

# RAMPART RANGE METROPOLITAN DISTRICT NOS. 4, 5, 6 & 8

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## **NOTICE OF REGULAR MEETING AND AGENDA**

**DATE:** Wednesday, April 26, 2023  
**TIME:** 3:00 p.m.  
**LOCATION:** Coventry Development Corp.  
9878 Schwab Way, Suite 415  
Lone Tree, Colorado 80124

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Keith D. Simon	President	May, 2023
Elizabeth Matthews	Secretary	May, 2025
Darryl Jones	Treasurer	May, 2025
Ken Linhardt	Assistant Secretary	May, 2023
Teresa Kershnik (RRMD No. 5 only)	Assistant Secretary	May, 2023
Vacancy (RRMD Nos. 4, 6, & 8)		May, 2023

### **I. ADMINISTRATIVE MATTERS**

- A. Confirm quorum, call to order and present disclosures of potential conflicts of interest.
- B. Approve agenda, confirm location of meeting, posting of meeting notices and designate 24-hour posting location.
- C. Public Comment.
- D. Discuss results of May 2, 2023 Regular Elections (enclosure).

### **II. CONSENT AGENDA**

These items are considered to be routine and will be approved and/or ratified by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event, the item(s) will be removed from the Consent Agenda and considered in the Regular Agenda:

- A. Review and consider approval of minutes from the December 6, 2022 Special Board Meeting and RRMD No. 5 February 2, 2023 Special Meeting (enclosures).

- B. Ratify approval of Change Order No. 07 to Service Agreement for MD5-014B TOD RidgeGate Streets and Utilities, Filing 1 Phase 2 between Rampart Range Metropolitan District No. 5 (“RRMD No. 5”) and Brannan Construction Company (reconcile construction quantities) in the deductive amount of (-\$126,818.57) (enclosure).
- C. Ratify approval of Work Order 1.1 to Service Agreement for MD5-019 East Side Landscaping regarding Larry L. Levin Park Landscaping between RRMD No. 5 and Brightview Landscaping Development, Inc. in the amount of \$1,304,423.50 (enclosure).
- D. Ratify approval of Work Order 1.2 regarding Phase 1-A, Koebel ROW Improvements Construction and Warranty between RRMD No. 5 and Brightview Landscape Development, Inc. in the amount of \$213,184.04 (enclosure).
- E. Ratify approval of Change Order No. 01 to Work Order No. 1.1 Service Agreement for MD5-019 East Side Landscaping regarding Larry L. Levin Park Landscaping between RRMD No. 5 and Brightview Landscaping Development, Inc. (revision of time to schedule) in the amount of \$0 (enclosure).
- F. Review and consider approval of Service Agreement between RRMD No. 5 and Clanton & Associates, Inc. for Lighting and Electrical Design Consulting in the amount of \$20,500.00 (enclosure).
- G. Ratify approval of Change Order No. 01 to Service Agreement for RidgeGate Parkway Filing No. 3 between RRMD No. 5 and Clanton & Associates (Additional Scope) in the amount of \$14,600.00 (enclosure).
- H. Ratify approval of Change Order No. 01 to Service Agreement for Landscape Architecture and Design between RRMD No. 5 and Consilium Design, Inc. for RidgeGate Parkway Couplet Center Streetscape, in the amount of \$21,500.00 (enclosure).
- I. Ratify approval of Change Order No. 02 to Service Agreement for Landscape Architecture and Design between RRMD No. 5 and Consilium Design, Inc. for RidgeGate Parkway Couplet Center Streetscape, in the amount of \$3,000.00 (enclosure).
- J. Ratify approval of Change Order No. 01 to the Service Agreement for Landscape Architecture Design (RidgeGate Parkway, Phase 1) between RRMD No. 5 and Consilium Design, Inc. (RidgeGate Streetscape Phase 1-A and Phase 1-B) in the amount of \$6,000.00 (enclosure).
- K. Ratify approval of Change Order No. 01 to Service Agreement for Streetscape Master Plan (RidgeGate Parkway and South Havana Street) between RRMD No. 5 and Consilium Design, Inc. (on-going Bid Administration) in the amount of \$7,500.00 (enclosure).

- L. Ratify approval of MSA for Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (enclosure).
- M. Ratify approval of Task Order No. 01 to MSA for Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (Larry L. Levin Park Construction Administration) in the amount of \$10,350.00 (enclosure).
- N. Ratify approval of Task Order No. 02 to MSA for Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (Phase 1A RTD Garage, S. Havana ROW) in the amount of \$7,875.00 (enclosure).
- O. Ratify approval of Task Order No. 03 to MSA for Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (RidgeGate Station TOD, Phase 1 Streetscape) in the amount of \$6,130.00 (enclosure).
- P. Ratify approval of Task Order No. 04 to MSA for Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (Classification Rate for Nexcore Streetscape) in the amount of \$5,450.00 (enclosure).
- Q. Ratify approval of Task Order No. 05 to MSA for Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (Classification Rate for Phase 1A Koebel ROW) in the amount of \$2,500.00 (enclosure).
- R. Ratify approval of Task Order No. 06 to MSA for Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (Classification Rate for RidgeGate Parkway Phase 1B) in the amount of \$6,854.00 (enclosure).
- S. Ratify approval of Construction Contract between RRMD No. 5 and CTF Construction, LLC for Havana Street Sidewalk Project in the amount of \$37,620.00 (enclosure).
- T. Ratify approval of Change Order No. 01 to Construction Contract between RRMD No. 5 and CTF Construction, LLC (additional haul off work) in the amount of \$1,900.00 (enclosure)
- U. Ratify approval of Change Order No. 02 to Service Agreement for Construction Management Services for MD5-014B between RRMD No. 5 and Diverse Project Consultants, LLC (additional construction services due to Brannan overdue for completion) in the amount of \$5,000.00 (enclosure).

- V. Ratify approval of the Service Agreement for MD5-018 Construction Management Services (RidgeGate Parkway – Lyric Street Traffic Signal Project) between RRMD No. 5 and Diverse Project Consultants, LLC in the amount of \$113,000.00 (enclosure).
- W. Ratify approval of the Service Agreement for MD5-020 Construction Services (RidgeGate East Multiple Landscape Projects 2023) between RRMD No. 5 and Diverse Project Consultants, LLC in the amount of \$101,000.00 (enclosure).
- X. Ratify approval of the Service Agreement for MD5-020 Construction Management Services (RidgeGate City Center Phase 1 Earthwork) between RRMD No. 5 and Diverse Project Consultants, LLC in the amount of \$77,000.00 (enclosure).
- Y. Ratify approval of Change Order No. 02 to On-Call Services Agreement between RRMD No. 5 and Felsberg Holt & Ullevig, Inc. in the amount of \$10,000.00 (enclosure).
- Z. Ratify approval of Change Order 01 to Service Agreement for Traffic Signalization Design (Havana Street/High Note Avenue) between RRMD No. 5 and Felsberg Holt & Ullevig, Inc. in the amount of \$2,000.00 (enclosure).
- AA. Ratify approval of Change Order No. 01 to Service Agreement for Traffic Signal Design (RidgeGate Parkway Couplet) between RRMD No. 5 and Felsberg Holt & Ullevig, Inc. in the amount of \$5,000.00 (enclosure).
- BB. Ratify approval of Service Agreement for MD5-020 (RidgeGate City Center Phase 1 Earthwork Project) between RRMD No. 5 and Fiore & Sons, Inc. in the amount of \$1,108,306.58 (enclosure).
- CC. Ratify approval of License Agreement for MD5-020 project between Ridgegate Investments, Inc. and Fiore & Sons, Inc. (enclosure).
- DD. Ratify approval of Change Order No. 01 to Service Agreement for MD5-020 between RRMD No. 5 and Fiore & Sons, Inc. in the amount of \$14,121,50 (enclosure).
- EE. Ratify approval of Service Agreement for Material Testing and Special Inspection Services between RRMD No. 5 and Ground Engineering Consultants, Inc. for RidgeGate City Center Phase 1 Earthwork in the amount of \$22,180.00 (enclosure).
- FF. Ratify approval of Service Agreement for Larry Levin Park Wall Review between RRMD No. 5 and Ground Engineering Consultants, Inc. in the amount of \$1,250.00 (enclosure).
- GG. Ratify approval of Service Agreement for Material Testing and Special Inspection Services between RRMD No. 5 and Ground Engineering Consultants, Inc. for Larry Levin Park in the amount of \$14,575.00 (enclosure).

- HH. Ratify approval of 2023 Miscellaneous Service Agreement – East Side between RRMD No. 5 and Merrick & Company in the amount of \$150,000.00 (enclosure).
- II. Ratify approval of Change Order No. 01 to Service Agreement for Construction Support for Ridgeway Parkway Couplets between RRMD No. 5 and Merrick & Company in the amount of \$154,500.00 (enclosure).
- JJ. Ratify approval of Change Order No. 03 to Service Agreement for RidgeGate Parkway Station TOD Phase 2 Bid and Construction Support between RRMD No. 5 and Merrick & Company in the amount of \$32,000.00 (enclosure).
- KK. Ratify approval of Change Order No. 04 to Service Agreement for RidgeGate Parkway Station TOD Phase 2 Bid and Construction Support between RRMD No. 5 and Merrick & Company in the amount of \$7,000.00 (enclosure).
- LL. Ratify approval of Service Agreement for Construction Support between RRMD No. 5 and Merrick & Company for MD5-019 Streetscape Phase 1 in the amount of \$50,000.00 (enclosure).
- MM. Ratify approval of Service Agreement for Bid and Construction Support Services between RRMD No. 5 and Merrick & Company for RidgeGate East Filing 2 and 3 in the amount of \$450,000.00 (enclosure).
- NN. Ratify approval of Change Order No. 02 to Service Agreement for Professional Engineering and Design Services between RRMD No. 5 and Merrick & Company (Design Revisions and Final Design for Fling 2, 3, and 4 (MD5-012, MD5-015 and MD5-016)) in the amount of \$160,000.00 (enclosure).
- OO. Ratify approval of License Agreement between RRMD No. 5 and Public Service Company of Colorado (“PSCO”) for Xcel Gas Main Crossing-Littleton Lateral Relocation (enclosure).
- PP. Ratify approval of Off-Site Distribution Line Extension Agreement (Electric) by and between RRMD No. 5 and Public Service Company of Colorado d/b/a Xcel Energy in the amount of \$3,050.95 (enclosure).
- QQ. Ratify approval of On-Site Distribution Line Extension Agreement (Electric) by and between RRMD No. 5 and Public Service Company of Colorado d/b/a Xcel Energy in the amount of \$67,842.56 (enclosure).
- RR. Ratify approval of Change Order No. 02 to Service Agreement for MD5-018 Ridgeway Parkway Lyric Traffic Signal Project between RRMD No. 5 and Sturgeon Electric Company, Inc. (additional cost reconciliation) in the amount of \$54,930.39 (enclosure).

- SS. Ratify approval of Work Change Directive No. 2 to Service Agreement for the Lyric Street Signal Improvement Project MD5-018 between RRMD No. 5 and Sturgeon Electric Company, Inc. (installation of conduit and pull boxes and fiber optic in support of the City's fiber optic signalization along Ridgegate Parkway) in the amount of \$169,430.00 (enclosure).
- TT. Ratify approval of Work Chang Directive No. 3 to Service Agreement for the Lyric Street Signal Improvement Project MD5-018 between RRMD No. 5 and Sturgeon Electric Company, Inc. (additional 1 pedestrian lighting along Ridgegate Pkwy. from CDOT to the Couplet (High Note-Ridgegate Pkwy.) in the amount of \$602,390.00 (enclosure).
- UU. Ratify approval of Amendment to Agreement Regarding Construction Consulting Service for Happy Canyon Creek Upstream of RidgeGate Parkway (Agreement No. 20-12.02B Project No. 107842) between RRMD No. 5, Urban Drainage and Flood Control District dba Mile High Flood District and Concrete Express, Inc. (enclosure).
- VV. Ratify approval of Resolution Consenting to the Adoption of the Second Amendment to the Service Plan for the Southeast Public Improvement Metropolitan District, Whose Boundaries and Services will Overlap with the Boundaries and Services of Rampart Range Metropolitan District Nos. 1 – 9 (enclosure).

**III. ENGINEER/CONSTRUCTION MATTERS**

- A. Engineering/Design Report (Carson Besgrove).
- B. Construction Report (Ernie Warzecha).

**IV. FINANCIAL MATTERS**

- A. Review and ratify approval of prior claims and other cash disbursements (enclosure).
- B. Review cash position report – informational only (to be distributed).
- C. Ratify approval of District Nos. 4, 6 and 8 Applications for Exemption from 2022 Audit (enclosures).
- D. Discussion regarding increases in interest rates and arbitrage with RRMD No. 5.
- E. Ratify Director Jones as signer on the East Side checking account with 1<sup>st</sup> Bank.

**V. LEGAL MATTERS**

- A. Rescind approval of District Infrastructure Agreement between RRMD No. 5, Ridgegate Investments, Inc. (“RGI”) and Echelon Lone Tree, LLC.

- B. Ratify approval of Confirmation of Termination of Temporary Drainage Easement Agreement over lot 2A-3, Ridgeway East Filing No. 1, 2<sup>nd</sup> Amendment by and between RRMD No. 5 and the City of Lone Tree (enclosure).
- C. Review and consider approval of License Agreement for Mural Installation at Ridgeway Parkway Station between RRMD No. 5 and the Regional Transportation District (enclosure).

**VI. MANAGER MATTERS**

- A. Review and consider approval of Agreement Regarding Construction, Establishment, and Monitoring of Development Improvement Project Drainage and Flood Control Improvements for Happy Canyon Creek Upstream of Ridgeway Parkway (Agreement No. 23-14.19 Project No. 107842) between RRMD No. 5 and Urban Drainage and Flood Control District dba Mile High Flood District (enclosure).

**VII. BOARD MEMBER ITEMS**

**VIII. OTHER BUSINESS**

**IX. ADJOURNMENT**

**The next regular meeting is scheduled for May 24, 2023 at 3:00 p.m.**