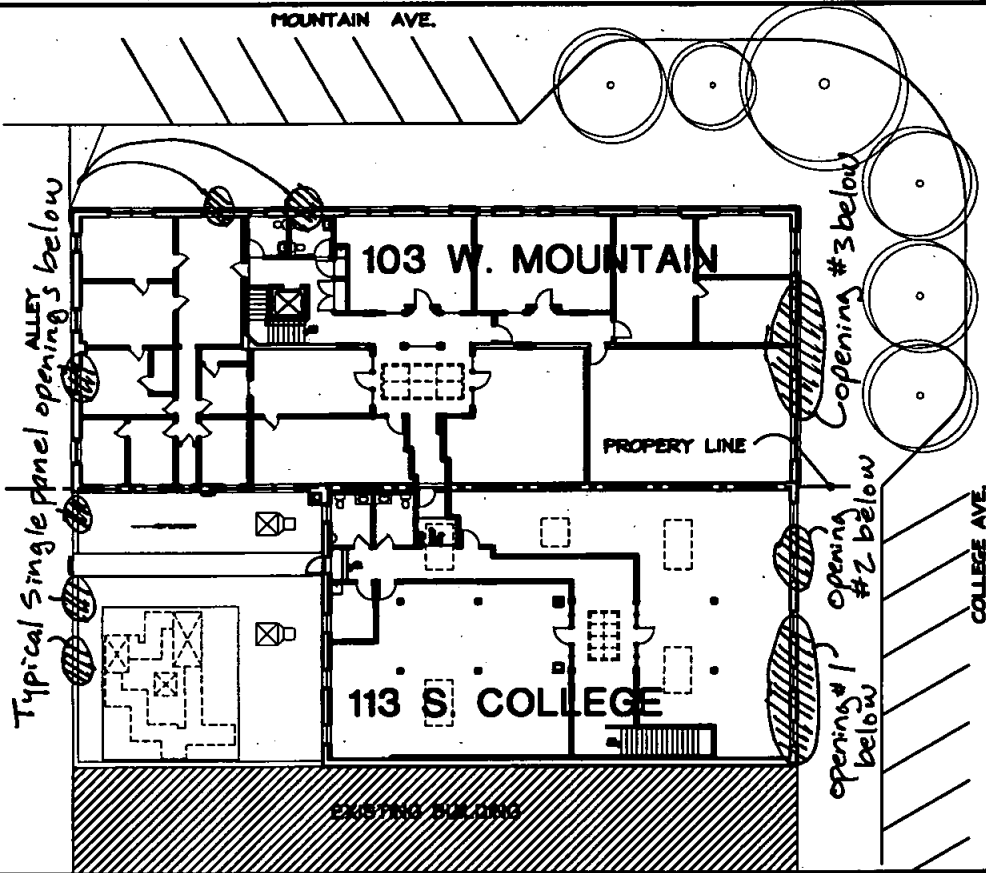
All structural components are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

I certify that the information on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME <u>SCOTT RUSSELL</u>	LICENSE NUMBER (or Aff. Seal) <u>2548-6780</u>
TITLE <u>VP</u>	COMPANY NAME <u>WATERWALL INC</u>
ADDRESS <u>42 MORNING DEW DR</u>	CITY <u>BRATFORD</u>
SIGNATURE <u>Scott Russell</u>	STATE <u>ON</u>
	ZIP <u>N3R 5P2</u>
	DATE <u>JAN 10/00</u>
	PHONE <u>519-751-3599</u>

Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

SITE PLAN / 2ND FLOOR KEY PLAN



SHEET INDEX

ARCHITECTURAL

AC	ARCHITECTURAL COVER SHEET
A1.0	DEMOLITION PLAN
A1.1	SECOND FLOOR PLAN, PARTIAL FIRST FLOOR PLANS & ENLARGED TOILET PLANS
A1.2	ROOF PLAN
A2.0	EXTERIOR ELEVATION 103 W. MTN. CANOPY DETAILS
A2.1	EXTERIOR ELEVATION 113 S. COLLEGE ENLARGED ENTRANCE KEY PLAN
A3.1	BUILDING SECTIONS
A4.1	REFLECTED CEILING PLANS
A5.1	113 S. COLLEGE BUILDING ENLARGED STORE FRONT PLANS
A6.1	113 S. COLLEGE BLDG. STOREFRONT WALLS SECTIONS AND DETAILS
A7.1	DOOR/WINDOW SCHEDULE/DETAILS
A8.1	INTERIOR ELEVATIONS
A9.1	ROOM FINISH SCHEDULE/DETAILS

STRUCTURAL

S-1	STRUCTURAL FRAMING PLANS & DETAILS
S-2	STRUCTURAL FRAMING PLANS & DETAILS

MECHANICAL

SEE ATTACHED SHEETS AND THE DESIGN/BUILD GENERAL NOTES ON SHEET A1.0

PLUMBING

SEE ATTACHED SHEETS AND THE DESIGN/BUILD GENERAL NOTES ON SHEET A1.0

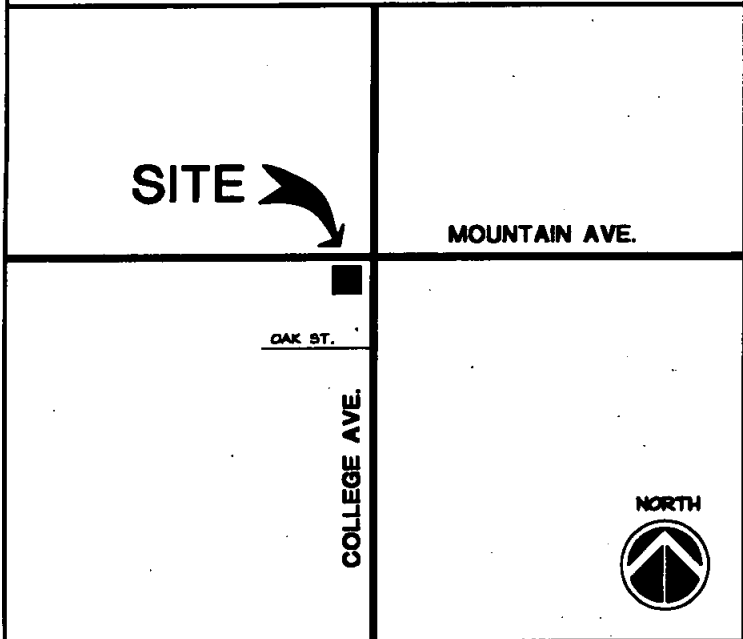
ELECTRICAL

SEE ATTACHED SHEETS AND THE DESIGN/BUILD GENERAL NOTES ON SHEET A1.0

FIRE PROTECTION

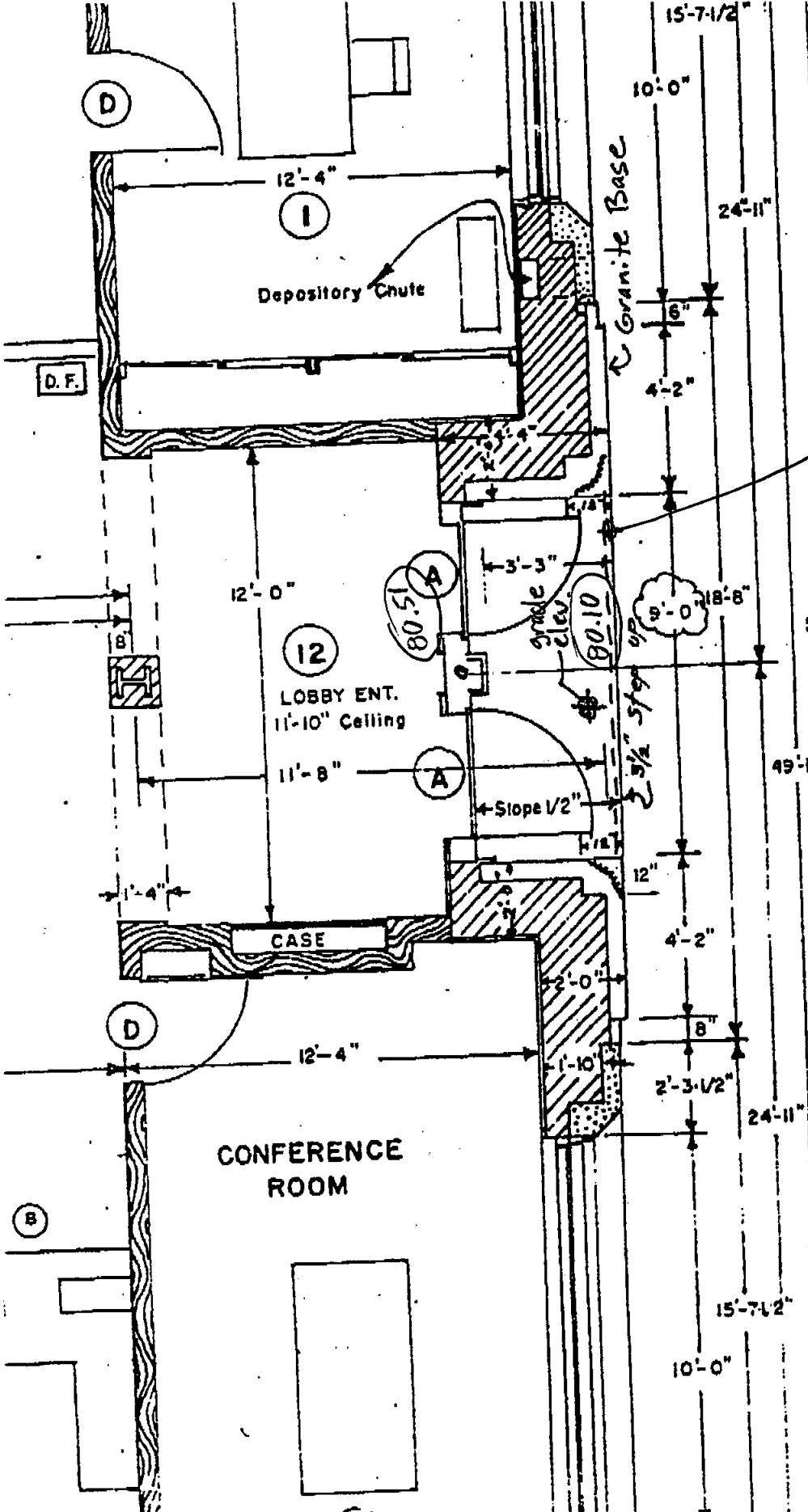
SEE ATTACHED SHEETS AND THE DESIGN/BUILD GENERAL NOTES ON SHEET A1.0

VICINITY MAP



CODE DATA

CODE	1997 UBC w/ FORT COLLINS AMENDMENTS
OCCUPANCY GROUP	B
CONSTRUCTION TYPE	VN
TOTAL AREA OF 103 W. MTN BUILDING (INCL. BASEMENT)	18466 sq/ft
TOTAL AREA REMODELED IN 103 W. MTN. (1ST & 2ND FLOORS)	4186 sq/ft
TOTAL AREA OF 103 W. MTN. BUILDING (2ND FLOOR)	6087 sq/ft
TOTAL AREA REMODELED IN 103 W. MTN. (2ND FLOOR)	4000 sq/ft
TOTAL AREA OF 113 S. COLLEGE BUILDING (INCL. BASEMENT)	16197 sq/ft
TOTAL AREA REMODELED IN 113 S. COLLEGE (1ST & 2ND FLOORS)	4078 sq/ft
TOTAL AREA OF 113 S. COLLEGE BUILDING (2ND FLOOR)	3982 sq/ft
TOTAL AREA REMODELED IN 113 S. COLLEGE (2ND FLOOR)	3982 sq/ft
THE RENOVATED AREAS OF THIS BUILDING WILL BE EQUIPPED WITH A COMPLETE FIRE SPRINKLER SYSTEM. THIS SYSTEM WILL MEET THE REQUIREMENTS OF NFPA 13 AND LOCAL FIRE AUTHORITY.	
A WET SPRINKLER SYSTEM WILL BE INSTALLED ON THE SECOND FLOOR AND A DRY SYSTEM IN ANY ENCLOSED COMBUSTIBLE ATTIC SPACE.	

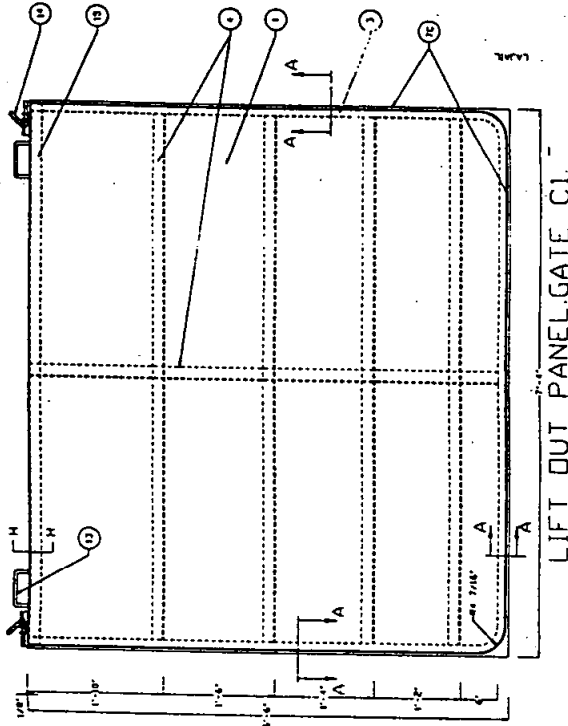


top of 81.8
flood proofing

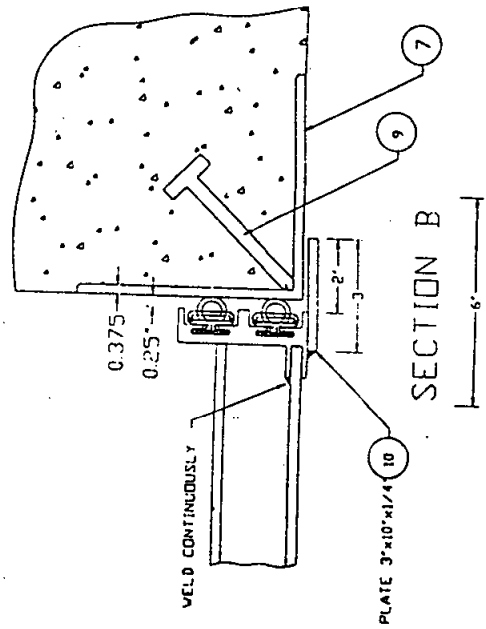
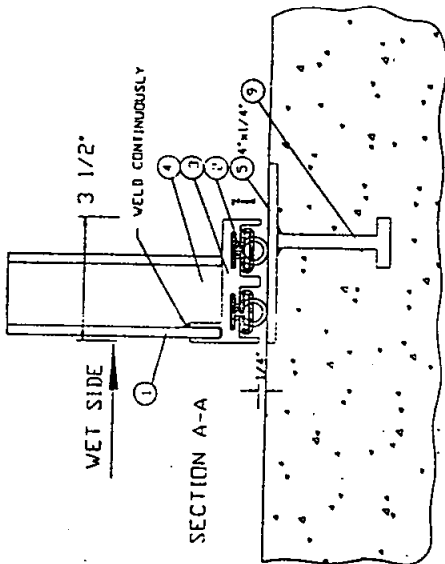
City Drug Building

opening # 3

103 W. Mountain

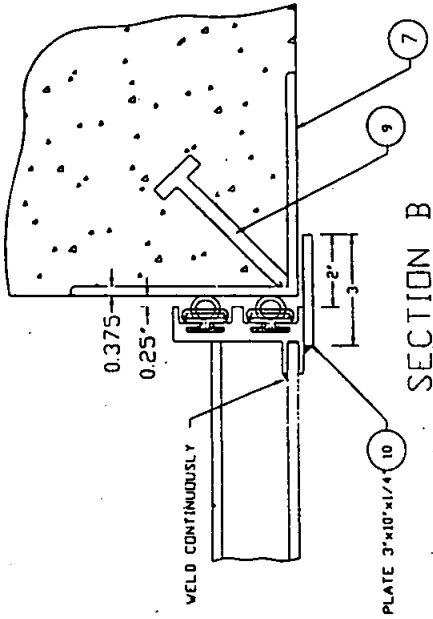


PLEASE NOTE
 ALL DRAWINGS AND ILLUSTRATIONS
 REFLECT ACTUAL GATE INSTALLATIONS
 GATE DETAILS AND DIMENSIONS ARE A
 REFLECTION OF ACTUAL FIELD
 CONDITIONS AND LIMITATIONS AT
 PARTICULAR INSTALLATIONS.
 AS SUCH THEY SHOULD BE VIEWED AS AN
 INDICATION OF FLEXIBILITY AND DESIGN
 RATHER THAN LIMITATIONS.

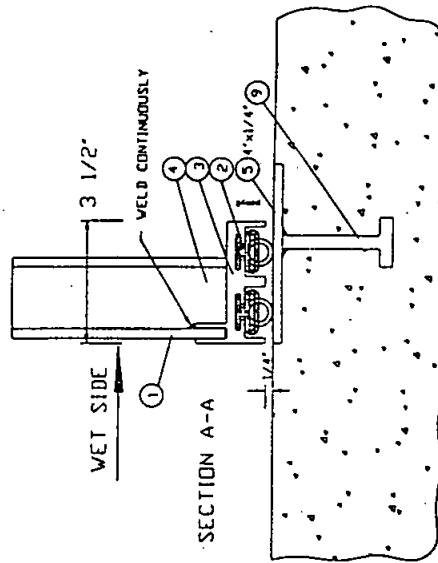


For Single gate applications

<p>PROPRIETARY. THIS DRAWING CONTAINS INFORMATION WHICH IS THE PROPERTY OF THERMACON ENVIRO SYSTEM. THIS PLAN IS SUBMITTED IN CONFIDENCE AND DOES NOT CONVEY A LICENSE OR AUTHORITY TO REPRODUCE OR TO MAKE OR HAVE MADE ANYTHING FOR OTHERS EXCEPT AS PROVIDED BY AGREEMENT WITH THERMACON ENVIRO SYSTEM.</p>	<p>PAGE 2</p>	<p>FLOOD/TITE PROTECTION AND CONTAINMENT SYSTEM</p>
	<p>REVISION 0 DATE 12/28/1998</p> <p>REVISION _____ DATE _____</p> <p>REVISION _____ DATE _____</p> <p>REVISION _____ DATE _____</p>	<p>THERMACON ENVIRO SYSTEM 1843 Marcus Ave Suite 107 Lido Success New York 11042 Tel (816) 328 6400 Fax (816) 323 7944</p>



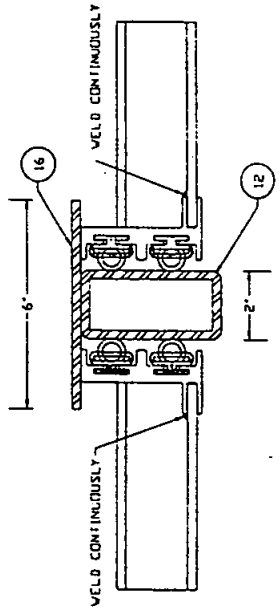
SECTION B



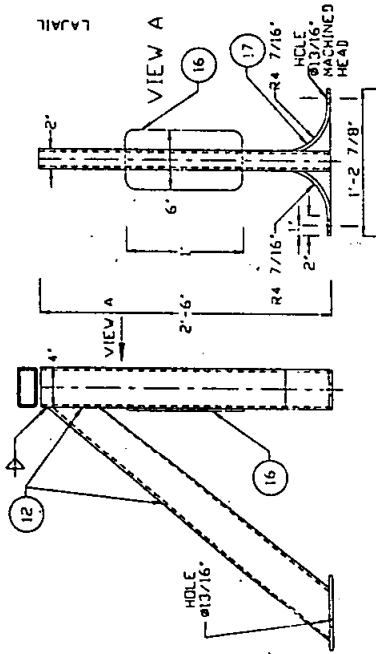
SECTION A-A

For Multiple Gate applications

<p>PROPRIETARY.</p> <p>THIS DRAWING CONTAINS INFORMATION WHICH IS THE PROPERTY OF THERMACON ENVIRO SYSTEMS. THIS PLAN IS SUBMITTED IN CONFIDENCE AND DOES NOT CONVEY A LICENSE TO REPRODUCE AND / OR PERMISSION TO MANUFACTURE FOR OTHERS EXCEPT AS PROVIDED BY AGREEMENT WITH THERMACON ENVIRO SYSTEMS.</p>		<p>THERMACON ENVIRO SYSTEM</p> <p>1981 Marcus Ave Suite 107 Lake Success New York 11042</p> <p>Tel (516) 328 6600 Fax (516) 328 7949</p>
<p>PAGE 4</p>	<p>REVISION 0 DATE 12/28/1998</p> <p>REVISION _____ DATE _____</p> <p>REVISION _____ DATE _____</p> <p>REVISION _____ DATE _____</p>	<p>FLOOD-TITE</p> <p>PROTECTION AND CONTAMINANT SYSTEM</p> <p>ITEM: FLOOD GASKETS</p> <p>TYPE: LIFT OUT PANEL, HEIGHT PANEL, MULTIPLE PANEL ARRANGEMENT</p> <p>GASKET: INFLATABLE GASKETS</p> <p>MATERIALS: ALUMINUM, STEEL, STAINLESS</p>



SECTION E



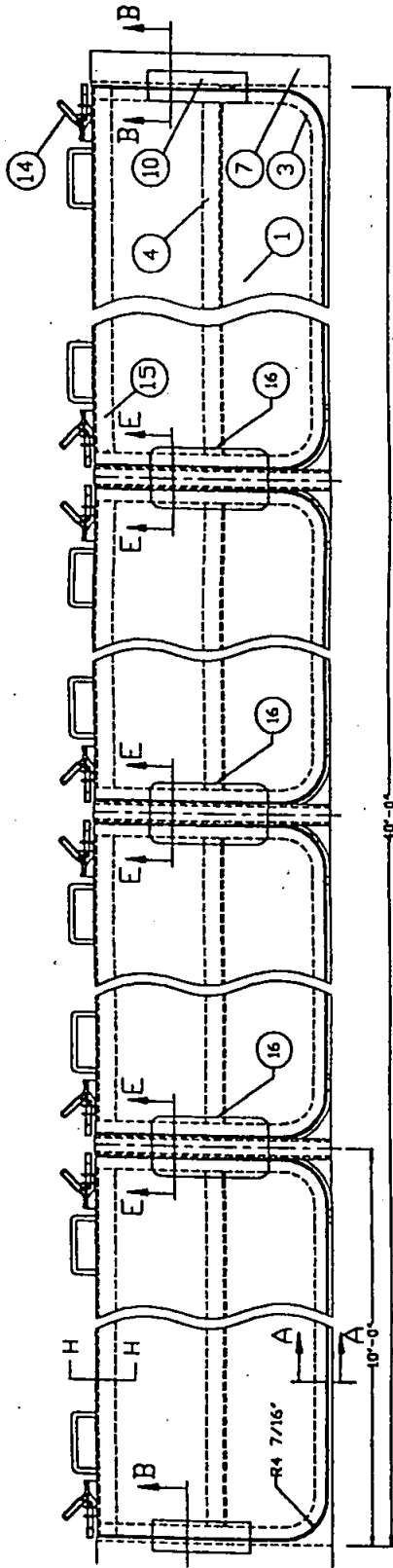
MULLION DETAIL

PLEASE NOTE

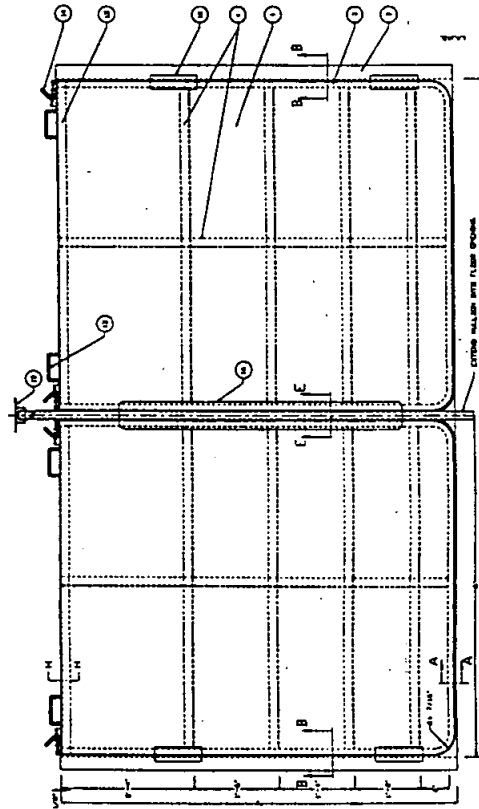
ALL DRAWINGS AND ILLUSTRATIONS REFLECT ACTUAL GATE INSTALLATIONS. GATE DETAILS AND DIMENSIONS ARE A REFLECTION OF ACTUAL FIELD CONDITIONS AND LIMITATIONS AT PARTICULAR INSTALLATIONS. AS SUCH THEY SHOULD BE VIEWED AS AN INDICATION OF FLEXIBILITY AND DESIGN RATHER THAN LIMITATIONS.

THERMACON ENVIRO SYSTEMS

THERMACON ENVIRO SYSTEMS



LIFT OUT PANEL WITH REMOVABLE MULLION



LIFT OUT PANEL WITH REMOVABLE MULLION

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For multiple gate applications

PROPRIETARY. THIS DRAWING CONTAINS INFORMATION WHICH IS THE PROPERTY OF THERMACON ENVIRO SYSTEMS AND THIS PLAN IS SUBMITTED IN CONFIDENCE AND DOES NOT CONVEY A LICENSE TO REPRODUCE AND FOR PERMISSION TO MANUFACTURE FOR OTHERS EXCEPT AS PROVIDED BY AGREEMENT WITH THERMACON ENVIRO SYSTEMS.		THERMACON ENVIRO SYSTEM 1833 Marcus Ave Suite 107 Lake Success New York 11042 Tel (516) 328 6000 Fax (516) 328 7888	
PAGE	3	FLOOD-TITE PROTECTION AND CONTAINMENT SYSTEM	
REVISION	0	DATE	12/28/1998
REVISION		DATE	
REVISION		DATE	
REVISION		DATE	
REVISION		DATE	
ITEMS: TYPE: MATERIALS: ALUMINUM, STEEL, STAINLESS		FLOOD BARRIERS LIFT OUT PANEL ARRANGEMENT MULTIPLE PANEL ARRANGEMENT GASKET: INFLATABLE GASKETS MATERIALS: ALUMINUM, STEEL, STAINLESS	

THERMACON ENVIRO SYSTEMS

THERMACON ENVIRO SYSTEMS

**SECTION 08316 SPECIAL DOORS, GATES BARRIERS – WATERTIGHT DOORS,
HATCHES, FLOOD & SPILL CONTAINMENT BARRIERS**

PART 1 GENERAL

1.01 SCOPE OF WORK

- A. Under this section, provide all labor, materials tools, equipment and all appurtenant work Necessary to furnish deliver & install Special doors, hatches gates and barriers (closures) as indicated in the contract drawings.
- B. Take all necessary and required field measurements and prepare a complete structural and mechanical design for each of the areas indicated under this section.
- C. This section defines the design requirements for the special closures as described in the Contract drawings and these documents.

1.02 REFERENCES:

The following codes and standards form a part of this Section to the extent specified herein:

- 1. Applicable State Basic Building Code BOCA

1.03 RELATED WORK SPECIFIED ELSEWHERE

- A. General Conditions
- B. Special Requirements
- C. Scope of Work
- D. Submittals
- E. All other applicable sections

1.04 QUALIFICATIONS

- A. The special closures as described and outlined in this section and shall be provided by a single manufacturer who is fully experienced, reputable, and qualified in the manufacture of the products and the specific types of systems specified herein shall furnish the contract drawings.
- B. The special closures manufacturer must have complete in-house design and fabrication facilities. The manufacturer shall be solely responsible for the design, fabrication, and satisfactory performance of closures specified herein, including all accessories and appurtenances that comprise the entire system. No division of responsibility between manufacturers of components shall be implied or allowed.
- C. Experience: Consideration shall be given to only those alternate suppliers who can demonstrate FIVE (5) successful installations of the specific items specified herein, including the design and size as specified herein for a period of not less than the most recent THREE (3) YEARS.

Company experience data including, but not limited to, arrangement drawings, names and telephone numbers of a minimum of five (5) plant operating personnel shall be submitted to the Engineer for review prior to acceptance of the proposed alternate vendor

1.05 SUBMITTALS

- A. Shop Drawings shall be submitted in accordance with section (**ENTER SECTION**). all shop drawing submittals shall be prepared specifically for this project. Generalized or generic submittals or general brochures or submittals with drawings / sketches not drawn to scale shall be grounds for rejection of the submittal.
Engineering Data: Design calculations, certified by a registered structural engineer, certifying that the proposed closure will meet the specified design criteria.
- B. Factors of Safety shall be identified and the weakest member(s) shall be specifically identified. The design loads, load combinations, deflection limits and Factors of Safety to be provided for all structural members shall be as specified hereinafter.
- C. Samples: contractor shall submit the following samples and accompanying descriptive Data:
 - a. Fasteners: Two of each type to be used, with statement regarding intended use.
 - b. Closures: One metal closure with gasket seal.

- c. Procedures for conducting tightness tests as specified. The procedures will state in detail all equipment, methods of measurement, and modes of implantation for conducting tightness test.

1.06 Product DESCRIPTION

- A. The special closures specified herein shall be of the highest quality and totally suitable for use as identified in the project specifications and plant applications.
B. The special closures shall be assembled from totally new components

2.0 PRODUCTS

2.01 BASIS OF DESIGN

- A. The product-line used by the Engineer as the "BASIS OF DESIGN" for the Specialty closures is:

1. **THERMACON ENVIRO, COVERTITE Systems**

1983 Marcus Ave Suite 107

Lake Success New York 11042

Telephone (516) 328-6600. FAX: (516) 328-7988

2. Or equivalent. (See substitution section for qualifications and conditions)

- A. The "BASIS OF DESIGN" manufacturers identified above shall be responsible for providing all equipment and appurtenant devices, whether or not shown on the contract drawings and / or specified in this section, as necessary to provide a completely functional system consistent with the intent of this section.
B. Notwithstanding the naming of particular manufacturers herein, the equipment furnished by the BASIS OF DESIGN manufacturer or by other acceptable equivalent equipment manufacturers shall be provided in strict conformance with this section of the specifications for all components. No deviation from any provision of this section will be considered.
C. If an equipment manufacturer other than the acceptable manufacturers listed above elects to submit a bid for this project, said manufacture shall, in electing to provide equipment other than that listed above, assume full responsibility for all modifications to structure, equipment, and all other ancillary systems and work necessary to effect the proper installation.
D. All such changes shall be reflected in the shop drawings submitted for this covering system and shall be provided at no additional cost to the owner.
E. Performance Test Standards: contractor shall provide closures which have been pre-tested and certified by the manufacturer to provide the indicated resistance to air and water infiltration and structural deflection and failure when installed as indicated and when tested in accordance with test procedures described herein.

2.02 ITEMS: (Select one)

- Lift-Out Flood Gates with dual inflatable gaskets
- Lift-Out Flood Gates with compression gaskets
- Hinged swinging Flood Gates with dual inflatable gaskets
- Hinged swinging Flood Gates with compression gaskets
- Wall mounted window, duct, vent flood shield
- Hinged swinging quick acting watertight bulkhead door
- Hinged swinging individual latch (dog) watertight bulkhead door
- Floor / roof mounted flush watertight hatch
- Floor / roof mounted raised watertight hatch

2.03 MATERIALS OF CONSTRUCTION: (Select one)

PANEL:

- Steel per ASTM A36
- Stainless steel Grade 304
- Stainless steel Grade 316
- Aluminum grade 5052

STIFFENERS & SUPPORTS:

- Steel per ASTM A36
- Stainless steel Grade 304

- Stainless steel Grade 316
- Aluminum grade 6061

FRAME:

- Steel per ASTM A36
- Stainless steel Grade 304
- Stainless steel Grade 316
- Aluminum grade 6061

GASKETS:

- Neoprene
- Hypalon
- Silicon
- Viton
- Teflon
- Other

HINGES:

Hinges shall include stainless steel hinge pins, and slotted hinge blades to protect the hinge from the pressure load

HARDWARE:

All hardware shall be stainless steel

DOG/ LATCHING MECHANISMS:

The door/hatch latching mechanism shall be effected with minimum of effort and time.

For quick acting door - It will be effected by either a handwheel that by turning shall actuate a minimum of 6 dogs each of which shall be adjustable for both stroke length and position for optimum gasket compression.

For Individual latch / dog – The spacing of the dogs shall be evenly distributed to effect equal gasket compression. The dog handle and shaft shall be of stainless steel with string packing and an "o" ring and two oil impregnated bronze flange bushings to maintain dog alignment. Each dog shall be equipped with a means for adjusting seal compression after installation in the field.

OPTIONAL EQUIPMENT:

- Windows / viewing ports
- Hold open devices
- Spring assist lift mechanisms

EXPANSION BOLTS & ANCHORS:

- Stainless steel Grade 316

FINISH:

- Shop Prime Coat one coat rust inhibitive lead free primer. Field apply final coat after installation in accordance with paint and finish schedule
- Brush off blast clean per SSPC-SP7
- Anodized (for aluminum) Coated anodized etched with architectural class I both sides, AA-M- 12C22A-41, clear as specified by the Aluminum Assoc.
- Abrasive clean, or acid wash at option of manufacturer
Pickle finish or clear coat primer (for stainless)

2.04 DESIGN LOADS:

HYDROSTATIC PRESSURE:

- () ft of water pressure head applied from the hinge side (seating pressure)
- () ft of water pressure head applied from the panel side (un-seating pressure)
- () (For Hatches) lbs. of live uniform Load
- () (For Hatches) lbs. Vacuum Load
- () (For Hatches) lbs. Point Load: 250 pounds MAXIMUM, concentrated point load, placed in any one square foot area of the cover.
- Temperature: Range of from () degrees F below zero to () degrees F

above zero.

- ☐ Deflection Limits: L/240
- ☐ The design of swinging hinged watertight doors and hatches shall allow the transmittal of pressure to the frame /or dogs.

2.05 INSTALLATION

Installation shall be in strict accordance with the respective manufacturer's instructions and recommendations at the locations shown on the contract drawings.

3.01 INSTALLATION INSPECTION, SUPERVISION, AND TESTING

A. The closure system manufacturer shall provide the owner with a notarized certificate, in a form acceptable to the owner that certifies that the closure system has been installed according to the manufacturer's requirements.

3.02 WARRANTY.

A. The closure system manufacturer shall warrant in writing to the owner that the work provided under this section shall be free from defects in workmanship and material. The warranty shall provide that the manufacturer shall replace or repair any faulty workmanship or defective material furnished by it that is reported to it within one (1) year from the date of written acceptance of the work by the owner, at no additional cost to the owner.

END OF SECTION

Note to the File

2-21-2001

In a conversation with Debbie Anderson of Castletch who is the new manufacture of the WaterGate product, I found out that Scott Russell, formerly of WaterWall, Inc. ^{who} had signed the FEMA floodproofing certificate, ~~and~~ was not a registered professional engineer or architect. Therefore, he should not have signed the forms.

Notification of this information was given to Bob Micheles of Vaught Frye Architects and Jeff Jensen of Dranota Construction. They were looking into what action to take since they are responsible for the project.

See also e-mail to Larry Russell

* This note applies to the following addresses

103 W. Mountain

113 S. College - Gibbs Bugels

113 S. College - Nicos' Catacombs

From: Marsha Hilmes-Robinson
To: "russell3@cgocable.net"@FC1.GWIA
Date: Wed, Feb 21, 2001 10:01 AM
Subject: Re: WaterWall and WaterGate

Larry,

Thanks for your note. We are not concerned about the product itself. Yes, we did receive a letter from Scott, but he also signed off on FEMA floodproofing certificates that are only to be signed by a registered professional engineer or architect. He even put in a number for the architect or engineering license. If he is not a registered professional engineer or architect, he should not have signed this form. I know that Scott, Drahota Construction and Vaught Frye Architects had several discussions about the certification, but I do not know the details of those discussions.

I have attached a copy of the blank floodproofing certification form for your information. Luckily this was not in a FEMA designated floodplain and therefore we do not have to involve FEMA. However, I have notified Vaught Frye Architects and Drahota Construction, since they are the ones ultimately responsible for the project. They are deciding what action they need to take to deal with the situation from their position.

Again we feel the gates are a good product. However, signing as an engineer when you are not one is a big deal.

I'd be happy to discuss this with you further and meet with you when you are in Fort Collins. Feel free to give me a call at 970-224-6036.

Marsha

>>> "Larry Russell" <russell3@cgocable.net> 02/16 12:05 AM >>>

Marsha

I was talking to Debbie Anderson from Castletech yesterday and she advised me that she was speaking to you about WaterGate and the letter that Scott had sent to you after the restoration project in Fort Collins. Scott's letter confirmed that the WaterWall product used met all current standards for the gate. Scott did mention to Debbie that we could not guarantee the support device manufactured and installed in Fort Collins by local architects and engineers. I certainly hope that Debbie did not worry you about our assurances about product performance. If you have any questions please contact me at the numbers listed below.

As you know Debbie and her company took over the distribution of WaterGate in the United States and Canada. Scott worked with her for a short period but decided to pursue other interests.

I have been concentrating WaterWall in the European market and have signed a distribution agreement with companies in Germany and Austria. Between them they will handle all of Europe. I have just completed a distribution agreement with a Canadian company H2O Product Solutions who will handle sales in North America. We also have a Japanese distributor.

The last two years have been extremely busy and difficult. The main problem was with the manufacturing people. This has now been rectified with H2O. I should point out that H2O is negotiating with Debbie Anderson to take over WaterGate as well. If this indeed happens we will introduce new designs that will be lighter and less costly.

Wally Wilson and I will be working together on disaster management seminars. We have been planning this for over a year and now that I have signed the WaterWall agreements we can finally get on with our plans. I will be assisting H2O as well for the immediate future. I still own the patents and trademarks.

Marsha, I will be in Fort Collins next month and would like to meet with you if possible. I will call when I

have firm dates.

You can reach me at 905 528-1168Tel or 905 528-8027Fax or of course by e-mail. I look forward to seeing you.

Larry Russell

From: "Larry Russell" <russell3@cgocable.net>
To: "Marsha Hilmes" <mhilmes@ci.fort-collins.co.us>
Date: Thu, Feb 22, 2001 11:04 AM
Subject: WaterWall

Masha, thank you for your note and the attached form. I will speak to Scott again today to get additional information and I will get back to you. I have explained to him the seriousness of how that document was processed. He informs me that he did discuss this matter (his not being an Engineer or an Architect) with people in Fort Collin. He explained to someone that he could only sign that the gates met the standards for their intended use but that the application in your city would require signatures from engineers and architects in Fort Collins because of the design and fabricating work done there on this project. I have explained that he was entirely wrong to have signed that document and that he should have sent a letter of explanation with the form and obviously should not have signed the form itself.

Marsha, I will call you after I have met with Scott and I sincerely apologize for any problems this may have created or any inconvenience this matter may have caused. I assure you that Scott did not intend to misrepresent himself or the company. As you know the WaterGate product line is now represented by another company and Scott and I are no longer involved. (This may soon change and I may once again get involved with WaterGate) However the patent does belong to my brother and he has asked me to work with you on any problems that may have been caused by Scott's having signed the form. Thank you for note and once again I look forward to seeing you in the near future.

Larry