

## ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo, Department of Transportation & Infrastructure  
at [pw.ordinance@denvergov.org](mailto:pw.ordinance@denvergov.org) by **12:00pm NOON on Monday**. Contact Jason with questions.

Please mark one: ☐ Bill Request or ☒ Resolution Request Date of Request: 10/11/2021

### 1. Type of Request:

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

### 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.)

Amends a grant agreement from CDOT decreasing the Local Agency match percentage from 86.58% to 50.00% and updating the State's Multimodal Transportation Options Funding (MMOF) expiration date by one year to June 30, 2024, for the 16<sup>th</sup> Street Mall Reconstruction Project. MTF C010-129 (24108). Contract #202056866/202158042-01\_202160731-01.

### 3. Requesting Agency: Department of Transportation & Infrastructure

### 4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Mark Martinez	Name: Jason Gallardo
Email: <a href="mailto:mark.martinez3@denvergov.org">mark.martinez3@denvergov.org</a>	Email: <a href="mailto:jason.gallardo@denvergov.org">jason.gallardo@denvergov.org</a>

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

The parties entered into agreement MTF C010-129 (24108). Contract #202056866/202158042 on April 6, 2021 for the City to receive \$20,000,000 of CDOT Multi-modal Options (MMOF) funding for the 16th Street Mall Reconstruction and Improvement Project. The agreement included State and Local Agency match percentages calculated as a ratio the MMOF funding of \$20,000,000.00 as a portion of the construction contract value of \$149,000,000 (13.42% State Funds with a Local Agency Match of 86.58%). It also included a State funding expiration date of June 30, 2023, with the provision for the State to notify the Local Agency if the funding expiration date was extended.

The parties now wish to amend the agreement to better align the State funds with the Project's expenditure schedule. This includes decreasing the total stated Participating Costs of Work from \$149,000,000 to \$40,000,000.00, thus increasing the State Funds match to 50.00% and decreasing the Local Agency match to 50.00%. It also includes documenting the extension of a the funding expiration date by one year to June 30, 2024. These revisions result in a zero dollar net impact to both the State and the Local Agency and are in accordance with CDOT MMOF fund requirements. The construction contract value of \$149,000,000.00 is also unchanged.

This is an administrative amendment to maximize expenditure of grant funds based on refined information provided by the design-build contractor for the Project. The amended agreement would update Exhibit C, Funding Provisions, to reflect these changes as well as incorporate Option Letters that have been executed to date for State fund encumbrance,

### 6. City Attorney assigned to this request (if applicable): John McGrath

### 7. City Council District: 9

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

## Key Contract Terms

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: RR21 1210

Date Entered: \_\_\_\_\_

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

Vendor/Contractor Name: CDOT

Contract control number: 202158042-01\_202160731-01

Location: 16<sup>th</sup> Street Mall

Is this a new contract? ☒ Yes ☐ No Is this an Amendment? ☒ Yes ☐ No If yes, how many? 1

Contract Term/Duration (for amended contracts, include existing term dates and amended dates): 4/6/21-10/5/30

Contract Amount (indicate existing amount, amended amount and new contract total): \$20,000,000

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$20,000,000	0	\$20,000,000

  

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
4/6/21- 10/05/2030	None	4/6/21- 10/05/2030

**Scope of work:** The 16th Street Mall Project is a strategic and coordinated effort to address deteriorating infrastructure, provide equitable and sufficient space for high-quality public gathering opportunities, improve pedestrian and vehicle safety, and continue reliable two-way Free MallRide transit service while honoring the Mall's use and iconic design.

Was this contractor selected by competitive process? N/A. Grant agreement

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

Source of funds:

<u>Fund</u>	<u>Cost Center</u>	<u>WD Capital Program</u>	<u>Project</u>	<u>Grant ID</u>	<u>Amount</u>
38820	C5011000		GR00001824	16 <sup>th</sup> Street	\$20,000,000.00 CDOT

ELEVATE DENVER BOND: ☐

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

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): N/A. Grant Agreement.

Who are the subcontractors to this contract? N/A. Grant Agreement

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Date Entered: \_\_\_\_\_