

ORDINANCE/RESOLUTION REQUEST

All Fields must be completed

Incomplete request forms will be returned to sender which may cause a delay in processing.

Please mark one: Bill Request or Resolution Request

Date of Request: 4/24/20

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.)

An amendment to the Holder-FCI Contract adding \$265 million for furnishing all labor, tools, supplies, equipment, materials and everything necessary to DEN's Expansion and Renewal Program to accommodate additional project delivery options.

3. **Requesting Agency:** DEN

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Stu Williams	Name: Gisela Shanahan
Email: Stuart.Williams@flydenver.com	Email: Gisela.Shanahan@flydenver.com

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

In 2017, Council approved a \$1.5 billion program to build 39 new gates at DEN to be completed by early 2022. DEN signed Construction Manager at Risk (CMR) contracts with Holder-FCI Joint Venture and Turner-Flat Iron Joint Venture for furnishing all labor, tools, supplies, equipment and materials to execute the Expansion and Renewal Program.

Since the execution of the original contracts, the program has progressed, and the airport/airline industry has been impacted with the COVID-19 Pandemic. The airlines have signed lease agreements for the additional gates requiring us to take on additional work to move airlines. The industry impacts associated with the pandemic has driven a re-evaluation of our Capital Improvement Program as it relates to the concourse areas. To meet the needs of the Expansion and Renewal Program and the reprioritization of our Capital Improvement Program, this amendment will allow us to do the following:

- Airlines have signed leases for all the additional gates, in order to meet our commitment to the airlines, DEN must relocate airlines and build out space for office and support needs.
- In order to take advantage of some gates being out of service for interior work, we plan to coordinate needed exterior rehabilitation of pavement, utility and in pavement fueling systems.
 - Renovate existing hold rooms, conveyances, bathrooms and finishes in the concourses in late 2020, 2021 and 2022. Accelerating these programs, that we already included as part of our existing CIP will: Save costs and allow renovations to move faster and reduce traveler inconvenience. (Compared to waiting until after the gates build out is complete and traffic has recovered.)

Note that prior to the pandemic, DEN had already issued bonds to cover the majority of its Capital Improvement Plan (CIP). These bond dollars cannot be used to cover expenses for Operations and Maintenance (O&M). So even as the airport makes significant cuts to our O&M budget, we have a separate and distinct set of funds that we are obligated to apply to our capital program, with specified time limits.

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR20 0412

Date Entered: _____

As the crisis created by the Coronavirus took hold, DEN quickly took steps to freeze spending on our O&M budget and began a process to evaluate and re-prioritize our capital program. We anticipate a slow recovery of traffic at DEN. In recognition of that, we plan to delay some projects that are not immediately needed. The construction and design teams are already on site and we can quickly take advantage of reduced passenger traffic and fulfill the airport's long-term plans to replace aging infrastructure across the concourses. We can close and complete larger areas with minimal impact to operations. Additionally, moving ahead with the plan will keep more people working and in a way that is safe and healthy, as well as implementing needed improvements.

This amendment to the Holder FCI Contract along with the amendment to the Turner-Flat Iron Contract (separate Ordinance Application) will increase contract capacity to accommodate these additional delivery options. This amendment also allows us to balance work between the two contracts mentioned above to accommodate the CMR delivery of additional gates, hold rooms, airline support space, accommodate airline moves, wayfinding, as well as other CIP infrastructure as required.

6. **City Attorney assigned to this request (if applicable):** Max Taylor

7. **City Council District:** 11

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

Key Contract Terms

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

Construction Manager at Risk (CMR) Contract

Vendor/Contractor Name: Holder-FCI Joint Venture

Contract control number: 201733063

Location: Denver International Airport District 11

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):

Existing	Start Date	12/06/2017
	End Date	12/06/2022
Amended	Start Date	No Change
	End Date	No Change

Contract Amount (indicate existing amount, amended amount and new contract total):

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$655,000,000	\$265,000,000	\$920,000,000
<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
NA	NA	NA

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Scope of work:

Construction Manager at Risk (CMR) contract furnishing all labor, tools, supplies, equipment, materials and everything necessary and required for the construction of the Expansion and Renewal Program.

Was this contractor selected by competitive process? Yes **If not, why not?**

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

Source of funds: GL 73851-Airport Admin General-6061010-7212000

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

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

24% Construction

Who are the subcontractors to this contract?

See attached list. Note: Existing subcontractors, more will be added with the additional work.

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