

## **BILL/ RESOLUTION REQUEST**

- 1. Title:** Approves an Intergovernmental Agreement between the City and County of Denver (CCD), the City of Aurora (COA) and the Regional Transportation District (RTD) for the Peoria Street Grade Separation Project, located at approximately Peoria and Smith Road in Council District 11.
  
- 2. Requesting Agency:** Parks and Recreation
  
- 3. Contact Person *with actual knowledge of proposed ordinance***  
**Name:**Brian Pinkerton  
**Phone:**720-865-2524  
**Email:**brian.pinkerton@denvergov.org
  
- 4. Contact Person *with actual knowledge of proposed ordinance who will present the item at Mayor Council and who will be available for first and second reading, if necessary***  
**Name:**Brian Pinkerton  
**Phone:**720-865-2524  
**Email:**brian.pinkerton@denvergov.org
  
- 5. Describe the proposed ordinance, including what the proposed ordinance is intended to accomplish, who's involved**
  - a. Scope of Work**

This is the second three-way IGA between CCD, RTD, and COA for this Peoria Grade Separation Project. The first IGA, executed approximately a year ago, established the funding contributions of the three agencies to the overall project. This IGA covers many issues related to the project and funding, including:

    - RTD will be responsible for funding and constructing the temporary at-grade crossing at Peoria St. as needed for the FasTracks East Corridor project until the Peoria Grade Separation is open. RTD will be reimbursed for this expense if there are funds remaining at the end of the Peoria project.
    - New monies attracted to the Peoria project will go to completing the original scope of the project.
    - There are mechanisms to reimburse the three agencies for expenses related to staff time (including outside professional services) to help administer parts of the project.
    - Cost overruns, in excess of the current total budget of \$53 million, will be shared equally between CCD and RTD, offset by any financial contributions from COA. Currently, the project is projected to be under budget.
    - After reimbursement of RTD for the at-grade crossing, and reimbursement to the three agencies for eligible staff time, RTD will be reimbursed for \$4.15 million should sufficient excess funds be available at the close of the project as set forth in an IGA between COA and RTD. If there are still excess funds after this, the three parties will share equally all remaining funds.

- It is the goal of the project to have traffic on the new structure on or before March 1, 2015. The current schedule shows CCD's design builder beating this date by more than 6 months.
- There is significant coordination between RTD's East Corridor project, this project, and RTD's 225 light rail project. This IGA requires coordination between the respective contractors, and also gives priority to the East Corridor but allows Peoria to be reimbursed for additional expenses to accommodate this prioritization.
- This IGA established CCD as the manager of the project, with authority to execute up to \$2 million of change orders on CCD's sole authority as long as the change orders are consistent with the original project scope. Additional change orders beyond the first \$2 million require approval of both CCD and RTD. There is also a Project Management Team (PMT) created to handle escalated issues.
- This IGA establishes a coordinated effort between this project and the RTD 225 light rail project for joint ROW acquisition in this vicinity. By coordinating processes, several hundred thousand dollars were saved to each project.
- CCD's storm water management program will have jurisdiction over the entire project.

**b. Duration**

Until the Peoria project is completed

**c. Location**

**d. Affected Council District**

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**e. Benefits**

Safer more efficient travel over RTD and UPRR railroad tracks for the motoring public and the railroads.

**f. Costs**

Total project cost, including NEPA clearance, ROW, engineering, and construction estimated to be \$53 million.

**6. Is there any controversy surrounding this ordinance, groups or individuals who may have concerns about it? Please explain.**

No.

**Bill Request Number: BR13-0183**

**Date: 3/13/2013**