

**ORDINANCE/RESOLUTION REQUEST**

Please email requests to the Mayor’s Legislative Team

at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by **11 a.m. Monday**. Contact the Mayor’s Legislative team with questions

Date of Request: 12/19/22

Please mark one:  Bill Request or  Resolution Request

**1. Type of Request:**

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

**2. Title:** Approves a temporary construction easement by and between the City and Fillmore @ Third, LLC for a crane swing over city owned property at 305 N. Milwaukee St.

**3. Requesting Agency:** Department of Finance, Division of Real Estate.

**4. Contact Person:**

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Lisa Lumley	Name: Kiki Turner or Justin Aragon
Email: Lisa.Lumley@denvergov.org	Email: <a href="mailto:Kiki.Turner@denvergov.org">Kiki.Turner@denvergov.org</a> or <a href="mailto:Justin.Aragon@denvergov.org">Justin.Aragon@denvergov.org</a>

**5. General description or background of proposed request. Attach executive summary if more space needed:** Approves granting an aerial easement for crane swing over city owned property at 305 N. Milwaukee St. The crane swing reach is estimated to be over the property approximately 50 feet. This is the Denver Public Library Ross Cherry Creek Branch building.

**6. City Attorney assigned to this request (if applicable):** Maureen McGuire

**7. City Council District:** 10

**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):

Vendor/Contractor Name: Fillmore @ Third, LLC

Contract control number: FINAN-202265843

Location: 405 N. Milwaukee

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): Up to 3 years

Contract Amount (indicate existing amount, amended amount and new contract total): \$6,650.00 per year

<i>Current Contract Amount</i> (A)	<i>Additional Funds</i> (B)	<i>Total Contract Amount</i> (A+B)
\$19,950.00	0	\$19,950.00

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
1/10/2023	0	1/10/2026

**Scope of work:** Construction to occur at neighboring property where crane base will be located (311 N. Fillmore). The crane swing will swing over City property at 305 N. Milwaukee by approximately 33 feet.

The crane is equipped with a system to set limits of crane operations. Because of this, these limits would be set to ensure there is no way for loads to be flown in the area covered by the aerial easement (33 feet of City property). The boom of the crane would still pass over the area during pickups but the load would not pass over the property. In addition, OSHA law prevents flying loads over occupied buildings. (This information was provided by Grantee, per Exhibit C, attached below).

Was this contractor selected by competitive process? N/A If not, why not?

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

Source of funds: N/A (revenue)

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

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

Who are the subcontractors to this contract? N/A

---

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

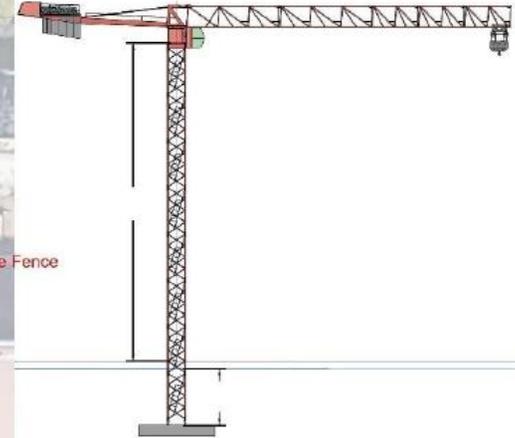
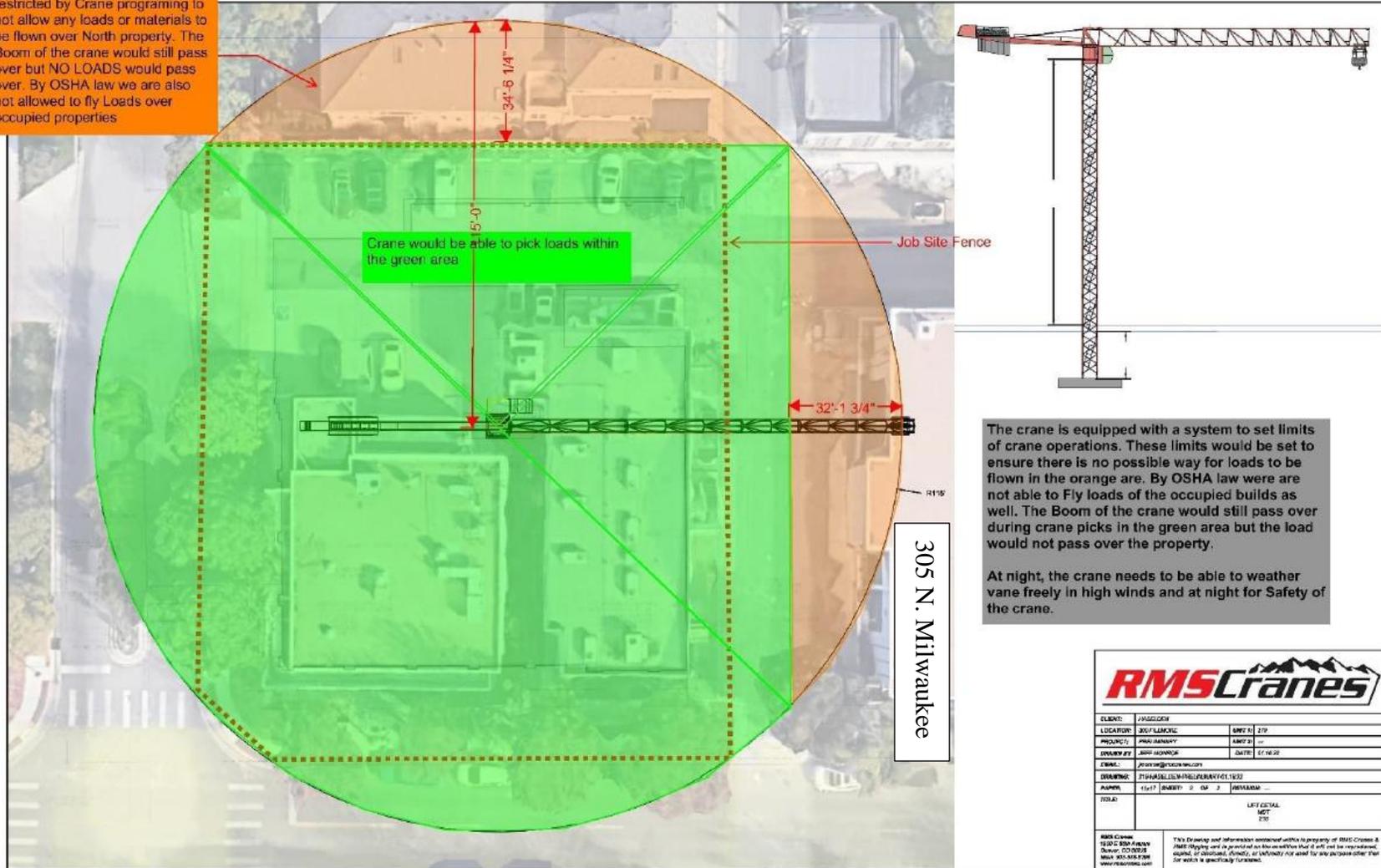
Resolution/Bill Number: \_\_\_\_\_

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

## EXHIBIT C

### Crane Swing “Easement”

Areas in Orange would be restricted by Crane programming to not allow any loads or materials to be flown over North property. The Boom of the crane would still pass over but NO LOADS would pass over. By OSHA law we are also not allowed to fly Loads over occupied properties



The crane is equipped with a system to set limits of crane operations. These limits would be set to ensure there is no possible way for loads to be flown in the orange are. By OSHA law were are not able to Fly loads of the occupied builds as well. The Boom of the crane would still pass over during crane picks in the green area but the load would not pass over the property.

At night, the crane needs to be able to weather vane freely in high winds and at night for Safety of the crane.

ELEMENT: JAWGELC08	
LOCATION: 305 N MILWAUKEE	DATE: 01/27
PROJECT: PMSA-MANOR	DATE: --
DRAWN BY: JEFF HANCOCK	DATE: 01/26/18
EMAIL: jhancock@rmscranes.com	
DRAWING: PMSA-MANOR-INSTALLATION-1122	
NUMBER: 1122	REVISION: 2 OF 2
TITLE: <span style="float: right;">LIST DETAIL MET 1/20</span>	
RMS Cranes 1520 S 26th Avenue Suite 100 Milwaukee, WI 53228 414-333-3333 www.rmscranes.com	
This Drawing and Information contained within is property of RMS Cranes & shall remain confidential and shall not be reproduced, copied, or distributed, altered, or otherwise used for any purpose other than for which it is specifically furnished.	

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

Resolution/Bill Number: \_\_\_\_\_

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