

HM METROPOLITAN DISTRICT NO. 1
("DISTRICT")

8390 E. Crescent Parkway, Suite 300
Greenwood Village, CO 80111

Phone: 303-779-5710

www.hmmetrodistricts.com

NOTICE OF REGULAR MEETING AND AGENDA

DATE:	March 1, 2023
TIME:	2:00 p.m.
LOCATION:	Microsoft Teams Videoconference.
ACCESS:	<p>You can attend the meeting in any of the following ways:</p> <p>1. To attend via Microsoft Teams Videoconference:</p> <p>https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZWJINDQ5ZTYtYmE2Mi00YjAzLWE1ZGMtZjQzODIxOWY2OGZj%40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%2278e91a46-bdcc-4fe5-980c-8ff3dcc70755%22%7d</p> <p>Or call in (audio only) +1 720-547-5281,,511019980# United States, Denver Phone Conference ID: 511 019 980#</p>

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Rick Wells	President	May, 2023
Mark Throckmorton	Secretary	May, 2025
Marcia Lujan	Treasurer	May, 2025
Ferdinand L. Belz, III	Assistant Secretary	May, 2023
Blake Fulenwider	Assistant Secretary	May, 2025

I. ADMINISTRATIVE MATTERS

- A. Present disclosures of potential conflicts of interest.
- B. Confirm quorum, location of meeting, posting of meeting notice and approve Agenda.
- C. Public Comment.

Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda. Comments will be limited to three (3) minutes per person.

- D. Review and consider approval of minutes from the December 7, 2022 Regular Board Meeting (enclosure).

II. FINANCIAL MATTERS

- A. Approve and/or ratify approval of payment of claims in the amount of \$4,910,557.92 (enclosure).
- B. Review and consider approval of December 31, 2022 Unaudited Financial Statements (enclosure).
- C. Review and consider acceptance of Engineer's Report and Certification #20 R1, dated January 4, 2023, prepared by Ranger Engineering, LLC in the amount of \$3,590,215.37 (enclosure).
- D. Review and consider acceptance of Engineer's Report and Certification #21, dated January 19, 2023, prepared by Ranger Engineering, LLC in the amount of \$1,288,098.03 (enclosure).
- E. Review and consider acceptance of Engineer's Report and Certification #22, dated February 15, 2023, prepared by Ranger Engineering, LLC in the amount of \$580,753.96 (enclosure).
- F. Review and consider acceptance of First Amendment to Amended and Restated Intergovernmental Agreement – Regarding Cost Sharing of the Extension of Denali Street (60th Avenue to 66th Avenue) by and between the District and Aurora High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 7 (enclosure).
- G. Review and consider acceptance of the First Amendment to Cost Sharing and Reimbursement Agreement by and between the District and Velocity Metropolitan District No. 1 (enclosure).

III. LEGAL MATTERS

- A. Update on the May 2, 2023 Regular Director Election.
- B. Other.

IV. MANAGER MATTERS

- A. Ratify approval of Change Order No. 01 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. for additional

services for Box Elder Infrastructure Improvements Phase 1 and for Denali Street Project from 60th Ave. to 66th Ave. in the amount of \$137,630.00 (enclosure).

- B. Ratify approval of Work Order No. 6 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (additional stockpiles for Harvest Road) in the amount of \$389,893.00 (enclosure).
- C. Ratify approval of Work Order No. 7 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (drop manholes to Second Creek sanitary sewer) in the amount of \$181,056.00 (enclosure).
- D. Ratify approval of Work Order No. 8 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (erosion control for sanitary Second Creek sanitary sewer) in the deductive amount of (-\$117,406.00) (enclosure).
- E. Ratify approval of Work Order No. 9 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (reconcile quantity of dirt moved north of 64th Ave. to accommodate Second Creek Drainage improvements) in the deductive amount of (-\$24,109.00) (enclosure).
- F. Ratify approval of Work Order No. 10 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (add sanitary extension along Cottontail Run) in the amount of \$134,501.00 (enclosure).
- G. Ratify approval of Work Order No. 11 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (66th Ave. ROW additional electrical) in the amount of \$22,035.00 (enclosure).
- H. Ratify approval of Work Order No. 12 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (reconcile earthwork quantities) in the deductive amount of (-\$429,326.00) (enclosure).
- I. Ratify approval of Work Order No. 13 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (reconcile Second Creek dewatering allowance) in the deductive amount of (-\$106,986.00) (enclosure).
- J. Ratify approval of Work Order No. 14 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (66th Ave. concrete box culverts for Second Creek crossing at 68th Ave.) in the amount of \$1,373,927.00 (enclosure).

- K. Ratify approval of Work Order No. 15 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (dry utility sleeves at Denali St. and 60th Ave.) in the amount of \$12,797.00 (enclosure).
- L. Ratify approval of Work Order No. 16 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (install sulfur soil additive) in the amount of \$7,222.00 (enclosure).
- M. Ratify approval of Work Order No. 17 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (grading at west bank of Second Creek) in the amount of \$681,996.00 (enclosure).
- N. Ratify approval of Work Order No. 18 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (cut to fill for Second Creek drainage improvements) in the amount of \$59,822.00 (enclosure).
- O. Ratify approval of Work Order No. 19 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (credit for pavement design for 60th Ave.) in the deductive amount of (-\$214,559.00) (enclosure).
- P. Ratify approval of Work Order No. 20 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (credit for lime in subgrade at 60th Ave.) in the deductive amount of (-\$30,881.00) (enclosure).
- Q. Ratify approval of Work Order No. 21 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (re-stabilize haul road in mas grading borrow area) in the amount of \$2,891.00 (enclosure).
- R. Ratify approval of Work Order No. 22 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (credit for sanitary extension along Cottontail Run and drop manhole at Second Creek) in the deductive amount of (-\$89,032.00) (enclosure).
- S. Ratify approval of Work Order No. 23 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (modify 68th Ave. concrete box culverts) in the amount of \$641,297.00 (enclosure).
- T. Ratify approval of Work Order No. 24 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (modify grading at 60th Ave and Second Creek) in the amount of \$114,557.00 (enclosure).

- U. Ratify approval of Work Order No. 25 to Agreement for Construction Management between the District and M.A. Mortenson Company for Box Elder Infrastructure Phase 1 (coat existing manholes near 64th Ave. for Second Creek 30" Sanitary Sewer) in the amount of \$34,556.00 (enclosure).
- V. Ratify approval of Change Order No. 19 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (hydraulic conductivity testing to support temporary dewatering to install Second Creek sanitary sewer) in the amount of \$14,750.00 (enclosure).
- W. Ratify approval of Change Order No. 20 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (contract administration for Second Creek drainage, sanitary sewer and grading) in the amount of \$95,000.00 (enclosure).
- X. Ratify approval of Change Order No. 21 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (credit for design service for Tibet Road re CO 21) in the amount of \$140,000.00 (enclosure).
- Y. Ratify approval of Change Order No. 22 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (inspection and certification of Second Creek drainage channel) in the amount of \$35,000.00 (enclosure).
- Z. Ratify approval of Change Order No. 23 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (design meeting support and coordination for infrastructure projects) in the amount of \$10,000.00 (enclosure).
- AA. Ratify approval of Change Order No. 24 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (concept design and modeling of Weasel Drainage and Possum Gulley PA-1 and PA-2) in the amount of \$10,000.00 (enclosure).
- BB. Ratify approval of Change Order No. 25 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (Possum Gulley sanitary extension along Cottontail Run to service Hyde Development and PA-04) in the amount of \$10,000.00 (enclosure).
- CC. Ratify approval of Change Order No. 26 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (credit for design service for Tibet Road re CO 21) in the deductive amount of (-\$140,000.00) (enclosure).
- DD. Ratify approval of Change Order No. 27 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (contract administration for Harvest and Gopher Gulch CBC installation) in the amount of \$15,000.00 (enclosure).

- EE. Ratify approval of Change Order No. 28 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (design meetings, support and coordination for infrastructure projects) in the amount of \$10,000.00 (enclosure).
- FF. Ratify approval of Change Order No. 29 to Service Agreement between the District and Martin/Martin, Inc. for Phase 1 Infrastructure Improvements (Second Creek sanitary, drainage and 60th Ave.) in the amount of \$15,000.00 (enclosure).
- GG. Ratify approval of Change Order No. 7 to Service Agreement between the District and Dig Studio for Phase 1 Infrastructure Improvements (E. 64th to E. 68th, Harvest Road from E. 64th to E. 68th) in the deductive of (-\$14,062.00) (enclosure).
- HH. Ratify approval of Change Order No. 1 to Service Agreement for Phase I Infrastructure Improvements between the District and AE Design (street lighting design 60th Ave. North Side of Street, West of Denali) in the amount of \$700.00 (enclosure).
- II. Ratify approval of Change Order No. 2 to Service Agreement for Phase I Infrastructure Improvements between the District and AE Design (street lighting design 68th Ave. from Denali to Harvest) in the amount of \$4,400.00 (enclosure).
- JJ. Ratify approval of Change Order No. 3 to Service Agreement for Phase I Infrastructure Improvements between the District and AE Design (street lighting design 60th Ave from west bank of Second Creek to Harvest) in the amount of \$2,800.00 (enclosure).
- KK. Ratify approval of Change Order No. 4 to Service Agreement for Phase I Infrastructure Improvements between the District and AE Design (street lighting design 56th from E-470 to Denali) in the deductive amount of (-\$1,900.00) (enclosure).
- LL. Ratify approval of Change Order No. 5 to Service Agreement for Phase I Infrastructure Improvements between the District and AE Design (street lighting design Harvest Road from 56th Aves to 68th Ave.) in the amount of \$7,400.00 (enclosure).
- MM. Ratify approval of Change Order No. 6 to Service Agreement for Phase I Infrastructure Improvements between the District and AE Design (street lighting design Denali St. from 56th Ave. to 60th Ave.) in the deductive amount of (-\$3,000.00) (enclosure).
- NN. Ratify approval of Change Order No. 7 to Service Agreement for Phase I Infrastructure Improvements between the District and AE Design (street lighting design Harvest Rd. from 64th Ave to 68th Ave.) in the deductive amount of (-\$1,230.00) (enclosure).

- OO. Ratify approval of Change Order No. 5 to Service Agreement for Phase 1 Infrastructure Improvements between the District and T2 Utility Engineers (Harvest Rd. from 56th Ave. to 64th Ave., 60th Ave. from Denali to Harvest, Second Creek Drainage and Sanitary, 68th Ave. and Harvest from 64th to 68th Ave.) in the amount of \$16,000.00 (enclosure).
- PP. Ratify approval of Change Order No. 6 to Service Agreement for Phase 1 Infrastructure Improvements between the District and T2 Utility Engineers (Harvest Rd. from 56th Ave. to 64th Ave.) in the amount of \$8,720.00 (enclosure).
- QQ. Ratify approval of Change Order No. 7 to Service Agreement for Phase 1 Infrastructure Improvements between the District and T2 Utility Engineers (68th Ave. and Harvest Rd. from 64th Ave. to 68th Ave.) in the amount of \$13,095.00 (enclosure).
- RR. Ratify approval of Change Order No. 8 to Service Agreement for Phase 1 Infrastructure Improvements between the District and T2 Utility Engineers (potholing for Harvest Rd. three storm inlets) in the amount of \$3,625.00 (enclosure).
- SS. Ratify approval of Change Order No. 9 to Service Agreement for Phase 1 Infrastructure Improvements between the District and T2 Utility Engineers (depth of potholes Harvest Rd. and 68th Ave.) in the amount of \$5,175.00 (enclosure).
- TT. Ratify approval of Change Order No. 10 to Service Agreement for Phase 1 Infrastructure Improvements between the District and T2 Utility Engineers (potholing 42-inch diameter Denver Water line north of 68th Ave.) in the amount of \$5,910.00 (enclosure).
- UU. Ratify approval of Change Order No. 6 to Service Agreement for Phase 1 Infrastructure Improvements between the District and Ground Engineering Consultants, Inc. (soil borings and report for Gopher Gulch concrete box culvert) in the amount of \$14,000.00 (enclosure).
- VV. Ratify approval of Change Order No. 7 to Service Agreement for Phase 1 Infrastructure Improvements between the District and Ground Engineering Consultants, Inc. (soil borings and report for final pavement design at 60th Ave.) in the amount of \$12,200.00 (enclosure).
- WW. Ratify approval of Change Order No. 8 to Service Agreement for Phase 1 Infrastructure Improvements between the District and Ground Engineering Consultants, Inc. (materials testing and special inspection services Gopher Gulch and Harvest Road concrete box culverts) in the amount of \$28,535.00 (enclosure).
- XX. Review and consider approval of Service Agreement for Project Management Services between the District and Merrick & Company (to be distributed).

YY. Review and consider approval of Change Order No. 2 to the Service Agreement for Project Management between the District and L.C. Fulenwider, Inc. (to be distributed).

V. CAPITAL IMPROVEMENTS

A. Other.

VI. OTHER BUSINESS

A. Other.

VII. ADJOURNMENT

The next regular meeting is scheduled for June 7, 2023.