

06/23/11 Prepared By: Southview Property Management Inc.,  
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Property Manager: Kevin D. Green

**MINUTES OF THE SPECIAL GENERAL MEETING  
OF THE OWNERS, STRATA PLAN LMS 280 CHATEAU COMOX  
HELD ON TUESDAY, JUNE 14, 2011 AT 7:00 PM  
WITHIN THE MEETING ROOM AT 1272 COMOX STREET, VANCOUVER, BC**

**1. CALL TO ORDER**

The meeting was called to order by the Strata Council President and Chair of the Special General Meeting, Mr. Terry Ireland at 7:04 P.M.

Mr. Ireland then welcomed everyone present at the Special General Meeting, introduced the current Strata Council Members and further introduced the Property Manager representing Southview Property Management Inc. Mr. Kevin D. Green.

Mr. Green then provided the general ownership with some information regarding agenda procedures and protocol and also the ballots, which had been handed out during registration.

After further review the Chair of the meeting as requested by the Strata Council proceeded with the regular business at hand.

**2. CALLING OF THE ROLL AND CERTIFICATION OF PROXIES**

The attendance register confirmed at the time of commencement of the meeting there were 13 eligible voters in attendance and 4 represented by proxy for a total of 17. The quorum requirements had been achieved and the meeting proceeded.

**3. PROOF OF NOTICE OF MEETING OR WAIVER OF NOTICE ACKNOWLEDGEMENT  
& OF RECEIPT OF FINANCIAL STATEMENTS**

It was then **Moved and Seconded** that the Notice dated May 24, 2011 complied with all appropriate notice requirements in accordance with the Bylaws of the Strata Corporation and the Strata Property Act.

It was noted that a number of owners requested the meeting be rescheduled due to the Stanley Cup Final game being played on Monday, June 13, 2011 and the likelihood of not meeting the quorum requirements. Council agreed to move the meeting to Tuesday, June 14, 2011 and advised owners through posted notices and by email to those owners that have provided their email address.

There being no discussion, the question was called and the Chair then declared the **MOTION CARRIED** with the result being 17 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

**4. MINUTES OF THE ANNUAL GENERAL MEETING HELD ON AUGUST 31, 2010**

There being no errors or omissions it was then **Moved and Seconded** to approve the Minutes of the Annual General Meeting of the general ownership held on August 31, 2010 as previously circulated.

There being no discussion, question was called and the Chair then declared the **MOTION CARRIED** with the result being 17 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED.

Please keep these minutes as a permanent record of the Strata Corporation's business. Replacement of Minutes, Rules and Regulations or Bylaws will be at the expense of the Owner.

**5. STRATA COUNCIL REPORT**

The owners were then referred to the report and cost breakdown, in respect to the proposed  $\frac{3}{4}$  Vote Resolutions as prepared by the Council and included in the agenda for the Special General Meeting.

All are advised that this report was for informational purposes, and has been again attached and forms part of the Special General Meeting Minutes.

The Council additionally provided detailed verbal information to the owners in respect to the need and importance of the proposed resolution.

**6. CONSIDERATION OF RESOLUTION “A”  $\frac{3}{4}$  VOTE – PIPE RE-LINING**

After a brief review regarding Agenda procedures it was then **Moved and Seconded** to adopt Resolution “A”  $\frac{3}{4}$  Vote PIPE RE-LINING as follows:

Be it resolved that Strata Corporation LMS 280 be authorized to expend a sum of money not exceeding \$242,600.00 (breakdown attached) for the purpose of lining of the pipes in the complex with epoxy resin, and other specific areas and related items. This expenditure will be funded by a Special Levy assessed to the owners, in proportion to the unit entitlement of their respective strata lots.

**This Special Levy is due and payable in full immediately upon passage of this Resolution by the owners of record on the date of passage. With reference to Section 109 of the Strata Property Act: *in the event of a sale of a strata lot, the entire Special Levy is to be paid in full by the seller.***

Any payment not received on the first of the month in which it is due, shall be assessed a fine of \$100.00 until paid in full.

*Pursuant to Section 108.5 and 108.6 of the Strata Property Act, if any owner is entitled to receive a refund of over \$100.00 from any unused portion of this Special Levy, a refund will be issued to the current owner(s) at the time of the refund. In the event of a sale, strata lot owners are responsible to make their own private arrangements with the purchaser with regards to the disposition of any refund.*

The Strata Corporation may, under Section 116 (1) of the Strata Property Act, register a Certificate of Lien against the owner’s strata lot for any unpaid special levy.

**Discussion**

The floor was then opened up for discussion and the owners then discussed and questioned the Council on matters in relations to lining of pipes. Owners were referred to the Information Meeting held May 17, 2011 where many questions were answered. Other questions from owners at the SGM included:

- Partial repairs by doing only the lower floors; Response: given the water composition in Vancouver it is only a matter of time before the copper erodes and whether those owners want to assume the risk for water damages.

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- Impact of lining on water pressure: Response: findings indicate a slight increase in water flow when the pipes are lined.
- Warranty: Response: workmanship is two years for all options; PEX is 25 years; Lining is 10 years and copper is 2 years.
- Re-piping versus Lining: Response: both are viable options with lining being approximately 30% less in cost.
- References: Response: Council contacted a number of references from CuraFlo (both re-piping and lining clients) and Brighter (re-piping). All references were positive.

Prior to the question being called Mr. Green, the Property Manager, explained the voting options available to owners:

- In Favour for Resolution A; Opposed to Resolution B = line the pipes with epoxy resin,
- Opposed to Resolution A; In Favour for Resolution B = replace the pipes (re-pipe),
- Opposed to Resolution A; Opposed to Resolution B = do nothing.

As there was no additional discussion, question was called on the original resolution as noted above, and the Chair then declared the **MOTION CARRIED** with the result being 13 IN FAVOUR, 4 OPPOSED, 0 ABSTAINED.

7. **CONSIDERATION OF RESOLUTION “B” ¾ VOTE – RE-PIPING**

It was then **Moved and Seconded** to adopt Resolution “B” ¾ Vote RE-PIPING as follows:

Be it resolved that Strata Corporation LMS 280 be authorized to expend a sum of money not exceeding \$344,680.00 (breakdown attached) for the purpose of re-piping the complex, and other specific areas and related items. This expenditure will be funded by a Special Levy assessed to the owners, in proportion to the unit entitlement of their respective strata lots (schedule attached).

**This Special Levy is due and payable in full immediately upon passage of this Resolution by the owners of record on the date of passage. With reference to Section 109 of the Strata Property Act: *in the event of a sale of a strata lot, the entire Special Levy is to be paid in full by the seller.***

Any payment not received on the first of the month in which it is due, shall be assessed a fine of \$100.00 until paid in full.

Pursuant to Section 108.5 and 108.6 of the Strata Property Act, *if any owner is entitled to receive a refund of over \$100.00 from any unused portion of this special levy, a refund will be issued to the current owner(s) at the time of the refund. In the event of a sale, strata lot owners are responsible to make their own private arrangements with the purchaser with regards to the disposition of any refund.*

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3.

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The Strata Corporation may, under Section 116 (1) of the Strata Property Act, register a Certificate of Lien against the owner's strata lot for any unpaid Special Levy.

Discussion

There was a brief discussion and clarification on why this resolution was being voted on. The Property Manager explained the proper and required protocol for consideration of the resolution(s), in lieu of the already approved Resolution "A".

As there was no discussion, question was called on the original resolution as noted above, and the Chair then declared the **MOTION DEFEATED** with the result being 4 IN FAVOUR, 13 OPPOSED, 0 ABSTAINED.

8. **ADJOURNMENT**

There being no further business it was then **Moved and Seconded** to adjourn the meeting at 8:00 P.M. The Chair then declared the **MOTION CARRIED**, and the meeting officially terminated.

Minutes/280SGMJun11.doc

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LMS 280 – Chateau Comox  
Plumbing Project  
June 13, 2011

**BACKGROUND**

Chateau Comox was built in approximately 1992. In Vancouver it is not unusual for the useful life of copper pipes to be between 16 – 24 years. The life span of copper is dependent on many factors such as chemical composition of the local water supply, water temperature and amount of use of the plumbing system.

There has been a number of plumbing water leaks since the summer of 2010. The leaks have all occurred in clusters (i.e., multiple leaks over one or two days). Initially the leaks were considered to be isolated incidents that were dealt with through general operating funds. In early 2011, it was determined that a trend was developing of continuing leaks with ever-increasing frequency and costs to repair. In summary, the three incidents that occurred:

- May 2010 (\$5,700) – Suites 201, 203, 204
- September 2010 (\$7,900) – Suites 201, 301, 303 and 2<sup>nd</sup> Floor Corridor
- February 2011 (est. \$8,000) – Suites 303, 403 and Common Meeting Room

Additional restoration costs to match suite improvements have also been borne by owners of some of these suites.

It should also be noted that while there have been no insurance claims on these leaks, it is possible the corporation's insurer could compel the owners to deal with the issue in order to obtain insurance coverage or impose a very high deductible.

The leaks have all been characterized as 'pinhole' leaks. These leaks, while small in size can and do cause significant damage. The pinhole leak is simply that: a small opening in the pipe that has been caused by corrosion of the copper. Many times the pinhole self-heals when foreign matter in the water plugs the pin-hole before it leaks significantly. Unfortunately the foreign matter can be dislodged allowing water to leak – this can occur when the water supply in the building is turned off and on. To temporarily reduce the risk of further leaks for the time being, pre-approval by Council is now required of owners for any renovations requiring plumbing system shut-off.

The Strata Council decided the pinhole leaks needed to be dealt with in a more comprehensive manner and as such, are bringing the owners into the process.

In preparation for a Special General Meeting, at the May 3, 2011 Council meeting it was decided to hold an information meeting with the owners. Notice to the owners was mailed/emailed on or about May 5, 2011. The information meeting was held on Tuesday, May 17, 2011. Over 12 suites were represented at the meeting. A repiping/lining contractor gave a presentation explaining plumbing issues in Vancouver and solutions available to owners. There were many questions and answers throughout the meeting.

LMS 280 – Chateau Comox  
Plumbing Project  
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**THE PLUMBING PROJECT:**

Given the frequency, cost and resident inconvenience of the water leaks Council decided to investigate and recommend to the owners a plan to fix the problem. The project will have these three major steps:

1. Design the solution
2. Construct the solution which typically includes some cutting and opening of walls
3. Repair of wall openings caused by the construction

Through the Property Manager, Southview, quotations were requested of six contractors.

There are a number of solutions available to owners as well as differing ways to structure the project:

**Solution Options:**

1. Replace the copper pipes with all new copper pipes
  - a. As newer technologies like PEX and lining have gained more widespread use there are fewer installations of copper-only plumbing systems.
2. Replace the copper pipes with a combination of copper pipes and PEX (plastic pipes)
  - a. PEX is a flexible plastic pipe/tubing that has been in use for a number of years. Typically it is used in the suites. It carries a 25 year warranty.
  - b. Due to fire code, City of Vancouver bylaws require that any pipe larger than 2 inches be copper. Additionally, copper may be used for risers, but this is determined by the overall design. Copper carries a 2 year warranty.
  - c. Opening of walls is typically a major undertaking as large holes are required to access the existing pipes in order to replace them.
3. Re-line the existing copper pipes with an epoxy resin
  - a. The inside of the existing copper pipe is sandblasted in place to prepare them to bond with an epoxy resin that is forced through the pipe then cured (dried). The lining is in the common risers and in-suite pipes to the shutoff valve for all fixtures.
  - b. Lining has been in use in Vancouver for over 12 years and in Germany for 35 years. It carries a 10 year warranty.
  - c. Like copper and PEX, epoxy lining is certified for ANSI NSF Standard 61, the government's standard for safe drinking water.
  - d. Opening of walls is generally minor in nature (under cabinets, behind showers).

Regardless of the solution, the replacement pipes or lining work must be done in all suites in the building.

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**Project Structure Options:**

1. Tendered
  - a. Owners select an Engineer that designs the solution and issues a Tender document to Contractors,
  - b. Contractors bid on the Tender,
  - c. Owners select the successful Contractor and assess a second special levy,
  - d. The Plumbing Contractor builds the solution,
  - e. The Plumbing Contractor or a Restoration Contractor repairs the wall openings.
2. Packaged
  - a. Owners select a single Contractor now that provides most, if not all, the services:
    - i. An engineer to design the solution,
    - ii. Construction team to build the solution,
    - iii. Restoration team to repair wall openings
3. Multi-trade
  - a. Owners select multiple Contractors to perform each of the major services.

**THE QUOTES:**

The following table highlights the six quotes received and Council's assessment of the quote:

Vendor	Project	Solution	Characteristics	Comments
Spratt	Tender	TBD	<ul style="list-style-type: none"> <li>Design, tender and contractor selection</li> <li>Total cost of project not known until tender process completed</li> </ul>	<ul style="list-style-type: none"> <li>Previous Chateau Comox experience (+/-?)</li> <li>Cost overruns with Envelope project</li> <li>Quote was unprofessional (copied Envelope quote)</li> </ul>
Fluid	Tender	Copper	<ul style="list-style-type: none"> <li>Design, tender and selection</li> <li>Tender doesn't include restoration work</li> <li>Total cost of project not known until tender process completed</li> </ul>	<ul style="list-style-type: none"> <li>No contact with Council</li> <li>Six site reviews; additional reviews are an extra cost</li> <li>Tender not all inclusive (excludes restoration)</li> <li>PEX design is additional cost</li> </ul>
Milani	Multi-trade	Copper/PEX	<ul style="list-style-type: none"> <li>Primarily plumbing quote</li> <li>No restoration included</li> </ul>	<ul style="list-style-type: none"> <li>Onsite visit</li> <li>Uncomfortable quoting without engineering requirements/design</li> <li>How to manage multiple trades?</li> </ul>
Allstar	Packaged	Copper/PEX	<ul style="list-style-type: none"> <li>Min. of 3 days without water is sections of suites</li> <li>Basic restoration not included in quote</li> </ul>	<ul style="list-style-type: none"> <li>Professional onsite visit</li> <li>No mention of engineering</li> <li>One-page quote</li> <li>No sample Agreement or Terms provided (= less clarity)</li> </ul>

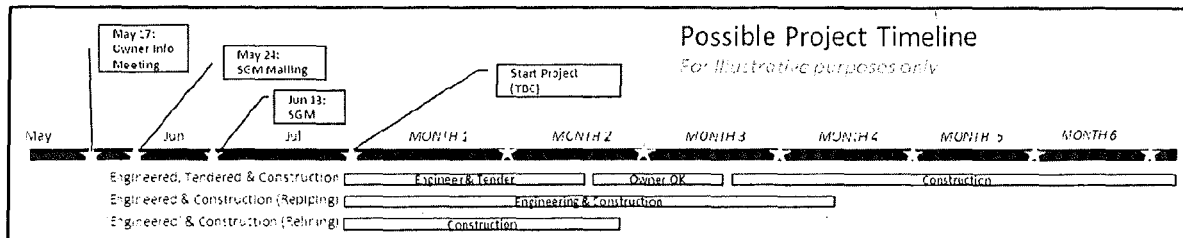
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Vendor	Project	Solution	Characteristics	Comments
				<ul style="list-style-type: none"> <li>Highest quote of packaged vendors</li> </ul>
Brighter	Packaged	Copper/PEX	<ul style="list-style-type: none"> <li>Includes engineering design</li> <li>Basic restoration included</li> <li>Includes new leak repairs through to project completion (not restoration)</li> </ul>	<ul style="list-style-type: none"> <li>Extensive experience</li> <li>Previously quoted (2009)</li> <li>Lags in responses to questions</li> <li>Full package (all trades)</li> <li>References to be confirmed</li> </ul>
CuraFlo	Packaged	Copper/PEX	<ul style="list-style-type: none"> <li>Includes engineering design</li> <li>Basic restoration included</li> <li>Includes new leak repairs through to project completion (not restoration)</li> </ul>	<ul style="list-style-type: none"> <li>Extensive experience</li> <li>Onsite visit; only vendor to photograph</li> <li>Provided background materials</li> <li>Responsive to quote, questions</li> <li>Full package (all trades)</li> <li>References to be confirmed</li> </ul>
CuraFlo	Packaged	Lining	<ul style="list-style-type: none"> <li>No engineering included as it is not required by City of Vancouver</li> <li>Basic restoration included</li> <li>Includes new leak repairs through to project completion (not restoration)</li> </ul>	<ul style="list-style-type: none"> <li>As above (see CuraFlo)</li> <li>Excellent references</li> <li>Lowest cost</li> <li>Least amount of wall openings</li> <li>Shortest duration</li> <li>Should include engineer to test work</li> </ul>

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**Timeline (for illustrative purposes only)**

The actual schedule and duration of the project will be determined once the solution and the Contractor have been selected.



- Owners' Information Session held on May 17
- Special General Meeting scheduled for June 13
- Start of Project is TBD when contractor selected and work can be scheduled (including restoration work):
  - Tendered project is estimated to be up to 6 months; includes additional time for tendering and the second SGM for construction funding approval.
  - Relining project is estimated to be up to 4 months
  - Relining project is estimated to be up to 2 months as it is less invasive

**Alternatives Budget Summary**

Approach	Spratt Tender	Fluid Tender	Milani Multi-trade	Allstar Packaged 'Lite'	Brighter Packaged	CuraFlo - Pipe Packaged	CuraFlo - Lining Packaged
Solution	TBD	TBD	Copper & PEX	Copper & PEX	Copper & PEX	Copper & PEX	Epoxy Resin
Duration	up to 6 months	up to 6 months	up to 4 months	up to 4 months	up to 4 months	up to 4 months	up to 2 months
Costs:							
Engineering (Design)	6,000	11,500	9,000	9,000	Incl	Incl	9,000
Site Reviews	40,000	2,400	5,000	5,000	0	0	5,000
Total Engineering	46,000	13,900	14,000	14,000	0	0	14,000
Contractor Quote	225,700	225,700	214,400	349,000	210,000	229,580	164,000
Restoration	50,000	50,000	50,000	50,000	5,000	5,000	5,000
Owner Onsite Support	10,000	10,000	10,000	10,000	10,000	10,000	5,000
Total Construction	285,700	285,700	274,400	409,000	225,000	244,580	174,000
Miscellaneous:							
- Misc Disbursements	6,000	6,000	6,000	6,000	3,000	3,000	3,000
- Replace City Backflow	0	0	0	0	4,000	4,000	0
- Replace Tub Valves	0	0	0	0	7,000	0	0
Total Miscellaneous	6,000	6,000	6,000	6,000	14,000	7,000	3,000
Taxes	40,500	36,700	35,300	51,500	28,700	30,200	22,900
Sub-total	378,200	342,300	329,700	480,500	267,700	281,780	213,900
Contingency							
Percent of Costs	25%	25%	25%	25%	25%	25%	15%
Contingency	84,400	76,400	73,600	107,300	59,800	62,900	28,700
Total	462,600	418,700	403,300	587,800	327,500	344,680	242,600

**Budget Notes:**

- Budget Items:
  - Engineering – the costs to develop the design of the solution.
  - Site Reviews – the ongoing oversight performed by the Engineering firm.

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- Quote – the quote from the Contractor or an estimate developed by the Strata Council for the Tender approach as the quote would not be known until the tender is issued.
- Restoration – the costs to perform repairs to the areas demolished to access the plumbing system in each suite and common areas. Where restoration is not included in the quote, an estimate of 50 effort days (i.e., average of 2 days per suite and common areas) @ \$1000/day was used – this includes labour and materials. Where restoration is included in the quote, the Strata Council allocated a moderate amount to deal with damages not covered (e.g., broken mirrors).
  - **NOTE: The contractor will restore to the building base quality. This means for those suites with owner upgrades, the owner is responsible for restoring the suite to the level of their improvements.**
- Onsite – Contractors may impose penalties of up to \$4,000 per day if access to a suite is not possible (advance notice will be provided to owners/residents of the need to access their suite). Council recommends paying one or more owners a per diem (budgeted at \$125/day) to be available and liaise with the residents and contractor to provide access to all suites when required. It is preferred all owners/residents provide keys and allow access to their suites by the owner liaison.
- Misc. – are various costs that will be required during the project (e.g., copies of building plans from the City of Vancouver, photocopying, paying an owner for a parking stall to be used for Contractor's storage).
- Taxes – HST at 12%
- Contingency % - an additional amount added to the project costs to cover unknown and unexpected costs that may arise during the course of the project.
  - 25% for repiping solution represents the uncertainty associated with the project costs such as the impact of opening walls and possible coring.
  - 15% for lining solution represents the lesser amount of demolition required, the lesser probability of coring and a generally less disruptive installation process.
- Contingency – the calculated contingency amount of expected costs, excluding HST multiplied by the Contingency %.
- Vendor Notes:
  - General
    - A Tendered approach requires two Special General Meetings:
      - One to fund the engineering work, and
      - Second to fund the construction/restoration work based on the tendered quotes.

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- The other approaches require one Special General Meeting to fund the entire project.
- Spratt
  - Spratt engineering and site review costs not to exceed 14% of quote.
  - Quote is estimated by the Strata Council for comparative purposes only as 90% of average of Milani, Allstar, CuraFlo & Brighter quotes. The 90% is used as it is expected a tendered quote would be more precise than quotes without a tender document.
  - Restoration is estimated by Council based on the aforementioned formula above.
  - Onsite is based on repiping solution (approximately 80 work days duration).
- Fluid
  - Fluid engineering and site review costs as quoted.
  - Quote is estimated by the Strata Council for comparative purposes only as 90% of average of Milani, Allstar, CuraFlo & Brighter quotes. The 90% is used as it is expected a tendered quote would be more precise than quotes without a tender document.
  - Restoration is estimated by Council based on the aforementioned formula above.
  - Onsite is based on repiping solution (approximately 80 work days duration).
- Milani
  - Engineering design estimated by Council to be the average of the Spratt and Fluid quotes (\$9,000); Site review costs estimated by Council to be \$5,000 (higher than Fluid and less than Spratt – the owners have some control here as to how much construction oversight is done by the engineer).
  - Restoration is estimated by Council based on the aforementioned formula above.
  - Onsite is based on repiping solution (approximately 80 work days duration).
- Allstar
  - Engineering design estimated by Council to be the average of the Spratt and Fluid quotes (\$9,000); Site review costs estimated by Council to be \$5,000 (higher than Fluid and less than Spratt – the owners have some control here as to how much construction oversight is done by the engineer).

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- Restoration is estimated by Council based on the aforementioned formula above.
- Onsite is based on repiping solution (approximately 80 work days duration).
- Brighter – Repiping Solution
  - Engineering design costs are included in their quote; no ongoing engineering reviews – pending confirmation during reference checks.
  - Restoration is included in the quote; however Council included an amount for covering damages not included in the quote (e.g., broken mirrors).
  - Onsite is based on repiping solution (approximately 80 work days duration).
  - Miscellaneous costs also include approximately \$7,000 for replacing tub valves and \$4,000 for city water backflow valve.
- CuraFlo – Repiping Solution
  - Engineering design costs are included in their quote; no ongoing engineering reviews are included due to the positive reference checks.
  - Restoration is included in the quote; however Council included an amount for covering damages not included in the quote (e.g., broken mirrors).
  - Onsite is based on repiping solution (approximately 80 work days duration).
  - Miscellaneous costs also include \$4,000 for city water backflow valve.
- CuraFlo – Lining Solution
  - Engineering design costs are not included in their quote; while the reference checks have been positive, Council has estimated funding for a possible engineering review during construction based on the same formula used for the other contractor estimates.
  - Restoration is included in the quote; however Council included an amount for covering damages not included in the quote (e.g., broken mirrors).
  - Onsite is based on lining solution (approximately 40 work days duration).

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**RECOMMENDATION:**

In order to give the owners two options to consider, the costs for both lining and repiping are represented by two resolutions that will be voted upon at the Special General Meeting:

- Resolution #1 is for an amount that funds the lining solution
- Resolution #2 is for the additional amount required for the repiping solution

Therefore the voting would be:

- To approve the LINING solution, pass Resolution #1, defeat Resolution #2
- To approve the REPIPING solution, pass Resolution #1 AND Resolution #2

After the analysis of the quotes submitted, the follow-up interaction with the contractors and reference checks done to-date (reference checks are continuing), the Strata Council has narrowed the contractor list to either Brighter or CuraFlo. The actual contractor will be determined, in part, by the solution selected by the owners at the SGM.

Council recommends the owners adopt the pipe **LINING** solution for the following reasons:

1. Least disruptive to residents
2. Lining of existing pipe is a viable and proven solution
3. Shortest duration
4. Least amount of wall openings which translates to a lower risk of unexpected costs and thus cost overruns
5. Lowest cost
6. Excellent references
7. Positive and responsive relationship already being established with CuraFlo

Therefore Council recommends owners:

- **Pass** Resolution #1 (funds Lining solution).
- **Defeat** Resolution #2 (the additional funds required for higher cost Repiping solution).

# Strata Corporation LMS280

S/L #	UNIT #	Unit Entitlement	Special Levy Re-Lining \$242,600
1	201	67	8,242.49
2	202	75	9,226.67
3	203	79	9,718.76
4	204	70	8,611.56
5	301	67	8,242.49
6	302	75	9,226.67
7	303	79	9,718.76
8	304	70	8,611.56
9	401	67	8,242.49
10	402	75	9,226.67
11	403	79	9,718.76
12	404	70	8,611.56
13	501	142	17,469.17
14	502	79	9,718.76
15	503	70	8,611.56
16	601	142	17,469.17
17	602	149	18,330.32
18	701	134	16,484.99
19	702	141	17,346.15
20	801	117	14,393.61
21	802	125	15,377.79
1972			242,599.96