

HM METROPOLITAN DISTRICT NO. 1 (“DISTRICT”)

2001 16th Street, Suite 1700
Denver, CO 80202
Phone: 303-779-5710
www.hmmetrodistricts.com

NOTICE OF REGULAR MEETING AND AGENDA

DATE: September 3, 2025

TIME: 2:00 p.m.

LOCATION: Microsoft Teams Videoconference

ACCESS: To attend via Microsoft Teams Videoconference, use the below link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NmM4NTA2NDUtOWRhMC00NGYwLTlmYjUtMTRhMTBjMzViNjk3%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

Meeting ID: 242 152 455 747 7

Passcode: zt27j3dz

To attend via telephone, dial 720-547-5281 and enter Conference ID: 358 413 916#

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Henry (Rick) Wells	President	May, 2027
Vacant		May, 2029
Gregg Johnson	Secretary	May, 2029
Blake Fulenwider	Assistant Secretary	May, 2029
Ferdinand L. Belz, III	Assistant Secretary	May, 2027

I. ADMINISTRATIVE MATTERS

- A. Present disclosures of potential conflicts of interest.
- B. Confirm quorum, location of meeting and posting of meeting notice. 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. Acknowledge the resignation of Matthew Stewart from the Board, effective September 1, 2025
- E. Consider the appointment of officers.

- F. Review and consider approval of Minutes of the June 4, 2025 Regular Board Meeting (enclosure).

II. FINANCIAL MATTERS

- A. Review and approve and/or ratify approval of payment of claims in the amount of \$8,481,461.29 (enclosure).
- B. Review and consider acceptance of the June 30, 2025 Unaudited Financial Statements (enclosure).
- C. Review and consider acceptance of District Engineer's Report and Certification #51, dated June 17, 2025, prepared by Ranger Engineering, LLC in the amount of \$4,663,478.33 (enclosure).
- D. Review and consider acceptance of District Engineer's Report and Certification #52, dated July 9, 2025, prepared by Ranger Engineering, LLC in the amount of \$51,301.72 (enclosure).
- E. Review and consider acceptance of District Engineer's Report and Certification #53 R1, dated July 21, 2025, prepared by Ranger Engineering, LLC in the amount of \$1,698,632.95 (enclosure).

III. LEGAL MATTERS

- A. Acknowledge correspondence received from East Cherry Creek Valley Water & Sanitation District ("ECCV") regarding Harvest Road Damage to ECCV Northern Water Line (enclosure).
 - 1. Ratify approval of Confidentiality and Common Interest Agreement between the District and M.A. Mortenson Company.
 - 2. Acknowledge correspondence from the District to M.A. Mortenson Company regarding Notice of Claim for Indemnity and Defense.
 - 3. Acknowledge correspondence from the District to Hudick Excavating, Inc. dba HEI Civil regarding Notice of Claim for Indemnity and Defense.
 - 4. Adjourn to Executive Session, if necessary, to receive legal advice relative to specific legal questions and matters that may be subject to negotiation, pursuant to Section 24-6-402(4)(b) and (e), C.R.S.
 - 5. Authorize District staff to take necessary actions in connection therewith.

IV. MANAGER MATTERS

- A. Ratify approval of Change Order No. 12 to Service Agreement for Phase 1 Infrastructure Improvements between the District and AE Design, Inc. for Additional Design Services for Box Elder Infrastructure Projects (PA 1 & 2 street lighting engineering plans to include power requirements for the irrigation controllers), in the amount of \$9,250.00 (enclosure).
- B. Ratify approval of Change Order No. 13 to Service Agreement for Phase 1 Infrastructure Improvements between the District and AE Design, Inc. for Additional Design Services for Box Elder Infrastructure Projects (Update Harvest Road South Electrical Plan Set to include relocation of Irrigation POC#2, update electrical service to controllers from 60A to 110A, with calculations and provide a stamped/sealed updated electrical plan set), in the amount of \$750.00 (enclosure).
- C. Ratify approval of Work Order No. 01 to Standard Short Form Agreement between the District and Brightview Landscape Development, Inc. for Box Elder Infrastructure Development - 58th Avenue Landscaping and Irrigation, for directional bore on south side of 56th Ave at Denali St, in the amount of 11,662.80 (enclosure).
- D. Ratify approval of Work Order No. 03 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Dynalectric Company for Box Elder Infrastructure Development 56th Avenue (E470 to Harvest) and Harvest Road (from 56th to 64th Avenue) Street Power and Lighting between the District and Dynalectric Company, for added electrical power service for irrigation controllers on Harvest Road), in the amount of \$46,379.04 (enclosure).
- E. Ratify approval of Change Order No. 22 to Service Agreement for Phase 1 Infrastructure Improvements between the District and Ground Engineering Consultants, Inc. for Additional Professional Services, Geotechnical Evaluation, Construction Materials Testing and Special Inspection (PA- 1&2 Infrastructure Development – provide GESC support of proposed box culverts planned for construction beneath roadways along the new Possum Gully alignment/drainage easement), in the amount of \$13,840.00 (enclosure).
- F. Ratify approval of Work Order No. 01 to Standard Agreement and General Conditions between Owner and Constructor for Box Elder Infrastructure Development – Harvest Road (56th to 64th Ave) – Harvest Road Streetscapes and Median - Landscaping and Irrigation between the District and Hall Contracting, LLC (addition of inline mechanical water meters to monitor water usage in the Harvest medians), in the amount of \$2,350.00 (enclosure).
- G. Ratify approval of Work Order No. 08 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development – Phase 1 (amends the Standard Agreement to include a contract true-up for the purpose of close-out, to include scope line items of the

SOV not fully expended during construction), in the deductive amount of (\$37,204.68) (enclosure).

- H. Ratify approval of Work Order No. 22 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. (additional cost for Harvest Road Utility Conflict Resolution, to include RFIs #32, #37 and Bulletin 10), in the amount of \$213,552.50 (enclosure).
- I. Ratify approval of Work Order No. 23 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. (cost for additional import material in the Harvest Road Median, to include process and finish of truck import and pickup, process and finish from the existing stockpile in PA-8), in the amount of \$49,910.00 (enclosure).
- J. Ratify approval of Work Order No. 24 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. (additional costs for resolution of unforeseen condition within 56th Ave., including removal and haul off of an existing concrete cap found in the subgrade of 56th Ave. and additional import and placement of material because of removal of cap), in the amount of \$104,663.00 (enclosure).
- K. Ratify approval of Work Order No. 25 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. (additional costs associated with the 56th Ave. bid to approved changes, including an additional cross pan, erosion control blankets for the south ponds and added signage), in the amount of \$21,950.00 (enclosure).
- L. Ratify approval of Work Order No. 26 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. (additional costs associated with the 56th Ave. Pond B dry utility conflict resolution, including an additional manhole and dry utility potholing on the north and south sides of 56th Ave.), in the amount of \$43,800.00 (enclosure).
- M. Ratify approval of Work Order No. 44 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and M. A. Mortenson Company for Box Elder Infrastructure Development – Phase 1 (amend to include the Bulletin 03 – ECCV Special

Structure Addition, including scope and cost increase to incorporate a water line blow off relocation and appurtenances, in the not to exceed amount of \$36,240.00 (enclosure).

- N. Ratify approval of Work Order No. 45 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and M. A. Mortenson Company for Box Elder Infrastructure Development – Phase 1 (amend to include the Bulletin 02 – Earthwork Cut Transfer from PA-10 Pond to PA-8, including cost increase for transfer of cut generated from the PA-10 site to the PA-8 site), in the amount of \$210,080.00 (enclosure).
- O. Ratify approval of Change Order No. 001 to Standard Agreement and General Conditions Between Owner and Constructor (Lump Sum) between the District and Saunders Construction, Inc. for Box Elder PA-9 Infrastructure Project Phase 1 (addition of storm pipe and MH, plus modify inlets), in the amount of \$122,852.00 (enclosure).
- P. Ratify approval of Change Order No. 002 to Standard Agreement and General Conditions Between Owner and Constructor (Lump Sum) between the District and Saunders Construction, Inc. for Box Elder PA-9 Infrastructure Project Phase 1 (addition of utility stubs to PA-9 infrastructure), in the amount of \$174,430.22 (enclosure).
- Q. Ratify approval of Change Order No. 003 to Standard Agreement and General Conditions Between Owner and Constructor (Lump Sum) between the District and Saunders Construction, Inc. for Box Elder PA-9 Infrastructure Project Phase 1 (addition of site electrical and lighting to PA-9 Infrastructure), in the amount of \$200,204.64 (enclosure).
- R. Ratify approval of Change Order No. 004 to Standard Agreement and General Conditions Between Owner and Constructor (Lump Sum) between the District and Saunders Construction, Inc. for Box Elder PA-9 Infrastructure Project Phase 1 (water line adjustments), in the amount of \$21,385.00 (enclosure).

V. CAPITAL IMPROVEMENTS

VI. OTHER BUSINESS

VII. ADJOURNMENT

The next regular meeting is scheduled for December 3, 2025.