

**AEROTROPOLIS AREA COORDINATING METROPOLITAN DISTRICT
("DISTRICT")**

8390 East Crescent Parkway, Suite 300
Greenwood Village, CO 80111
Phone: 303-779-5710

NOTICE OF A SPECIAL MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Matt Hopper	President	2022/May 2022
Carla Ferreira	Vice President	2022/May 2022
Michael Sheldon	Treasurer	2023/May 2023
Cynthia (Cindy) Shearon	Assistant Secretary	2023/May 2023
VACANT	Assistant Secretary	2022/May 2022
VACANT	Assistant Secretary	2023/May 2023
VACANT	Assistant Secretary	2023/May 2023
Denise Denslow	Secretary	N/A

DATE: **March 18, 2021**
TIME: **1:00 P.M.**
PLACE: **Information Center
3900 E. 470 Beltway
Aurora, CO 80019**

THERE WILL BE ONE PERSON PRESENT AT THE ABOVE-REFERENCED PHYSICAL LOCATION.

DUE TO CONCERNS REGARDING THE SPREAD OF THE CORONAVIRUS (COVID-19) AND THE BENEFITS TO THE CONTROL OF THE SPREAD OF THE VIRUS BY LIMITING IN-PERSON CONTACT, THIS DISTRICT BOARD MEETING WILL BE HELD BY VIDEO ENABLED WEB CONFERENCE. IF YOU WOULD LIKE TO ATTEND THIS MEETING, PLEASE JOIN THE VIDEO ENABLED WEB CONFERENCE VIA MICROSOFT TEAMS AT:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTc1MjBhMWQqYWU2Ni00NTVjLTg5NGltMzM5jA5NzRmMGUz%40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%2278e91a46-bdcc-4fe5-980c-8ff3dcc70755%22%7d

Or call in (audio only)

[+1 720-547-5281](tel:+17205475281), [109531904#](tel:+17205475281) United States, Denver
Phone Conference ID: 109 531 904#

I. ADMINISTRATIVE MATTERS

- A. Present disclosures of potential conflicts of interest.
- B. Confirm Quorum, location of meeting and posting of meeting notices. Approve Agenda.
- C. Public Comment. Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda. Comments will be limited to three (3) minutes per person.

II. CONSENT AGENDA

Consent Agenda – These items are considered to be routine and will be ratified by one motion. There will be no separate discussion of these items unless a board member so requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda.

- A. Review and consider approval of February 18, 2021 special meeting minutes (enclosure).

III. LEGAL MATTERS

- A. Discuss status of Aerotropolis Regional Transportation Authority (“ARTA”) Inclusions and Regional Transportation System Projects.
 - i. Presentation by Director Hopper (enclosure).
- B. Discuss and consider approval of and consent to First Supplement to ARTA Establishment Agreement, Exhibit A-1 (Regional Transportation System), and Exhibit D-1 (Phasing Plan) (enclosure).
- C. Discuss and consider Termination of Intergovernmental Agreement Regarding Sharing of Tax Revenue by and among First Creek Ranch Metropolitan District, Second Creek Ranch Metropolitan District, Central Adams County Water and Sanitation District and the District (enclosure).

IV. FINANCIAL MATTERS

- A. Discuss status of Lender funding requests and consider approval of payment of claims for operating costs, in the amount of \$36,011.21 (numbers based upon information available at time of preparation of Agenda, final numbers to be presented by accountant at meeting) (enclosure).
- B. Review and accept cash position report dated December 31, 2020, updated as of March 10, 2021 (enclosure).

- C. Discuss and consider approval of recommendation to The Aurora Highlands Community Authority Board (“CAB”) for acceptance of the CAB and District Engineer’s Report and Verification of Costs Associated with Public Improvements (Draw No. 33) Engineer’s Report and Verification of Costs No. 10 prepared by Schedio Group LLC (enclosure).

V. CAPITAL PROJECTS

- B. Discuss and consider approval of Draw Request No. 33, in the total amount of \$2,467,406.73*, prepared by the District’s accountant (enclosures - Draw Request No. 33 Summary and list of draw checks):

CAB (A Bonds)	\$ 1,738,889.85
CAB (B Bonds)	\$ 7,942.00
ARTA	\$ 686,807.38
ATEC	\$ 32,182.50
Developer	<u>\$ 1,585.00</u>
Total:	\$*2,467,406.73

* Numbers based upon information available at time of preparation of Agenda, final numbers to be presented by accountant at meeting.

Capital Projects:

- C. Report on status of **Construction Management Agreement** by and between the District and **JHL Constructors, Inc.** and the related Notice to Proceed.
- D. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 1** to Construction Management Agreement by and between the District and **JHL Constructors, Inc.** for Project Management of Existing Scope, in an amount to be determined, subject to approval of the Construction Committee.
- E. Discuss and consider Lender Commitment to fund and approval of **Work Order No. 1** to Construction Management Agreement by and between the District and **JHL Constructors, Inc.** for Prairie Water Line Material Procurement, in an amount to be determined, subject to approval of the Construction Committee.
- F. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 01 to Task Order No. 12** to the Master Service Agreement (“MSA”) for Program Management, Design, and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Additional Work - CMaR Procurement Support, in the amount of \$12,500, subject to approval of the Construction Committee.

- G. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 02 to Task Order No. 14** to the MSA for Program Management, Design, and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Interim CM Services, in the amount of \$187,000, subject to approval of the Construction Committee.
- H. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 07** to the Construction Agreement by and between the District and **Dynalectric Company** for TAH Filing 1 - Lighting (Utility Sleeving and Conduit Installation), in the amount of \$60,965.39, subject to approval of the Construction Committee.
- I. Discuss and consider approval of **Change Order No. 08** to the Construction Agreement by and between the District and **Dynalectric Company** for TAH Filing 1 - Lighting (Credits Associated with Removing Designed Electrical Work for 38th Pkwy), in the deductive amount of (\$71,792.09), subject to approval of the Construction Committee.
- J. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 01 to Task Order No. 01** to the MSA for Civil Engineering Services by and between the District and **Felsburg Holt & Ullevig, Inc.** for E-470 & 38th Ave. Interchange Budget Supplement Request, in the amount of \$224,284.90, subject to approval of the Construction Committee.
- K. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 01 to Task Order No. 27** to the MSA for Civil Engineering Services by and between the District and **HR Green Development, LLC** for 38th Ave. Preliminary Design (N/S Collector – Powhaton), in the amount of \$18,800.00, subject to approval of the Construction Committee.
- L. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 42** to the MSA for Civil Engineering Services by and between the District and **HR Green Development, LLC** for Design Services - 38th Pkwy. (Himalaya to Odessa), in the amount of \$269,276.00, subject to approval of the Construction Committee.
- M. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 43** to the MSA for Civil Engineering Services by and between the District and **HR Green Development, LLC** for Tributary T Channel Design (West of E470), in the amount of \$88,286.00, subject to approval of the Construction Committee.

- N. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 01 to Task Order No. 29** to the MSA for Civil Engineering Services by and between the District and **HR Green Development, LLC** for 38th Ave. (Powhaton - Monaghan), in the amount of \$18,800.00, subject to approval of the Construction Committee.
- O. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 01 to Task Order No. 35** to the MSA for Civil Engineering Services by and between the District and **HR Green Development, LLC** for Streetlight Plan Modifications, in the amount of \$10,000.00, subject to approval of the Construction Committee.
- P. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 33** to the Construction Agreement by and between the District and **JHL Constructors, Inc.** for Trib T Aurora Pkwy P3 & Mainstreet P3 (Revised Planter Bowls -9), in the amount of \$81,220.63, subject to approval of the Construction Committee.
- Q. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 34** to the Construction Agreement by and between the District and **JHL Constructors, Inc.** for Trib T Aurora Pkwy P3 & Mainstreet P3 (Earthwork Necessary to Update Pond 8571), in the amount of \$69,780.65, subject to approval of the Construction Committee.
- R. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 06** to the Construction Agreement by and between the District and **Kelley Trucking, Inc.** for Tributary MS Phase 3 EWEC (Tree Removal Along E-470 Relay Topsoil, etc.) in the amount of \$157,258.50, subject to approval of the Construction Committee.
- S. Discuss and consider approval of **Change Order No. 16** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for 42nd Phase 1 and Aura Phase 1-2 (Balancing Remaining Contract), in the deductive amount of (\$62,585.61), subject to approval of the Construction Committee.
- T. Discuss and consider approval of **Change Order No. 04** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for 38th Pkwy EWEC-Powhaton-Monaghan (Balancing Remaining Contract), in the deductive amount of (\$15,336.90), subject to approval of the Construction Committee.

- U. Discuss and consider approval of **Change Order No. 05** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for 38th Pkwy EWEC Reserve-Powhatan (Balancing Remaining Contract), in the deductive amount of (\$25,918.90), subject to approval of the Construction Committee.
- V. Discuss and consider approval of **Change Order No. 11** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for 38th Place & 38th Avenue EWEC (Balancing Remaining Contract), in the deductive amount of (\$18,803.32), subject to approval of the Construction Committee.
- W. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 08** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for 42nd Avenue Phase 2 and NS Collector EWEC (Balancing Remaining Contract), in the amount of \$350,548.40, subject to approval of the Construction Committee.
- X. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 04** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for Community Markers (Balancing Remaining Contract), in the amount of \$509.00, subject to approval of the Construction Committee.
- Y. Discuss and consider approval of **Change Order No. 12** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for Main Street Phase 1-2, 42nd & Aura Blvd. Phase 1 (Balancing Remaining Contract), in the deductive amount of (\$42,532.20), subject to approval of the Construction Committee.
- Z. Discuss and consider approval of **Change Order No. 04** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for Residential Filing 1 Phase 1-2 EWEC (Balancing Remaining Contract), in the deductive amount of (\$21,044.74), subject to approval of the Construction Committee.
- AA. Discuss and consider approval of **Change Order No. 07** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for Sanitary Sewer Filing 1 (Balancing Remaining Contract) in the deductive amount of (\$650.00), subject to approval of the Construction Committee.
- BB. Discuss and consider approval of **Change Order No. 16** to the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** 42nd Phase 1 and Aura Phase 1-2 (Balancing Remaining Contract), in the deductive amount of (\$62,585.61), subject to approval of the Construction Committee.

CC. Presentation by Construction Manager concerning projects at substantial completion and close-out of Construction Agreements.

i. Consider recommendation of Construction Manager and direction to publish Notice of Final Payment and related authorization for release of final retainage for the following completed Construction Agreements:

- a. Aggregate Industries – WCR, Inc. – Project 032 (E470 & 38th P1);
- b. Iron Woman Construction and Environmental Services, LLC – Project 032 (E470 & 38th P1);
- c. Iron Woman Construction and Environmental Services, LLC – Project 028 (Main Street P1 and P2, 42nd Ave., and Aura P1);
- d. Pase Contracting, Inc. – Project 019 (Mainstreet P1 EWEC);
- e. Pase Contracting, Inc. – Project 031 (42nd P2 N/S Collector Pkwy);
- f. Pase Contracting, Inc. – Project 037 (Tributary T EWEC)
- g. Stormwater Risk Management, LLC – Project 023 (Sanitary Sewer F1);
- h. Stormwater Risk Management, LLC – Project 032 (E470 & 38th P1);
- i. Stormwater Risk Management, LLC – Project 035 (38th Pwky [Powhaton – Monaghan]);
- j. Stormwater Risk Management, LLC – Project 036 (38th Pkwy [Reserve – Powhaton]); and
- k. Stormwater Risk Management, LLC – Project 036 (Residential F1).

DD. Presentation by AECOM Technical Services, Inc. regarding the following:

1. 2021 Construction and Design Master Schedule; and
2. Master Budget (enclosure).

VI. ARTA MATTERS

A. None.

VII. EXECUTIVE SESSION

A. Convene in executive session pursuant to Section 24-6-402(4)(e)(I), C.R.S., to discuss matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators and receive legal advice regarding same.

VIII. OTHER BUSINESS

IX. ADJOURNMENT

THE NEXT REGULAR MEETING IS SCHEDULED FOR APRIL 15, 2021.