

ORDINANCE/RESOLUTION REQUEST

Please email requests to Jason Gallardo, Public Works

at jason.gallardo@denvergov.org by **12:00pm NOON on Monday**. Contact Jason with questions.

Date of Request: 07/11/2019

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: (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.)

Approves a purchase order with Public Service Company of Colorado d/b/a Xcel Energy for the relocation of an electric distribution line residing in an Xcel easement in the general location of Steele St and E 39th Avenue for the 39th Avenue Greenway project. This easement in the general location of 39th Ave and Steele Street is the Market Leed Utility Easement and is owned by Burlington North Santa Fe Railroad and granted to Xcel in perpetuity.

3. Requesting Agency: Public Works

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Terri Goodwin	Name: Jason Gallardo
Email: terri.goodwin@denvergov.org	Email: jason.gallardo@denvergov.org

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

The franchise agreement with Public Service of Colorado d/b/a Xcel Energy states that Xcel must relocate their facilities when requested by the Manager of Public Works. Manager of Public Works requested that Xcel relocate transmission line 3911 out of their easement to accommodate the 39th Avenue Greenway project. Article 5.7.E. Utility Easements states that where a Utility Easement is involved, the Company (Xcel) shall be paid for such relocation unless otherwise provided in the applicable terms of the Utility Easement. The relocation cost is \$1,003,925.49.

The costs for a relocation of an electric distribution line is included in the City's Franchise Agreement if they are in the right of way or on City property. However, this relocation is located in a perpetual utility easement owned by BNSF and therefore the City is required to pay for the relocation. This relocation was anticipated as part of the 39th Avenue Greenway project and was included as part of the project budget.

6. City Attorney assigned to this request (if applicable): N/A

7. City 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: RR19 0751

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: Public Service Company of Colorado d/b/a Xcel Energy

Contract control number: PO-00069651

Location: E. 39th Avenue and Steele Street.

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):

02/01/2019 to 02/01/2020

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

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$1,003,925.49	0	\$1,003,925.49

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
02/01/2019		02/01/2020

Scope of work:

Approves a purchase order with Public Service Company of Colorado d/b/a Xcel Energy for the relocation of an electric distribution line residing in an Xcel easement in the general location of Steele St and E 39th Avenue for the 39th Avenue Greenway project. This easement is in the Market Leed Utility Easement and is owned by Burlington North Santa Fe Railroad and granted to Xcel in perpetuity.

Was this contractor selected by competitive process? No, Public Service Company of Colorado d/b/a Xcel Energy is under contract with the City to provide Utility Services. A sole source justification has been submitted.

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

Source of funds: PRJ-10001261/PC702/72802/C5061000

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

Who are the subcontractors to this contract? N/A

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: RR19 0751

Date Entered: _____