

Executive Order No. [REDACTED]

TO: All Departments and Agencies Under the Mayor

FROM: Michael B. Hancock, Mayor

DATE: [REDACTED], 2018

SUBJECT: Office of Performance-Based Infrastructure

PURPOSE: This Executive Order creates the Office of Performance-Based Infrastructure (the “PBI Office”) and establishes it to implement the policy of the City and County of Denver (“City”) with respect to performance-based infrastructure (“PBI”) projects.

- 1.0 Applicable Authority:** The applicable authority relevant to the provisions and requirements of this Executive Order No. [REDACTED], are found in Sections 2.2.1 and 2.2.6 of the Charter of the City and County of Denver (“Charter”), 2002 revised.
- 2.0 Mission:** Provide the City with the capacity to effectively evaluate and execute partnerships with private entities to deliver PBI projects.
- 3.0 Executive Director:** The PBI Office shall be headed by an Executive Director appointed by and serving at the pleasure of the Mayor pursuant to the Mayor’s authority under the Charter Section 9.1.1(E)(iv).
- 4.0 Responsibilities:** The PBI Office shall coordinate on behalf of the Mayor the efforts of agencies pursuing PBI projects in consultation with the Department of Finance, the Department of Public Works and the City Attorney’s Office as set forth in the PBI Program and Policy. The PBI Office shall oversee:
 - 4.1 Policies and Procedures.** Implement the PBI Program and Policy and propose changes as necessary.
 - 4.2 Planning.** Assist sponsoring agencies with development of potential PBI projects.
 - 4.3 Screening.** Define PBI project components and procurement strategy.
 - 4.4 Structuring.** Assist sponsoring agencies with development of technical feasibility, risk register, financial model, and business case evaluation.
 - 4.5 Procurement.** Oversee procurement of PBI projects with Public Works’ assistance.

- 4.6 Implementation.** Assist sponsoring agencies with meeting the City’s owner obligations. Monitor contract execution, collect performance data over PBI project life, and manage contract modifications.
- 4.7 Unsolicited Proposal Process.** Oversee PBI unsolicited proposal process.
- 5.0 Oversight:** The PBI Office will be overseen by Performance Infrastructure Committee (PIC). The PIC will consist of the Mayor’s Chief Projects Officer (or equivalent position), the Manager of Finance, the City Attorney, the Executive Director of Public Works and the Executive Director of the PBI Office. The Executive Director of the PBI Office is a non-voting member of the PIC.
- 6.0 Assignment:** The Mayor may assign the planning, construction, reconstruction of specific PBI projects to the PBI Office pursuant to Charter Section 2.3.3.
- 7.0 Cooperation:** All City departments and agencies under the Mayor shall cooperate with the PBI Office in accomplishing the goals and responsibilities outlined in this Executive Order.
- 8.0 Memorandum Attachments:** The procedures for implementing this Executive Order may be defined by Memorandum Attachments to the Executive Order which shall become part of this Executive Order.

Approved for Legality:

Approved:

Kristin M. Bronson
 City Attorney for the City and County
 Of Denver

Michael B. Hancock
 MAYOR

Eulois Cleckley
 Executive Director of Public Works

Allegra “Happy” Haynes
 Executive Director of Parks & Recreation

Brendan Hanlon
 Chief Financial Officer

D. Troy Riggs
Executive Director of Safety

Murphy Robinson
Executive Director of General Services

Don Mares
Executive Director of Human Services

Bob McDonald
Executive Director of Public Health
and Environment

Kim Day
Chief Executive Officer of Aviation

Brad Buchanan
Executive Director of Community
Planning & Development