

**REVIVAL AND AMENDATORY BELLEVUE CONCRETE REPAIR AND
PAVEMENT REHABILITATION AGREEMENT**

THIS REVIVAL AND AMENDATORY AGREEMENT, made between the **CITY and COUNTY of DENVER**, a municipal corporation of the State of Colorado, hereinafter referred to as "DENVER," and the **CITY OF GREENWOOD VILLAGE**, a municipal corporation of the State of Colorado, hereinafter referred to as "GREENWOOD";

WHEREAS, DENVER and GREENWOOD entered into a Bellevue Concrete Repair and Pavement Rehabilitation Agreement dated May 24, 2012 (the "Agreement") for concrete repair and pavement rehabilitation of portions of Bellevue Avenue from the existing construction joint just east of the Bellevue/I-25 intersection to the east edge of Bellevue/Yosemite intersection, including the westbound lanes of Bellevue within the jurisdiction of Denver (the "Project"); and

WHEREAS, DENVER reimbursed GREENWOOD for DENVER'S share of the said materials, and labor for the Project; and

WHEREAS, Section 20 of the Agreement states that DENVER will agree to amend the Agreement if actual costs exceed those in the Agreement due to actual field constructed quantities; and

WHEREAS, DENVER and GREENWOOD desire to revive the Agreement and amend the Agreement to reflect the actual cost for work done in Denver's jurisdiction, and otherwise amend the Agreement as reflected below;

NOW, THEREFORE, in consideration of the mutual covenants and agreements, and the premises herein contained, the parties hereto agree:

1. Attachment A is replaced in its entirety with Attachment A-1 attached hereto and incorporated herein by reference.
2. Section 3 of the Agreement is amended to read as follows:

"3. WORK BY GREENWOOD: Subject to the requirements contained in Paragraph 5.f and pursuant to a construction contract between GREENWOOD and the PAVEMENT CONTRACTOR, GREENWOOD shall act as Project Manager and undertake to supply patching, milling, paving, striping and concrete replacement within DENVER's jurisdiction as set forth in **Attachment A-1** and as follows. Work listed in **Attachment A-1** has been bid separately by PAVEMENT CONTRACTOR for the areas within DENVER'S jurisdiction.

COST

Paving Cost:	\$ 372,735.11
Striping Cost:	\$ 40,047.52
Concrete Cost:	\$ 74,418.92

Change Orders	\$ 29,384.70
Project Management Cost:	<u>\$ 5,282.00</u>
Total Cost:	\$ 521,868.25”

3. A new section is added to the Agreement which reads as follows:

“21. ELECTRONIC SIGNATURES AND ELECTRONIC RECORDS: GREENWOOD consents to the use of electronic signatures by DENVER. The Agreement, and any other documents requiring a signature hereunder, may be signed electronically by DENVER in the manner specified by DENVER. The Parties agree not to deny the legal effect or enforceability of the Agreement solely because it is in electronic form or because an electronic record was used in its formation. The Parties agree not to object to the admissibility of the Agreement in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.”

4. Except as herein amended, the Agreement is revived, reaffirmed and ratified in each and every particular.

Contract Control Number: PWADM-201206328-01

Contractor Name: Greenwood Village

By: Ronald J. Rakowsky

Name: Ronald J. Rakowsky
(please print)

Title: Mayor
(please print)

ATTEST: [if required]

By: Susan M. Phillips

Name: Susan Phillips
(please print)

Title: City Clerk
(please print)



Contract Control Number:

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of

SEAL

CITY AND COUNTY OF DENVER

ATTEST:

By _____

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

By _____

By _____

By _____



ATTACHMENT A-1

SCHEDULE 2 - BELLEVIEW (DENVER)											
PAVING ITEMS				Engineer's Estimate		Performed Quantity		Variance			Comments
Bid Item	Description	Unit	Unit Cost	Estimated Quantity	Total Cost	Actual Quantity	Total Cost	Quantity	Total Cost	% Variance	
AP-100	2" Full Width Rotomilling	SY	\$ 3.05	15357	\$ 46,838.85	15,652.58	\$ 47,740.37	295.58	\$ 901.52	1.9%	Milling coverage is for NW quadrant of Belleview & Yosemite intersection. Paving coverage is - 40 tn for NW quadrant Belle/Yose, 110 tn for mill depth increase to 2.5" from Wabash to Yosemite (paving fabric encountered at 2")
AP-101	Grading "Sx" - Top Lift Paving (2" to 2.5" Depth) - PG 64-22 binder for Superpave traffic level - 2, N=75, 0% RAP	TN	\$ 90.00	1706	\$ 153,540.00	1,983.52	\$ 178,516.80	277.52	\$ 24,976.80	16.3%	
AP-102	PG 64-22 Liquid AC per ton for 1% VMA shift (estimate 0.3% AC increase) (for HMA mixes only)	LTN	\$ 620.00	5	\$ 3,100.00	3.97	\$ 2,461.40	-1.03	\$ (638.60)	-20.6%	
AP-103	10" Full Depth HBP Patching	SY	\$ 106.50	1063	\$ 113,209.50	963.28	\$ 102,589.32	-99.72	\$ (10,620.18)	-9.4%	
AP-104	Sandwich Transverse Crack Repair, 3" to 6" depth (based on overlay thickness) by 6' wide	LF	\$ 57.00	0	\$ -	0.00	\$ -	0.00	\$ -		
AP-105	Detail Sandwich Transverse Crack Repair, 3 to 6" depth (based on overlay thickness) by 3' wide	LF	\$ 32.70	1200	\$ 39,240.00	1,101.75	\$ 36,027.23	-98.25	\$ (3,212.78)	-8.2%	
AP-106	Reset Manhole - lower prior to milling or full depth removal and raise after final lift (traditional HMA/SMA overlay)	EA	\$ 175.00	25	\$ 4,375.00	20.00	\$ 3,500.00	-5.00	\$ (875.00)	-20.0%	
AP-107	Reset Valve Box - lower prior to milling or full depth removal and raise after final lift (traditional HMA/SMA overlay)	EA	\$ 100.00	17	\$ 1,700.00	19.00	\$ 1,900.00	2.00	\$ 200.00	11.8%	
STRIPING ITEMS				Engineer's Estimate		Performed Quantity		Variance			Comments
Bid Item	Description	Unit	Unit Cost	Estimated Quantity	Total Cost	Actual Quantity	Total Cost	Quantity	Total Cost	% Variance	
AS-100	Grooving ONLY for Preformed Plastic Pavement Marking - Mainline Striping - Per CDOT Revision of Section 627.08 a)	SF	\$ 1.75	1470	\$ 2,572.50	1,756.99	\$ 3,074.73	286.99	\$ 502.23	19.5%	Bid quantities did not include an estimate for striping on DTC Blvd north of Belleview (from north curb line to start of concrete paving, approx. 100') - approx 400 lf 8" white, 60 lf 4" white (297 sf), and two left turn arrows for SB lefts)
AS-101	Furnish and place Type I, Class 2 Preformed Plastic Pavement Marking in grooved recess	SF	\$ 10.90	1470	\$ 16,023.00	1,756.99	\$ 19,151.19	286.99	\$ 3,128.19	19.5%	
AS-102	Grooving ONLY for Preformed Plastic Pavement Marking - Crosswalk, Stop Bar	SF	\$ 1.75	1036	\$ 1,813.00	1,036.00	\$ 1,813.00	0.00	\$ -	0.0%	
AS-103	Furnish and place Preformed Thermoplastic burn down 90 mil x-walks and stop bars	SF	\$ 11.45	1036	\$ 11,862.20	1,036.00	\$ 11,862.20	0.00	\$ -	0.0%	
AS-104	Single Straight/Turn Arrows - Preformed Thermoplastic Pavement Marking (Narrow Elongated)	EA	\$ 275.00	10	\$ 2,750.00	12.00	\$ 3,300.00	2.00	\$ 550.00	20.0%	
AS-105	Place temporary Pavement Marking Tape (Metal Foil) per CDOT 627.10 (as interim striping post paving)	SF	\$ 2.30	368	\$ 846.40	368.00	\$ 846.40	0.00	\$ -	0.0%	
CONCRETE ITEMS				Engineer's Estimate		Performed Quantity		Variance			Comments
Bid Item	Description	Unit	Unit Cost	Estimated Quantity	Total Cost	Actual Quantity	Total Cost	Quantity	Total Cost	% Variance	
AC-101	Concrete flatwork 6" depth (HC curb ramps excluding cost associated with supply and install of truncated dome panel)	SF	\$ 14.90	758	\$ 11,294.20	1,164.10	\$ 17,345.09	406.10	\$ 6,050.89	53.6%	
AC-102	Crossspan, 10" depth	SF	\$ 17.70	1793	\$ 31,736.10	1,080.00	\$ 19,116.00	-713.00	\$ (12,620.10)	-39.8%	
AC-103	Curb & Gutter Type 2 IB (1' gutter)	LF	\$ 42.15	440	\$ 18,546.00	265.50	\$ 11,190.83	-174.50	\$ (7,355.18)	-39.7%	
AC-104	Curb & Gutter Type 2 IIB (2' gutter)	LF	\$ 46.15	512	\$ 23,628.80	580.00	\$ 26,767.00	68.00	\$ 3,138.20	13.3%	
MISCELLANEOUS ITEMS				Engineer's Estimate		Performed Quantity		Variance			Comments
Bid Item	Description	Unit	Unit Cost	Estimated Quantity	Total Cost	Actual Quantity	Total Cost	Quantity	Total Cost	% Variance	
AM-101	Edge Drain Installation including maximum 14" asphalt patch (Eljin EL00612-SL20 or approved equal) - See PSP-3 for additional information	LF	\$ 30.00	0	\$ -		\$ -	0.00	\$ -		
AM-102	Edge Drain Installation, excluding asphalt patching (Eljin EL00612-SL20 or approved equal) - See PSP-3 for additional information	LF	\$ 15.00	0	\$ -		\$ -	0.00	\$ -		
AM-103	Edge Drain 4" PVC (installation for area NR2a is subject to prevailing wage requirements)	LF	\$ 30.00	0	\$ -		\$ -	0.00	\$ -		
AM-104	Edge Drain Inlet Tie-Ins - See Edge Drain Detail in Appendix for additional information (installation for area NR2a is subject to prevailing wage requirements)	EA	\$ 500.00	0	\$ -		\$ -	0.00	\$ -		
CHANGE ORDER ITEMS				Engineer's Estimate		Performed Quantity		Variance			Comments
Bid Item	Description	Unit	Unit Cost	Estimated Quantity	Total Cost	Actual Quantity	Total Cost	Quantity	Total Cost	% Variance	

Bid Item	Description	Unit	Unit Cost	Estimated Quantity	Total Cost	Actual Quantity	Total Cost	Quantity	Total Cost	% Variance	Comments
CO-6	Belleview bridge waterproofing membrane replacement	LS	\$ 26,984.70	0	\$ -	1.00	\$ 26,984.70	1.00	\$ 26,984.70		Original CO estimate of \$16,875 (approved by James Barwick). Additional delamination / membrane replacement required due to non-uniform HBP thickness on deck.
CO-10	Cast Iron Truncated Dome installation	SF	\$ 75.00	0	\$ -	32.00	\$ 2,400.00	32.00	\$ 2,400.00		2 ea @ 2' x 6', 1 ea @ 2' x 4'. Quantities not in original estimate.
TOTAL COST SCHEDULE 2 (Belleview-Denver)					\$ 483,075.55		\$ 516,586.25		\$ 33,510.70		
PAVING ITEMS					\$ 362,003.35		\$ 372,735.11		\$ 10,731.76	3.0%	Variance of \$4,125.99 (0.85%) on base bid items is within accepted standards
STRIPING ITEMS					\$ 35,867.10		\$ 40,047.52		\$ 4,180.42	11.7%	
CONCRETE ITEMS					\$ 85,205.10		\$ 74,418.92		\$ (10,786.19)	-12.7%	
MISCELLANEOUS ITEMS					\$ -		\$ -		\$ -		
CHANGE ORDER ITEMS					\$ -		\$ 29,384.70		\$ 29,384.70		
PROJECT MANAGEMENT					\$ 5,282.00		\$ 5,282.00		\$ -	0.0%	
TOTAL COST SCHEDULE 2 (Belleview-Denver)					\$ 488,357.55		\$ 521,868.25		\$ 33,510.70	6.9%	