



Legislation Details (With Text)

File #: 23-1037 **Version:** 1

Type: Bill **Status:** Passed

File created: 7/25/2023 **In control:** Land Use, Transportation & Infrastructure Committee

On agenda: 8/21/2023 **Final action:** 8/29/2023

Title: A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Urban Drainage and Flood Control District d/b/a Mile High Flood District for the construction of drainage and flood control improvements to the South Platte River. Amends an intergovernmental agreement Urban Drainage and Flood Control District doing business as Mile High Flood District (MHFD), by adding \$1,950,000 in city funds and \$2,970,000 in MHFD funds for a new combined total of \$5,270,000, for the construction of drainage and flood control improvements to the South Platte River in Council District 7. No change to agreement duration (202368267/202160713-02). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-2023. The Committee approved filing this item at its meeting on 8-8-2023.

Sponsors:

Indexes: Lucas Palmisano

Code sections:

Attachments: 1. BR23-1037_PR_UDFCD_S#2_07-31-2023, 2. 23-1037 Filed Bill_Urban Drainage and Flood Control District dba Mile High Flood District_202368267-02, 3. 23-1037 Agr_UrbanDrainageandFloodControlDistrict_202160713-02, 4. 23-1037 Filed Bill_Urban Drainage and Flood Control District dba Mile High Flood District_202368267-02, 5. 23-1037_signed, 6. 23-1037 For an ordinance approving a proposed Second Amendatory Agreement

Date	Ver.	Action By	Action	Result
8/29/2023	1	Mayor	signed	
8/28/2023	1	Council President	signed	
8/28/2023	1	City Council	placed upon final consideration and do pass	Pass
8/21/2023	1	City Council	ordered published	
8/8/2023	1	Land Use, Transportation & Infrastructure Committee	approved by consent	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 7-31-2023

**Requesting Agency: Parks and Recreation
Division:**

Subject Matter Expert Name: Michael Schumann
Email Address: Michael.schumann@denvergov.org
[<mailto:Michael.schumann@denvergov.org>](mailto:Michael.schumann@denvergov.org)
Phone Number:

Item Title & Description:
(Do not delete the following instructions)

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Urban Drainage and Flood Control District d/b/a Mile High Flood District for the construction of drainage and flood control improvements to the South Platte River.

Amends an intergovernmental agreement Urban Drainage and Flood Control District doing business as Mile High Flood District (MHFD), by adding \$1,950,000 in city funds and \$2,970,000 in MHFD funds for a new combined total of \$5,270,000, for the construction of drainage and flood control improvements to the South Platte River in Council District 7. No change to agreement duration (202368267/202160713-02). The last regularly scheduled Council meeting within the 30-day review period is on 9-11-2023. The Committee approved filing this item at its meeting on 8-8-2023.

Affected Council District(s) or citywide?
Council District 7

Contract Control Number:
202368267/202160713

Vendor/Contractor Name (including any "DBA"):
Urban Drainage and Flood Control District doing business as Mile High

Type and Scope of services to be performed:

Adding funds for the construction of the drainage and flood control improvements for South Platte River. The City's original contribution for design was \$350,000, and with the addition of \$1,950,000 construction funds, the City's maximum contribution will be \$2,300,000. UDFCD will contribute a maximum of \$2,970,000 for a total contract amount of \$5,270,000. The City will be administering a portion of the construction and therefore will retain a portion of its maximum \$2,300,000 contribution.

Under the original agreement, the City paid \$350,000 to the District for design services for the project. The District committed to contributing \$770,000 for the services, with the maximum project cost authorized under the contract totaling \$1,120,000. Because the original agreement did not result in the payment or receipt by the City of more than \$500,000, it did not require council approval. Under the amendment, the City is committing to spend \$1,950,000 on construction for the project, but will be administering those funds itself. The District is committing an additional amount of \$2,200,000 to the construction. Of that amount, the City will invoice the District for \$1,650,000 for the portion of the construction the City will be administering. Because under the amendment the City will be receiving more than \$500,000 from the district, the amended agreement requires council approval.

Location (if applicable):

WBE/MBE/DBE goals that were applied, if applicable (construction, design, Airport concession contracts):
N/A

Are WBE/MBE/DBE goals met (if applicable)?

N/A

Is the contract new/a renewal/extension or amendment?

Amendment

Was this contractor selected by competitive process or sole source?

N/A

For New contracts

Term of initial contract:

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?

Term of any renewals (i.e. 1 year each):

Cost of initial contract term:

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?

Cost

If length changing

What was the length of the term of the original contract?

What is the length of the extension/renewal?

What is the revised total term of the contract?

If cost changing

What was the original value of the entire contract prior to this proposed change?

\$1,120,000

What is the value of the proposed change?

\$4,150,000

What is the new/revised total value including change?

\$5,270,000

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)