

**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: September 16, 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 ZOOM AT:

<https://us06web.zoom.us/j/82016067141?pwd=R3hFVlFXRIJ2ai8yTVd3c2VlZjJQdz09>

Meeting ID: 820 1606 7141

Passcode: 393576

Or call in:

+1 720 707 2699 US

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.
- D. Discuss and review Organizational Flowchart (Matrix).

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 August 19, 2021 special meeting minutes (enclosure).

III. LEGAL MATTERS

- A. Discuss status of proposed Terms for Cooperative Agreement Regarding Construction of The Aurora Highlands Parkway by and between Aerotropolis Regional Transportation Authority (“**ARTA**”), the District and East Cherry Creek Valley Water & Sanitation District and authorize execution of same.
- B. Convene in executive session pursuant to Section 24-6-402(4)(e), 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.
- C. Discuss status of ARTA’s proposed 2021 Bond issuance.

IV. FINANCIAL MATTERS

- A. Consider approval of payment of claims for operating costs, in the amount of \$48,074.45 (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 July 31, 2021, updated as of September 9, 2021 (enclosure).
- C. Review and consider approval of 2020 Audit (to be distributed). Authorize execution of representation letter.
- D. 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. 39) Engineer’s Report and Verification of Costs No. 16 prepared by Schedio Group LLC (enclosure).

V. CAPITAL PROJECTS

- A. Discuss and consider approval of Draw Request No. 39, in the total amount of \$4,206,639.39* prepared by the District’s accountant (enclosures - Draw Request No. 39 Summary and list of draw checks):

CAB (A Bonds)	\$ 2,653,369.20
CAB (B Bonds)	\$ 15,096.00
ARTA	\$ 1,535,967.94
ATEC	\$ 2,206.25
Developer	\$ 0
Total:	<u><u>\$*4,206,639.39</u></u>

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

District Capital Projects:

- B. Discuss and consider Lender Commitment to fund and approval of **Notice of Award of Construction Contract** for 38th Avenue and Main Street Paving, and authorization of execution of Notice to Proceed, subject to approval of the Construction Committee.
- C. Discuss and consider Lender Commitment to fund and approve **Task Order No. 01 to Master Service Agreement (“MSA”)** for Project Support and Review Services (District) by and between the District and **AECOM Technical Services, Inc.**, for Transfer of Remaining Balance of Task Order No. 17 (Coordinate Geotechnical Investigation for Over Excavation ...), in the amount of \$9,000.00, subject to approval of the Construction Committee.
- D. Discuss and consider Lender Commitment to fund and approve **Task Order No. 02 to the MSA** for Project Support and Review Services (District) by and between the District and **AECOM Technical Services, Inc.**, for As Needed Support Services, in the amount of \$50,000.00, subject to approval of the Construction Committee.
- E. Discuss and consider Lender Commitment to fund and approve **Task Order No. 03 to MSA** for Project Support and Review Services (District) by and between the District and **AECOM Technical Services, Inc.**, for Transfer of Remaining Balance of Task Order No. 22 (SWMP Plan for Overlot Grading South of Trib T under 2020

MSA to Task Order No. 03 ...), in the amount of \$146,530.00, in the amount of \$146,530.00, subject to approval of the Construction Committee.

- F. Discuss and consider Lender Commitment to fund and approve **Task Order No. 01** to **MSA** for Design and Construction Support Services (ATEC Metropolitan Districts) by and between the District and **AECOM Technical Services, Inc.**, for Transfer of Remaining Balance of Task Order No. 15 (Crestone Oil Well ...), in the amount of \$9,000.00, subject to approval of the Construction Committee.
- G. Discuss and consider Lender Commitment to fund and approve **Change Order No. 01 to Task Order No. 06** to **MSA** for Program Management, Design and Construction Support Services by and between the District and **AECOM Technical Services, Inc.**, for Statewide Grading Analysis, in the amount of \$39,597.50, 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 **Brightview Landscape Development, Inc.**, for Landscape, Hardscape & Monumentation (PCI #17 – Furnish and Install Available Trees), in the amount of \$7,510.00, subject to approval of the Construction Committee.
- I. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 08** to the **Construction Agreement** by and between the District and **Brightview Landscape Development, Inc.**, for Landscape, Hardscape & Monumentation (Added Irrigation Value Zone), in the amount of \$6,416.00, subject to approval of the Construction Committee.
- J. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 09** to the **Construction Agreement** by and between the District and **Brightview Landscape Development, Inc.**, for Landscape, Hardscape & Monumentation (Two (2) Bores under Denali Blvd. at 38th Place), in the amount of \$8,757.00, subject to approval of the Construction Committee.
- K. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 10** to the **Construction Agreement** by and between the District and **Brightview Landscape Development, Inc.**, for Landscape, Hardscape & Monumentation (Time and Labor for Trench through 12,466 LF of Sod and Backfill...), in the amount of \$12,221.00, subject to approval of the Construction Committee.

- L. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 11** to the **Construction Agreement** by and between the District and **Brightview Landscape Development, Inc.**, for Landscape, Hardscape & Monumentation (Cleanup, Fill and Grading for Evergreen Trees), in the amount of \$4,551.00, subject to approval of the Construction Committee.
- M. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 12** to the **Construction Agreement** by and between the District and **Brightview Landscape Development, Inc.**, for Landscape, Hardscape & Monumentation (Grading around Clocktower Landscape Walls and Roundabout Landscape Walls), in the amount of \$14,505.00, subject to approval of the Construction Committee.
- N. Discuss and consider Lender Commitment to fund and approval of **Task Order to MSA** by and between the District and **Cage Engineering, Inc.** for Mass Grading Plans for South End of TAH, in the amount of \$50,000.00, subject to approval of the Construction Committee.
- O. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 01 to MSA** by and between the District and **Cage Engineering, Inc.**, for Channel and Box Updates, Expansion of Pond 8540 and Water and Sewer Construction Plans, the amount of \$15,250.00, subject to approval of the Construction Committee.
- P. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 04 to MSA** by and between the District and **Ecological Resources Consultants, Inc.**, for Geomorphology Report to Support Channel Design, in the amount of \$14,000.00, subject to approval of the Construction Committee.
- Q. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 44 to MSA** for Civil Engineering Services by and between the District and **HR Green Development, LLC**, for Attendance at Coordination and Construction Meetings in 2021, in the amount of \$68,800.00, subject to approval of the Construction Committee.
- R. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 05 to MSA** for In-Tract Public Improvements by and between the District and **HR Green Development, LLC**, for Addition of Curb Cuts along Main Street, in the amount of \$13,962.00, subject to approval of the Construction Committee.

- S. Discuss and consider Lender Commitment to fund and approval of **Task Order to MSA** by and between the District and **HR Green Development, LLC** for Updating Basins, Re-running CUHP/SWMM Model and Submitting Report to COA for Approval, in the amount of \$20,160.00, subject to approval of the Construction Committee.
- T. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 21** to the **Construction Agreement** by and between the District and **Martin Marietta Materials, Inc. (Denver)**, for Mainstreet P1-2 and 42nd Aura P1 (Furnish and Install six (6) 36” signs and five (5) 2” Telespar Post and Bases for Construction Entrance Signage at 26th Avenue), in the amount of \$2,526.00, subject to approval of the Construction Committee.
- U. Discuss and consider Lender Commitment to fund and approval of **Change Order to Task Order No. 18** to the **Construction Agreement** by and between the District and **Norris Design, Inc.** for Main Street, TAH Parkway and Aura Street P1 CA Support (Additional Time and Support of CA Services), in the amount of \$50,000.00, subject to approval of the Construction Committee.
- V. Discuss and consider Lender Commitment to fund and approval of **Change Order to Task Order No. 19** to the **Construction Agreement** by and between the District and **Norris Design, Inc.** for Aurora Highlands Development Filing 9 (Additional Scope Added to Project), in the amount of \$76,400.00, subject to approval of the Construction Committee.
- W. Discuss and consider Lender commitment to fund and approval of **Change Order to Task Order No. 02** to **MSA** for District Engineering Services by and between the District and **Schedio Group LLC**, for Tributary T Acceptance Required by COA and MHFD, in the amount of \$16,000.00, subject to approval of the Construction Committee.
- X. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 14** to the **Construction Agreement** by and between the District and **Stormwater Risk Management, LLC**, for 42nd Avenue P2 and NS Collector EWEC (Install Back of Curb Controls), in the amount of \$22,016.25, subject to approval of the Construction Committee.

VI. ARTA MATTERS

- A. Other.

VII. OTHER BUSINESS

VIII. ADJOURNMENT

THE NEXT REGULAR MEETING IS SCHEDULED FOR OCTOBER 21, 2021.