

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by **11:00am on Monday**. Contact the Mayor's Legislative team with questions

Please mark one: ☒ Bill Request or ☐ Resolution Request Date of Request: 05/02/2023

1. Type of Request:

- ☐ Contract/Grant Agreement ☒ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment
☐ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change
☐ Other:

2. Title: (Start with *approves*, *amends*, *dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Approves an intergovernmental agreement with the Evergreen Metropolitan District (EMD) setting forth the terms and conditions for EMD to continue to assume responsibility for operation and maintenance of the Evergreen Dam and Lake.

3. Requesting Agency: Denver Parks and Recreation

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Brad Eckert	Name: Jesus Orrantia
Email: Brad.eckert@denvergov.org	Email: jesus.orrantia@denvergov.org

5. General description or background of proposed request. Attach executive summary if more space needed:

This intergovernmental agreement clarifies and defines the relationship with Evergreen Metropolitan District and their continued responsibility for operation and maintenance of the Evergreen Dam and Lake in Dedisse Park. In 1980, Denver and EMD entered a Cooperative Agreement that set forth the terms and conditions by which EMD assumed responsibility for the operation and maintenance of the Evergreen Dam and Lake. EMD was, among other things, authorized under the Cooperative Agreement to enter into a contract with another governmental entity for the purpose of providing recreational programs and facilities at the Lake.

The first contract for this purpose was established between EMD and Jefferson County and soon thereafter Jefferson County entered into an assignment agreement with EPRD in which they largely assumed the rights and obligations in regard to recreational programming around Evergreen Lake. EPRD still provides recreational programming and is expected to enter into a new agreement with Denver for continued recreational programming and activities at Dedisse Park which will supersede the agreement between Jefferson County and EPRD. This EMD agreement is intended to set forth and clarify rights, obligations and responsibilities of the City and EMD with respect to the Lake and Dam

6. City Attorney assigned to this request (if applicable): Jason Moore

7. City Council District: N/A

8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):
IGA/Cooperative Agreement

Vendor/Contractor Name: Evergreen Metropolitan District

Contract control number: 202263483

Location: Mountain Parks

Is this a new contract? ☒ Yes ☐ No **Is this an Amendment?** ☐ Yes ☒ No **If yes, how many?** _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):
Effective Date plus 50-years (12/31/72)

Contract Amount (indicate existing amount, amended amount and new contract total): no funds are obligated by either party in the agreement. There is no transfer of funds.

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
N/A	N/A	N/A

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
Effective Date		12/31/2072

Scope of work:

Establishes an intergovernmental agreement between Denver Parks and Recreation and Evergreen Metropolitan District for operation and maintenance of the Evergreen Dam and Lake in Dedisse Park.

Was this contractor selected by competitive process? No **If not, why not?**

Evergreen Metro District is a quasi-governmental entity. As the sole water service provider for Dedisse Park, EMD has been providing operation and maintenance of the Evergreen Dam and Lake since 1980 and have demonstrated the capacity to successfully deliver those services for the benefit of the park and public in general. This amended agreement will further formalize the contractual requirements and allow EMD to continue to operate and maintain the dam and lake and provide water services for the benefit of the public.

Has this contractor provided these services to the City before? ☒ Yes ☐ No

Source of funds: NA

Is this contract subject to: ☐ W/MBE ☐ DBE ☐ SBE ☐ XO101 ☐ ACDBE ☒ N/A

WBE/MBE/DBE commitments (construction, design, Airport concession contracts)

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Who are the subcontractors to this contract?

N/A

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