

**NOTICE OF SPECIAL MEETING OF
THE AEROTROPOLIS AREA COORDINATING METROPOLITAN DISTRICT**

NOTICE IS HEREBY GIVEN that the Board of Directors (the “Board”) of the Aerotropolis Area Coordinating Metropolitan District (the “District”), in the City of Aurora, Adams County, Colorado, will conduct a special meeting on Monday, October 26, 2020 at 3:00 p.m. at the Information Center, 3900 E. 470 Beltway, Aurora, CO 80019. There will be one person in attendance at the referenced physical meeting 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, THE 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://zoom.us/j/98748724823?pwd=SFVUSlJha2pCb0J4dzd0b1ArcjVZUT09>

Meeting ID: 987 4872 4823

Passcode: 016688

Or dial in:

1-301-715-8592

The District will take up such business as may be before the Board, including the items listed on the attached Agenda. The meeting is open to the public, and members of the public are encouraged to participate by video enabled web conference.

This notice is given by order of the Board.

AEROTROPOLIS AREA COORDINATING
METROPOLITAN DISTRICT

By: /s/ Matt Hopper
President of the District

I, Kathy Suazo, hereby certify that a copy of the foregoing Notice of Special Meeting was posted on the district website at least 24 hours prior to the meeting.

Kathy Suazo

AEROTROPOLIS AREA COORDINATING METROPOLITAN 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: **October 26, 2020**
TIME: **3:00 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:

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I. ADMINISTRATIVE MATTERS

A. Present disclosures of potential conflicts of interest.

- B. Confirm Quorum, location of meeting and posting of meeting notices. Approve Agenda.
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- 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.
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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. Ratify approval of **Task Order No. 24** under the Master Service Agreement (“MSA”) for Planning and Landscape Architecture Services by and between the Aerotropolis Area Coordinating Metropolitan District (“District”) and **Norris Design, Inc.** for The Aurora Highlands – Main Street Soccer Field Study, in the amount of \$10,700.
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- B. Ratify approval of **Task Order No. 20** under the MSA for Planning and Architectural Services by and between the District and **Norris Design, Inc.** for Park 03 Site Plan, in an amount not to exceed \$160,000.
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- C. Ratify approval of **Task Order No. 23** under the MSA for Planning and Landscape Architecture Services by and between the District and **Norris Design, Inc.** for Infrastructure Site Plan 04, in an amount not to exceed \$115,000.
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- D. Ratify approval of Letter of Agreement by and between the City of Aurora and the District regarding Request to Accelerate Installation of Pipeline Under Water Line Construction and Cost Reimbursement Agreement (enclosure).
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- E. Ratify approval of Letter of Agreement by and between the City of Aurora and the District regarding Request to Expedite Installation of Pipeline Section Under Water Line Construction and Cost Reimbursement Agreement (enclosure).
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- F. Ratify approval of Proposal from Contour Services, LLC for Transition Services.
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III. LEGAL MATTERS

- A. Discuss and consider adoption of Resolution of the District Concerning Integrated Project Delivery Pursuant to Section 32-1-1804, C.R.S. (to be distributed).
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- B. Discuss and consider approval of Second Amendment to Agreement by and between E-470 Public Highway Authority and the District regarding Temporary Construction Access (enclosure).
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IV. FINANCIAL MATTERS

- A. Ratify approval of payment of interim claims, consisting of check no. 1786 four (4) wire transfers, in the amount of \$45,297.00 (enclosure).
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- B. Discuss status of Lender funding requests and consider approval of payment of claims for operating costs, in the amount of \$56,705.10 (numbers based upon information available at time of preparation of Agenda, final numbers to be presented by accountant at meeting) (to be distributed).
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- C. Review and accept schedule of unaudited financial statements dated August 31, 2020 and cash position report dated August 31, 2020, updated as of October 23, 2020 (to be distributed).
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- 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. 28) prepared by Schedio Group LLC (to be distributed).
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V. CAPITAL PROJECTS

- A. Discuss and consider approval of Draw Request No. 28, in the total amount of \$2,872,853.06*, prepared by the District’s Program Manager (to be distributed- Draw Request No. 28 Summary and list of draw checks):

CAB (A Bonds)	\$ 1,162,414.52
CAB (B Bonds)	\$ 400,916.71
ARTA	\$ 1,295,085.33
ATEC	\$ 5,253.00
Developer	<u>\$ 9,183.50</u>
Total:	<u>\$*2,872,853.06</u>

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

Capital Projects:

- B. Discuss and consider Lender Commitment to fund and approval of MSA for Limited Construction Management Services by and between the District and **AECOM Technical Services, Inc.**, subject to approval of the Construction Committee.
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- C. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 01** to MSA for Limited Construction Management Services by and between the District and **AECOM Technical Services, Inc.**, for First Phase of Services, subject to approval of the Construction Committee.
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- D. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 005** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Development Stormwater Management Plan Engineering Assessment and Support, in the amount of \$62,664.00, subject to approval of the Construction Committee.
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- E. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 006** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Sitewide Grading Analysis, in the amount of \$29,711.00, subject to approval of the Construction Committee.
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- F. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 007** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Development of Aspirational Schedule and COA Schedule and Tracking Assistance, in the amount of \$25,000.00, subject to approval of the Construction Committee.
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- G. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 008** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Forensic Analysis, in the amount of \$55,000.00, subject to approval of the Construction Committee.
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- H. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 010** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Construction Access and Haul Road Design, in the amount of \$41,000.00, subject to approval of the Construction Committee.
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- I. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 011** to MSA for Program Management, Design and Construction Services by and between the District and **AECOM Technical Services, Inc.** for Cost Estimating - Trib T Phase 1 Design, in the amount of \$39,600, subject to approval of the Construction Committee.
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- J. Discuss and consider Lender Commitment to fund and approval of **Notice of Award** of Construction Contract to **Aggregate Industries-WCR, Inc.** for 42nd Avenue Phase 2 and N/S Collector - Site Asphalt, in the amount of \$1,151,072.05, and authorize execution of Notice to Proceed, subject to approval of the Construction Committee.
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- K. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 01** to Construction Agreement by and between the District and **Aggregate Industries-WCR, Inc.** for 42nd Avenue Phase 2 and N/S Collector - Site Asphalt, in the amount of \$62,650.00, subject to approval of the Construction Committee.
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- L. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 03 to Task Order No. 02** to MSA by and between the District and **Beam, Longest and Neff, LLC** for Additional Traffic Analysis of Phase 1 Roadway Design, in the amount of \$19,500.00, subject to approval of the Construction Committee.
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- M. Discuss and consider Lender Commitment to fund and approval of **Notice of Award** of Construction Contract to **Concrete Curb LLC, d/b/a Concrete Curb and Paving, Inc.** for 42nd Avenue Phase 2 and N/S Collector and Aurora Pkwy – Site Concrete, in the amount of \$1,060,283.68, and authorize execution of Notice to Proceed, subject to approval of the Construction Committee.
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- N. Discuss and consider Lender Commitment to fund and approval of **MSA** for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC**, subject to approval of the Construction Committee.
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- O. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 01** to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC** for Filing No. 4, in the amount of \$99,535.00, subject to approval of the Construction Committee.
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- P. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 02** to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC** for Filing No. 5, in the amount of \$171,200.00, subject to approval of the Construction Committee.
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- Q. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 03** to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC** for Filing No. 8, in the amount of \$210,800.00, subject to approval of the Construction Committee.
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- R. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 04** to MSA for Civil Engineering and Surveying Services (In-Tract Public Improvements) by and between the District and **HR Green Development, LLC** for Filing No. 13, in the amount of \$38,220.00, subject to approval of the Construction Committee.
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- S. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 11** to Construction Agreement by and between the District and **Iron Woman Construction & Environmental Services, LLC** for Hand Pour Sidewalk on Denali, in the amount of \$3,342.10, subject to approval of the Construction Committee.
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- T. Discuss and consider Lender Commitment to fund and approval of MSA for Limited Construction Management Services by and between the District and **JHL Constructors, Inc.**, subject to approval of the Construction Committee.
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- U. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 01** to MSA for Limited Construction Management Services by and between the District and **JHL Constructors, Inc.**, for First Phase of Services, subject to approval of the Construction Committee.
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- V. Discuss and consider Lender Commitment to fund and approval of **Change Order** under the Construction Agreement by and between the District and **JHL Constructors, Inc.** for Trib T Aurora Pkwy P3 & Mainstreet P3, in the amount of \$36,079.48, subject to approval of the Construction Committee.
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- W. Discuss and consider Lender Commitment to fund and approval of **Change Order** under the Construction Agreement by and between the District and **JHL Constructors, Inc.** for Added Asphalt Scope, in the amount of \$2,857,190.85, subject to approval of the Construction Committee.
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- X. Discuss and consider Lender Commitment to fund and approval of **Change Order** under the Construction Agreement by and between the District and **JHL Constructors, Inc.** for Clean-up Near Denali Boulevard, in the amount of \$5,712, subject to approval of the Construction Committee.
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- Y. Discuss and consider Lender Commitment to fund and approval of **Change Order** under the Construction Agreement by and between the District and **Kelley Trucking, Inc.** for Tributary T Grading and Erosion Control, in the amount of \$160,500, subject to approval of the Construction Committee.
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- Z. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 10** under the Construction Agreement by and between the District and **Martin Marietta Materials, Inc. (Denver)** for Mainstreet P1-2 and 42nd, Aura P1, in the amount of \$8,180.10, subject to approval of the Construction Committee.
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AA. Discuss and consider Lender Commitment to fund and approval of **Change Order** under the Construction Agreement by and between the District and **Martin Marietta Materials, Inc. (Denver)** for Mainstreet P1-2 and 42nd, Aura P1, in the amount of \$102,300.13, subject to approval of the Construction Committee.

BB. Discuss and consider Lender Commitment to fund and approval of **Change Order** under the Construction Agreement by and between the District and **Martin Marietta Materials, Inc. (Denver)** for Mainstreet P1-2 and 42nd, Aura P1, in the amount of \$59,093.51, subject to approval of the Construction Committee.

CC. Discuss and consider Lender Commitment to fund and approval of **Change Order to Task Order No. 08** under the MSA for Civil Engineering Services by and between the District and **Merrick & Company** for Additional Tasks, in the amount of \$12,400.00, subject to approval of the Construction Committee.

DD. Discuss and consider Lender Commitment to fund and approval of **Change Order to Task Order No. 10** under the MSA for Civil Engineering Services by and between the District and **Merrick & Company** for Superelevation Changes, ECCV Coordination, ISP Details and E470 Support, in the amount of \$66,500.00, subject to approval of the Construction Committee.

EE. Discuss and consider Lender Commitment to fund and approval of **MSA** for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and **Norris Design, Inc.**, subject to approval of the Construction Committee.

FF. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 01** under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and **Norris Design, Inc.** for TAH Filings 4 Public Segregation (reference on invoice), in an amount not to exceed \$20,279.20, subject to approval of the Construction Committee.

GG. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 02** under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and **Norris Design, Inc.** for TAH Filings 5 Public Segregation (reference on invoice), in an amount not to exceed \$48,720, subject to approval of the Construction Committee.

HH. Discuss and consider Lender Commitment to fund and approval of **Task Order No. 03** under the MSA for Planning and Landscape Architectural Services (In-Tract Public Improvements) by and between the District and **Norris Design, Inc.** for TAH Filings 8 Public Segregation (reference on invoice), in an amount not to exceed \$36,300.60, subject to approval of the Construction Committee.

II. Discuss and consider Lender Commitment to fund and approval of **Changer Order to Task Order No. 22** under the MSA for Planning and Landscape Architectural Services by and between the District and **Norris Design, Inc.** for Buffer GIG Plan Changes, in an amount not to exceed \$25,000, subject to approval of the Construction Committee.

JJ. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 06** under the Construction Agreement by and between the District and **Pase Contracting, Inc. – Colorado** for Mainstreet Phase 3 Tributary T EWEC, in the amount of \$45,384.50, subject to approval of the Construction Committee.

KK. Discuss and consider Lender Commitment to fund and approval of **Change Order** under the Construction Agreement by and between the District and **Pase Contracting, Inc. – Colorado** for Mainstreet P1, in the amount of \$13,323.55, subject to approval of the Construction Committee.

- LL. Discuss and consider Lender Commitment to fund and approval of **Change Order No. 15** under the Construction Agreement by and between the District and **Stormwater Risk Management, LLC** for Erosion Control - Straw Blankets in the amount of \$370,678.52, subject to approval of the Construction Committee.

VI. ARTA MATTERS

VII. EXECUTIVE SESSION

- A. Convene in executive session to discuss personnel matters and receive legal advice regarding same, subject to 24-6-402(4)(f)(I) concerning personnel matters.

VIII. OTHER BUSINESS

- A.

IX. ADJOURNMENT

THE NEXT REGULAR MEETING IS SCHEDULED FOR NOVEMBER 23, 2020.