

AMENDATORY PROJECT FUNDING AGREEMENT
FOR DOWNTOWN DENVER IMPROVEMENTS
BETWEEN
CITY AND COUNTY OF DENVER, COLORADO AND
DENVER URBAN RENEWAL AUTHORITY

THIS AMENDATORY PROJECT FUNDING AGREEMENT FOR DOWNTOWN DENVER IMPROVEMENTS (the “Amendment”), is made by the CITY AND COUNTY OF DENVER, COLORADO (the “City”), a home-rule city and municipal corporation of the State of Colorado, and the DENVER URBAN RENEWAL AUTHORITY (“DURA”), a body corporate duly organized and existing as an urban renewal authority under the laws of the State of Colorado.

WHEREAS, the City and DURA entered into a Project Funding Agreement dated November 9, 2013 (the “Agreement”) in order to make the revenue from the tax increment approved in the Downtown Denver Urban Renewal Plan, referenced in the Agreement, available for projects that will further the Urban Renewal Plan, including improvements to the 16th Street mall; and

WHEREAS, the parties now desire to extend the dates for final submittal of projects for funding and for final reimbursement and to update workforce program requirements to better align with the City’s current construction workforce program.

NOW, THEREFORE, in consideration of the premises herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Section 2.3, “Reimbursement by DURA to the City for City Project Costs,” of the Agreement is deleted and replaced with the following:

“As more fully set forth in the Cooperation Agreement, DURA shall reimburse the City only from PFA Pledged Revenues available under the Cooperation Agreement. DURA shall authorize such reimbursement concurrently with approving any Expenditure Certification under Section 2.2 utilizing the Certification of Costs. DURA’s reimbursement obligations under this Section shall be

limited to the amounts legally available for such purposes under the Cooperation Agreement. DURA's obligation to reimburse the City shall cease on December 31, 2027 (the "Termination Date")."

2. Section 2.7(b), "Compliance with Certain DURA Contracting Policies", (b) *Enhanced Training Opportunities*," is deleted and replaced with the following:

"(b) The City and DURA agree that, with respect to the City Projects approved after the date of this Amendment, the City shall utilize the City's workforce program(s), particularly but not limited to the Denver Construction Careers Pilot program, with variations as appropriate based upon project funding sources ("DCCP"), as further defined and explained in Exhibit 4A, attached hereto and incorporated herein, instead of implementing DURA's Construction Employment Opportunities Policy ("CEO" Policy). One percent (1%) of the total funding provided by DURA for City Projects approved after the date of this Amendment shall be transferred to the City for use in its DCCP program. The Parties acknowledge that City Projects approved prior to the date of this Amendment pursuant to the Agreement were approved by DURA and implemented by the City in compliance with DURA's ETO Policy and funded with one percent (1%) of the total funding provided by DURA for the City Projects. In the event any previously approved City Project is later cancelled, DURA will have no obligation to return the one percent (1%) ETO funding related to the cancelled project."

3. Section 3.2(a), "Approval of City Project(s) (a), is deleted and replaced with the following:

"(a) The City will submit to DURA the information required in the City Project Information Packet attached as Exhibit 6 and any other information DURA deems to be necessary to review and approve the proposed project. The City shall submit a City Project Information Packet for each project for which it intends to seek

reimbursement from the PFA Pledged Revenues before December 31, 2022.”

4. Except as herein amended, the Agreement continues in effect, and is affirmed and ratified in each and every particular.
5. This Amendatory Agreement will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

Contract Control Number:
Contractor Name:

FINAN-202054905-01
DENVER URBAN RENEWAL AUTHORITY

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at
Denver, Colorado as of:

SEAL**CITY AND COUNTY OF DENVER:**

ATTEST:

By:

APPROVED AS TO FORM:

Attorney for the City and County of Denver

By: _____

REGISTERED AND COUNTERSIGNED:

By: _____

By: _____

Contract Control Number:
Contractor Name:

FINAN-202054905-01
DENVER URBAN RENEWAL AUTHORITY

By:  EB6284158C6D46C...

Name: Tracy Huggins
(please print)

Title: Executive Director
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)



Denver Construction Career Pilot

Pilot Intentions

The Mayor and City Council are committed to ensuring that Denver residents – particularly those in economically disadvantaged areas and backgrounds – benefit from unprecedented investments being made in Denver’s infrastructure. We are pleased to announce the next step in our efforts to strengthen training and job placement efforts through a pilot program for large public projects, building Denver’s workforce of the future.

The Denver Construction Career Pilot will focus on an estimated 15 major projects including the Colorado Convention Center expansion, key National Western Center facilities, significant construction at Denver International Airport, and select Elevate Denver Bond Program projects that are entering construction procurement in the next three years. These large-scale public projects represent the best opportunities to utilize and grow apprenticeship and job training in Denver.

The identified major infrastructure projects total more than \$900 million in value and will create job opportunities for Denver residents and other key populations as another important step in increasing access to opportunity for those that need it most. Management of the Pilot is housed at Denver Economic Development and Opportunity (DEDO).

Pilot Overview

In order to test ways to effectively bring new talent to the industry and connect residents with economic opportunity, the Pilot requires contractors on select projects to:

- Develop **targeted outreach, marketing, and training** plans
 - Target areas include disadvantaged neighborhoods (based on periodically updated poverty, education and unemployment rates) and those facing barriers to employment such as veterans, formerly incarcerated individuals, Colorado Works (TANF) program participants, those exiting the foster care system, and people who have experienced homelessness.
- Ensure **15% of all project construction hours are performed by apprentices** in registered apprenticeship programs (<https://www.colorado.gov/pacific/cdle/apprentice/programs>)¹
 - 25% of the 15% must be performed by registered apprentices from targeted areas or targeted populations
 - 25% of the 15% must be performed by first year registered apprentices
- Utilize the **WORKNOW platform**, which is facilitated by the Colorado Resource (CORE) Partners Alliance and provides jobseekers and current workers with integrated resources including supportive services, industry job training, connections to open positions, and community resources. Learn more about WORKNOW at www.work-now.org.

¹ To learn more about creating a registered apprenticeship program go here: <https://www.colorado.gov/pacific/cdle/apprenticeships>

Generally, projects included in the program are:

- Vertical projects over \$10 million in estimated construction value that include new buildings or large scale renovation
 - Examples of projects meeting this criteria include: National Western Equestrian and Livestock Centers, Central Library renovations, and Green Valley Ranch new indoor pool
- Horizontal projects over \$10 million in estimated construction value, excluding those that are primarily paving or concrete work, which currently offer too few apprenticeship opportunities
 - Examples of projects meeting this criteria include: 56th Avenue construction, Washington Street reconstruction, and Broadway Corridor multimodal improvements.

All other Elevate Denver bond projects that do not meet the threshold above will also instead seek to advance similar values through requirements that contractors:

- Identify a point of contact for workforce activities
- Work with DEDO to post jobs in Connecting Colorado (www.connectingcolorado.com)
- Utilize the WORKNOW platform, which is facilitated by the Colorado Resource (CORE) Partners Alliance as a resource to find new talent and support existing employees.

Projects that include federal funding may be limited by conditions of that funding from meeting the requirements of the pilot program; these projects will utilize existing federal programs to maximize workforce opportunities.

Pilot Outcomes

The Pilot's initial three-year window and focus on high opportunity projects will allow the City to evaluate and develop a longer term set of workforce expectations informed by experience. It will also allow partners in the construction industry to understand the city values and provide feedback and innovative solutions to ensure residents are supported in growing their careers.

In addition, the City will seek to help forecast talent needs and facilitate feedback loops with training providers to support expansion of apprenticeship programs to fill gaps. The Pilot will also continue to invest in developing and implementing a data system to manage information specific to workforce goals, leveraging data and documenting best practices to inform future City policies and initiatives.

For additional detail on this Pilot and associated contracting opportunities or other city workforce development activities please contact Marcus Johnson, Workforce Services Project Manager at Denver Economic Development and Opportunity, at 720-913-1638 or marcus.johnson@denvergov.org.