

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by 9 **a.m. Friday**. Contact the Mayor's Legislative team with questions

Date of Request: 2.19.26

Please mark one: Bill Request or Resolution Request

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

Yes No

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.)

Amends the cost sharing and funding agreement with JV LoDo Denargo LLC (c/o Golub and Company) by adding \$22,419.99 for a new total of \$3,022,419.99 to cover overages for the community garden part of the project as part of additional scope in a new public park in the Denargo Market redevelopment. No change to agreement terms, in Council District 9 (PARKS-202473847/PARKS-202582745-01).

3. **Requesting Agency:** Denver Parks and Recreation

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Zachary Lovato	Name: Jesus Orrantia
Email: Zachary.Lovato@denvergov.org	Email: jesus.orrantia@denvergov.org

5. **General description or background of proposed request. Attach executive summary if more space needed:** (who, what, why)

DPR and the Developer included the scope of work to build a community garden within the limits of the Denargo Park Development project. The cost overrun for this additional scope was \$50,000 and included design services and additional construction costs. What we still owe to JV Lodo Denargo is \$20,373.00 beyond the \$3M reimbursement. \$22,419.99 will be encumbered in case there are small expenses that arise before final acceptance.

6. **City Attorney assigned to this request (if applicable):** Jason Moore

7. **City Council District:** Council District 9

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

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):
Amendment 1 to Cost sharing and funding agreement

Vendor/Contractor Name (including any dba's):
JV LoDo Denargo LLC

Contract control number (legacy and new):
Amendment 1 PARKS-202473847/PARKS-202582745-01
Original agreement PARKS-202473847

Location: 3399 Denargo St., Denver, CO 80216

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):

Amendment 1 does not revise the term of the original contract] This Agreement shall remain in effect until, and shall automatically terminate upon, the later of: (i) completion of construction of the Cost Sharing Improvements, which shall mean completion of the work, acceptance by the City and the District per the City-Approved Designs, and delivery of final lien releases from all parties who have furnished materials or services or performed labor in connection with the construction of the Cost Sharing Improvements; and (ii) payment by DPR of one-third of the City-Approved Budget for the Cost Sharing Improvements.

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

Existing Amount: \$9,000,000: \$3,000,000.00 in City funds; \$6,000,000 in additional funds from the Developer

Amended Amount: \$22,419.99 in City funds

New Contract Total: \$9,022,419.99 Total/ \$3,022,419.99 in City funds

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$9,000,000.00 Total/ \$3,000,000.00 in City funds	\$22,419.99	\$9,022,419.99 Total/ \$3,022,419.99 in City funds

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
10/2/2024	n/a	Upon final project completion and acceptance

Scope of work:

Original agreement: Planning, design, and construction of a 4.26 acre park and open space promenade along the South Platte River frontage immediately adjacent to the Denargo Market Redevelopment Project. The area of improvement consists of OS-C zoned open space, DPR property, Right of Way property, Private owned property, and several utility easements. The park will consist of a community garden, a playground, public art, passive shade and seating areas, landscaping and trees, a trail connection to the S. Platte River Trail, and a large Rhino structure, of which a portion is climbable. Public art is considered within this project and the current intent to continue with the theme and installations similar to that installed in the Arkins Promenade to the north.

Was this contractor selected by competitive process? No **If not, why not?**

In 2020 DPR initiated an engagement with JV LoDo Denargo LLC (c/o Golub and Company) and a newly formed Metropolitan District for the Denargo Market redevelopment, with the intent to share the cost of designing, constructing and maintaining public parks along the South Platte River on city-owned land. The Developer/Metro District already had a design team selected (Sasaki Associates) and a CM/GC General Contractor on board (Swinerton). The consultant and general contractor were both selected through a competitive process led by the Developer without DPR involvement. Upon review of their qualifications for the work, DPR found that both Sasaki and Swinerton are qualified to work on DPR projects. Sasaki is on DPR's current design on-call contract and Swinerton is prequalified by DOTI contracts. Currently, Swinerton is prequalified in categories 2A at \$50M, 2B at \$50M and in 2C at

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\$1.5M. Through the cost sharing agreement, they have agreed to all prevailing wage, DSBO, and public art stipulations required by all City procured construction contracts. The construction of park improvements at Denargo is a relatively small proportion of the overall site development program that Golub, the Metro District and Swinerton are undertaking. The remaining work consists of public and private rights of way, utilities, streets, sidewalks, landscaping, and urban design amenities to build out the entire community. The benefit to DPR is that for a relatively small investment, DPR will receive important assets that benefit both the new development and the larger community

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

Source of funds:

Original agreement: Parks Legacy Fund – Improvement Projects: \$3,000,000

Amendment 1: Parks Citywide Projects- Conservation Trusts: \$22,419.99

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

May be applicable to construction contractor's use of subcontractors

WBE/MBE/DBE commitments (construction, design, Airport concession contracts): DSBO program applicability to be determined as the work progresses.

Who are the subcontractors to this contract? To be selected by the developer's construction contractor, Swinerton.

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