

ORDINANCE/RESOLUTION REQUEST

**All fields must be completed.*
Incomplete request forms will be returned to sender which may cause a delay in processing.*

Date of Request: 4/16/2015

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: *Additional Project Improvements Reimbursement Agreement- Aviation Station North Metropolitan District No. 1*

3. Requesting Agency: Department of Aviation

4. Contact Person: *(With actual knowledge of proposed ordinance/resolution.)*

- Name: Amy Raaz
- Phone: (303) 342-2201
- Email: Amy.Raaz@flydenver.com

5. Contact Person: *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor Council and who will be available for first and second reading, if necessary.)*

- Name: Dan Poremba
- Phone: 303-342-2260
- Email: Dan.Poremba@flydenver.com

6. General description of proposed ordinance including contract scope of work if applicable:

There are a series of documents being packaged together regarding the shared costs of infrastructure for Phase 1 of the Pena Station Area Project. The Development Agreement between the Department of Aviation and Railstop, LLC and the Second Amendatory Agreement to IGA for Fastracks East Corridor / Denver International Airport details that DIA will fund up to \$38.1MM for development of Phase 1 RTD Station design, construction, and improvements. This Reimbursement Agreement details the reimbursement on DIA's funding amount of \$3,000,000.00 of additional project improvements. This agreement specifically states that \$3,000,000.00 of Principal shall be paid back at an annual rate of 5% up to a maximum total repayment amount of \$6,000,000.00. The reimbursement obligation shall be funded by pledged revenues from a mill levy equal to 3 mills - Aviation Station Mill Levy Three - until the maximum obligation has been reached.

***Please complete the following fields: (Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field.)*

- a. Contract Control Number: 201521615
- b. Duration: The agreement terminates on the earlier of (1) the date on which principal and interest paid by the Management Districts equals \$6,000,000 or (2) the date on which the principal amount and all accrued and unpaid interest on the Reimbursement Obligation is paid in full.
- c. Location: DIA
- d. Affected Council District: 11
- e. Benefits: The Pena Station Phase One - 1) a mechanism for RTD funding to provide Station at 61st and Pena, 2) provides cost-sharing mechanism for construction of the station and Phase 1 infrastructure for the Transit Oriented Development, 3) provide a mechanism for reimbursement of \$17M, and 4) provides the mechanism for financing, designing and construction Phase 1 infrastructure. All of these benefits will enhance the customer experience to DEN and generate additional non-aviation revenue to the airport.

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

f. Costs:

<i>Current Contract Amount (A)</i>	<i>Additional Funds (B)</i>	<i>Total Contract Amount (A+B)</i>
\$6,000,000.00	0	\$6,000,000.00

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
The agreement terminates on the earlier of (1) the date on which principal and interest paid by the Management Districts equals \$6,000,000 or (2) the date on which the principal amount and all accrued and unpaid interest on the Reimbursement Obligation is paid in full.		

g. Date Goals Assigned: Not subject to DSBO Ordinance. 4/13/15

h. Goals: N/A

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain. No

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____

Key Contract Terms

Vendor/Contractor Name: Aviation Station North Metropolitan District No. 1

Contract control number: 201521615

City's contract manager: Dan Poremba

Was this contractor selected by competitive process? Was it the low bid? No- Sole Source

Term/Duration of contract/project: The agreement terminates on the earlier of (1) the date on which principal and interest paid by the Management Districts equals \$6,000,000 or (2) the date on which the principal amount and all accrued and unpaid interest on the Reimbursement Obligation is paid in full.

Renewal terms: Renewal must be a written amendatory or other agreement properly executed by the parties.

Purpose: There are a series of documents being packaged together regarding the shared costs of infrastructure for Phase 1 of the Pena Station Area Project. The Development Agreement between the Department of Aviation and Railstop, LLC and the Second Amendatory Agreement to IGA for Fastracks East Corridor / Denver International Airport details that DIA will fund up to \$38.1MM for development of Phase 1 RTD Station design, construction, and improvements. This Reimbursement Agreement details the reimbursement on DIA's funding amount of \$3,000,000.00 of additional project improvements. This agreement specifically states that \$3,000,000.00 of Principal shall be paid back at an annual rate of 5% up to a maximum total repayment amount of \$6,000,000.00. The reimbursement obligation shall be funded by pledged revenues from a mill levy equal to 3 mills - Aviation Station Mill Levy Three - until the maximum obligation has been reached.

Scope of services to be provided with performance bench marks: None

Cost/value: \$6,000,000.00

Source of funds: Revenue

Benefit: The Pena Station Phase One - 1) a mechanism for RTD funding to provide Station at 61st and Pena, 2) provides cost-sharing mechanism for construction of the station and Phase 1 infrastructure for the Transit Oriented Development, 3) provide a mechanism for reimbursement of \$17M, and 4) provides the mechanism for financing, designing and construction Phase 1 infrastructure. All of these benefits will enhance the customer experience to DEN and generate additional non-aviation revenue to the airport.

Termination provision for City and for contractor:

WBE/MBE/DBE commitments (construction, design, Airport concession contracts):
Who are the subcontractors to this contract? N/A

Location: DIA

Affected Council District: 11

To be completed by Mayor's Legislative Team:

SIRE Tracking Number: _____

Date: _____