

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF PARK CREEK METROPOLITAN DISTRICT

HELD DECEMBER 21, 2023

The regular meeting of the Board of Directors (“Board”) of the Park Creek Metropolitan District (“Park Creek” or “District”) was held on Thursday, December 21, 2023 at 9:00 a.m., at the MCA – Cube, 8371 Northfield Boulevard, Denver, Colorado, and virtually via Zoom. Links and call-in information were provided.

ATTENDANCE

Directors in attendance:

King H. Harris, Chair
Rus Heise
Brian Fennelly
Jim Chrisman
Andrew Bartlett, via Zoom
Shalise Hudley, via Zoom

Also in attendance:

Jan Bevier of Stapleton Development Corp.
Tammi Holloway of Stapleton Development Corp.
Diane Wheeler of Simmons & Wheeler, via Zoom
Barbara Neal, Public Art Consultant
Gary Truesdale of Brookfield Properties Development
Sarah French of Brookfield Properties Development
Keven Burnett of MCA
Jack Seward of MCA
Kerry O’Connell of Mortenson Construction
Parker Moore of Mortenson Construction
Ty Holt of The Holt Group (special counsel), via Zoom
Robbi Jones of Kipling Jones & Co., via Zoom
Michael Persichitte of RBC Capital Markets, via Zoom
Paul R. Cockrel of Cockrel Ela Glesne Greher & Ruhland, P.C.
Micki L. Mills of Cockrel Ela Glesne Greher & Ruhland, P.C., via Zoom
Kristin Herndon of Cockrel Ela Glesne Greher & Ruhland, P.C., via Zoom

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NOTICE

It was noted that the agenda notice of the meeting had been properly posted as required by law.

CONFLICTS OF INTEREST

It was reported that Directors Chrisman and Fennelly had previously filed a Disclosure of Potential Conflict of Interest Statement with the Board and the Secretary of State in accordance with statutory requirements. Directors Chrisman and Fennelly's potential conflicts arise from their consulting and contract services with Forest City Stapleton, Inc., Forest City Stapleton Land, LLC or other subsidiaries of Forest City Enterprises, L.P. and its related entity, Brookfield Properties Development (collectively "Forest City"), the developer of property within the District and Westerly Creek Metropolitan District ("Westerly Creek" and together with the District, the "Districts"), including entering into various reimbursement, funding, management and service agreements with the District. Director Fennelly's potential conflict also arises from his prior position with the Master Community Association, Inc. ("MCA"), which provides property management services for the District.

Director Harris also has previously filed Disclosure of Potential Conflict of Interest Statements with the Board and the Secretary of State in accordance with statutory requirements. Such potential conflict arises from his director or officer position with Stapleton Development Corporation, a non-profit corporation ("SDC"), which is responsible for the disposition of the development property owned by the City and County of Denver ("City") within the Districts, including entering into agreements with the Districts and with SDC Services Corp., a subsidiary company, which provides administrative services to the District under the Professional Services Agreement.

Director Hundley and Director Bartlett noted their present positions with the MCA and have filed Disclosure of Potential Conflict of Interest Statements with the Board and the Secretary of State in accordance with statutory requirements.

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All Disclosure of Potential Conflict of Interest Statements, whether filed for this meeting or previously, are deemed continuing in nature and are incorporated into the record of the meeting.

All Directors stated that the participation of at least four of them in the meeting was necessary to obtain a quorum of the Board or otherwise enable the Board to act; that written disclosures of such potential conflicts of interest of each Director had been filed with the Board and the Secretary of State in accordance with statutory requirements; and that the nature of each Director's private interests related to their consulting, director or officer positions with either Forest City Stapleton, Inc., Forest City Stapleton Land, LLC or other subsidiaries of Forest City Enterprises, L.P, the Master Community Association, Inc., and SDC or SDC Services Corp. After each Director had summarily stated for the record the fact and nature of his private interests and had further stated that the determination to participate in voting or take any other action on any contract or other matter in which he may have a private interest would be made in compliance with Section 24-18-201(1)(b)(V), C.R.S., on an ad hoc basis, the Board turned its attention to the agenda items.

MINUTES

The Board reviewed the Minutes of the November 16, 2023 regular meeting. Upon motion duly made, seconded and unanimously carried, the Board approved the Minutes of the regular meeting.

PUBLIC ART

The Board reviewed the Public Art Report submitted by Ms. Neal, a copy of which is attached hereto. Upon motion duly made, seconded and unanimously carried, the Board accepted the Public Art Report.

TREASURER'S REPORT

Ms. Bevier reported that the November financial report was not complete.

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DEVELOPMENT MANAGER'S REPORT

Mr. Truesdale presented one (1) trade contract for IFDA 57 and two (2) change order approvals for IFDA PD and IFDA MG. Upon motion duly made, seconded and unanimously carried, the Board approved such trade contract and change orders.

LEGAL REPORT

Mr. Cockrel reported that as a result of new property tax legislation passed in the Special Session of the General Assembly, the County Assessor has until January 3rd to issue the final assessed valuation for the District and Westerly Creek Metropolitan District (“Westerly Creek”). The Assessor expects to have the values issued around December 22nd. Once the final assessed valuations are issued and the Westerly Creek mill levy is certified in early January, the financing can be finalized.

Ms. Jones summarized the status of the bond financing. Ms. Jones reported that the District’s bonds have received an A rating from Fitch. Ms. Jones and Mr. Persichitte made a presentation regarding the bond financing to the Westerly Creek Board. Ms. Jones further indicated that the City has approved and signed the closing documents required for the closing that was anticipated in December, which documents will be updated with the new Bond 2024A closing information. The City is expected to sign the updated documents. The closing is currently scheduled for January 30th. Mr. Persichitte reported on current market conditions and that they should be ready to go to market in early January.

Mr. Cockrel reported on the street, alley and park transfers from FC Stapleton and the delay with obtaining Environmental Endorsements, which are required prior to the District taking ownership. The transfers are being processed as quickly as possible and will have only a few to complete in 2024. There has been no progress with the City street transfers. Mr. Cockrel will work with Ms. Gifford on moving that forward in the City Attorney’s office.

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OTHER MATTERS

Ms. Bevier requested an additional \$16,000 to be provided to Westerly Creek to pay their expenses through the end of 2023. Upon motion duly made, seconded and unanimously carried, the Board approved the additional transfer of funds to Westerly Creek.

Mr. O'Connell introduced Parker Moore, who will be taking over Mr. O'Connell's position with Mortensen after he retires in 2024.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned.



Secretary for the Meeting

**NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF
PARK CREEK METROPOLITAN DISTRICT**

NOTICE IS HEREBY GIVEN that the annual meeting of the Board of Directors of the Park Creek Metropolitan District, City and County of Denver, Colorado, will be held on Thursday, December 21, 2023, at 9:00 a.m. at the MCA – Cube, 8371 Northfield Boulevard, Denver, Colorado. The meeting will also be held virtually via Zoom. To virtually join the meeting, please visit the following link or call one of the following phone numbers:

Please click this URL to join. <https://us02web.zoom.us/j/81192655381>

Or One tap mobile:

+17193594580,,81192655381# US

+16699009128,,81192655381# US (San Jose)

Webinar ID: 811 9265 5381

AGENDA

1. Public comment.
2. Disclosure of potential conflicts of interest.
3. Approval of Minutes of November 16, 2023 regular meeting.
4. Public Art Report (Barbara Neal).
5. Treasurer’s Report (Jan Bevier and Diane Wheeler).
 - Review and acceptance of current financial statements.
6. Development Manager’s Report (Gary Truesdale).
 - Discussion and approval of project awards, contracts and change orders.
7. Attorney’s Report (Paul Cockrel).
 - Discuss status of Senior Limited Property Tax Supported Revenue Bonds, Series 2023 (Helen Atkeson, Dawn Bookhardt and Ty Holt).
 - Status report on Forest City and City street and other land transfers.
8. Any other matter that may come before the Board.
9. Next Board meeting scheduled for January 25, 2024.

This meeting is open to the public.

PARK CREEK METROPOLITAN DISTRICT

By /s/ James D. Chrisman
Secretary

December 14, 2023

MEMORANDUM

TO: The Board of the Park Creek Metropolitan District

FROM: Barbara Neal
Public Art Consultant for Central Park

RE: Public Art Projects Update

PUBLIC ART COMMISSIONED AND OWNED BY PCMD

Founders Fountain*

Artist(s) Artscapes (Andy Dufford and Christian Muller) (Denver, CO)
Installed: 2003
Monitor.

Central Park Boulevard Bridge Embellishments* *Geodes*

Artist: Andy Dufford (Denver, CO)
Installed 2003
Monitor

Martin Luther King Boulevard Bridge Embellishments* *Westerly Sky*

Architect: Doug Lamson (Denver, CO)
Installed: 2004

*These projects were funded in part by an allocation of \$450,000 from the public art funds provided by the Denver Urban Renewal Authority.

Ellipse I (East 29th Avenue and Xenia Street) *The Eye and the Horizon (After Monet)*

Commission: \$100,000
Artist: Ilan Averbuch (Long Island City, NY)
Installed. 2006
Monitor.
Assessed: 10/17/23

Arranged for payment for the conservator, Noah Manos, Paper Airplane Design for the additional welding and repair completed on this artwork. Followed up on payment.

Navigator Park *Airfoils*

Commission: \$100,000
Artist: Patrick Marold (Denver, CO)
Installed. 2006
Monitor.

The artist has cleaned up the sculptures and installed new solar cells. The Airfoils are ready for the landscaping.

Contacted Clarence Rostad at Stockdale re: removal of the identification plaque for the Airfoils at Northfield.

Met with the artist on site at Montview High School to discuss additional options for the maintenance and conservation of the single Airfoil. (12/1) Awaiting his response and suggestions so I can review the options with the school administration and get the appropriate work done. Maintenance and conservation are the school's responsibility.

F15 Pool *Conditional Reflections*

Commission: \$75,000

Artists: Jeanine Centuori and Russell Rock of UrbanRock Design (Los Angeles, CA)

Installed. 2008

Deaccessioned 2013

Ellipse II (East 35th Avenue and Xenia Street) *The Picnic*

Commission: \$110,000

Artist: Gerald Heffernon (Winters, CA)

Installed. 2009

Monitor.

Assessed: 10/12/23

Central Park Boulevard Median *Prairie Reef*

Commission: \$150,000

Artist: Erick Johnson (Fort Collins, CO)

Installed. 2010

Monitor.

Assessed: 10/17/23

Will re-evaluate the bases in the spring and determine what further work is needed, if any, to repair these hairline cracks and prevent further damage.

Arranged for payment to Noah Manos (Paper Airplane Design) for the caulking. Followed up on payment.

Eastbridge Town Center *Talking Parking Meters*

Commission: \$100,000

Artists: Jim Green (Denver, CO) and Ryan Elmendorf (Denver, CO)

Installed. 2017

Monitor.

Assessed:10/12/23

Prickly Plume Park *Open House*

Commission: \$100,000

Artist: Ty Gillespie (Paonia, CO)

Installed 2021

Monitor.

Assessed: 10/11/23

North Park *Alta*

Donation

Artist: Rodrigo Nava (Putney, VT)

Installed. 2022.

Monitor.

Assessed:10/10/23

ARTWORK CONVEYED TO THE CITY AND COUNTY OF DENVER

Community Garden

Garden Stories

Commission: \$75,000

Artist: Lars Stanley (Austin, TX)

Completed. 2009

Conveyed to the City and County of Denver 2009 via an Assignment of Interest.

Monitor.

Assessed: 10/17/23

Will continue to follow up with Erica Garcia regarding maintenance and conservation.

Central Park Recreation Center *Staplefield and Thought Balloons*

Commission: \$250,000

Artist Team: Walczak & Heiss (Marek Walczak, NY and Wesley Heiss, PA)

Installed. 2011

Thought Balloons commissioned by Arts and Venues Denver Public Art Program

Staplefield conveyed to the City and County of Denver in 2011 via an Assignment of Interest.

Monitor.

Assessed: 10/12/23

The website, <http://thoughtballoons.org/> will continue to solicit suggestions for dialogue text indefinitely.

Westerly Creek Park

Chorus

Commission: \$155,000

Artist: Thomas Sayre (Raleigh, NC)

Installed. 2010

Conveyed to the City and County of Denver 2011 via an Assignment of Interest.

Monitor.

Assessed: 10/12/23

Prairie Basin Park

Phantom Pavilion

Commission: \$175,000

Artist: Volkan Alkanoglu (Portland, OR)

Installed: 2018

Conveyed to the City and County of Denver 2022 via an Assignment of Interest.

Monitor.
Assessed: 10/10/23

Sandhills Prairie Park *Drift Inversion*

Commission: \$175,000
Artist: David Franklin (Indianola, WA)
Installed: 2017
Conveyed to the City and County of Denver 2022 via an Assignment of Interest.
Monitor.
Assessed:10/10/23

The Bluffs Park *Wind Gate Art Suite*

The Five
First Light
Beyond the Plains
Commission: \$300,000
Artist: Rodrigo Nava (Putney, VT)
Installed: 2019
Conveyed to the City and County of Denver 2022 via an Assignment of Interest.
Monitor.
Assessed:10/10/23

PUBLIC ART IN CENTRAL PARK COMMISSIONED BY THE CITY AND COUNTY OF DENVER/ARTS AND VENUES

Fire Station # 26 *Tradition*

Artist: Joe Cipri (Westminster, CO)
Commission: \$36,000
Installed: 2007

Sam Gary Branch Public Library *LaminalLight*

Artist: Steven Appleton (Los Angeles, CA)
Commission: \$93,000
Installed 2012

Uplands Park *Woven Light*

Artist: Catherine Widgery (Cambridge, MA)
Commission: \$340,000
Installed: 2018

PUBLIC ART COMMISSIONED FOR THE CENTRAL PARK STATION ON THE A LINE BY THE REGIONAL TRANSPORTATION DISTRICT (RTD)

Central Park Station *Balloon Man Running*

Artist: Sean O'Meallie (Colorado Springs, CO)

Commission: \$85,000
Installed. 2016

Barbara Neal
Public Art Consultant for Central Park
303-519-6611 (c)
barbaraneal35@gmail.com

Park Creek District Board Meeting

Development Manager Agenda

December 21, 2023

Project Update

Award Recommendation

Short Form Agreement

IFDA 57

Full Scope Civil	\$47,649
Street repairs	

Work Order Approval

Change Order Approval

IFDA PD

Brightview C/O #2	\$41,300
Miscellaneous utility changes; erosion control at borrow	

IFDA MG

Brightview C/O #1	\$37,364
Amend topsoil, change trees, art structure footings, tree watering	



4715. Willow Street
Denver, CO 80238
main 720.920.4300
fax 720.920.4301
www.mortenson.com

December 18, 2023

Gary Truesdale
Forest City Stapleton
7351 East 29th Avenue
Denver, CO 80238

**RE: IFDA 57 Phase 1 & 2
Street Acceptance Repairs
Mortenson Project No. 22060031**

Dear Gary:

Mortenson/Civil Technologies has reviewed the proposal for Filing 57 Street Acceptance Repairs It is our recommendation that the Park Creek Metropolitan District award the contract to **Full Scope Civil Group, Inc.** The scope of work for this contract includes curb and sidewalk repairs as identified through walks with CCD inspector.

Proposed Contract Amount: \$ 47,649 IFDA Budget: \$ N/A

The pricing results were as follows:

<u>Proposer</u>	<u>Amount</u>	<u>Score</u>	<u>Remarks</u>
Full Scope Civil Group	\$47,649	N/A	100 % SBE Participation

This award recommendation is based on the best qualified responsive proposer as evaluated in accordance with the qualification standards established in the Request for Proposal. Please review and advise if you have any questions.

Sincerely,  Concurrence:

Kerry O'Connell
Project Executive

Gary Truesdale
Development Manager/ Forest City Stapleton Inc.

Attachments :Full Scope Contract & Proposal

APPLICATION FOR PAYMENT
Exhibit B



PROJECT NAME: F57 Roadway Acceptance Repairs

CONTRACT NUMBER: F57- 08

CONTRACTOR/MATERIAL SUPPLIER: Full Scope Civil Group

SCOPE OF WORK: Roadways

This Application must be completed and received at the below address by the 20th day of each month in order to receive payment when due.

MAIL TO: Mortenson / Civil Technology
4715 N Willow St.
Denver, CO 80238

Payment Request Number: 1- F57 December 1, 2023 to December 31, 2023

	Trunk	In Tract	Total Costs
1. Original Contract Amount	\$0	\$47,649	\$47,649
2. Approved Change Order(s) No. <u>NA</u> Through <u>NA</u>	\$0	\$0	\$0
3. Current Contract Amount	\$0	\$47,649	\$47,649
4. Value of Work Completed to date - Percentage - 0.0%	\$0	\$0	\$0
5. Less Gross Amount Completed Last Application	\$0	\$0	\$0
6. Amount of this Application is supported by attached detailed invoice(s) or schedule of values as required by contract letter.	\$0	\$0	\$0
7. Retainage	\$0	\$0	\$0
8. Net	\$0	\$0	\$0

CERTIFICATE OF THE CONTRACTOR

I hereby certify that the work performed and the material supplied to date, as shown on the above, represent the actual value of accomplishment under the terms of the Contract (and all authorized changes hereto) between the undersigned and The Park Creek Metro District relating to the above referenced project.

I further certify that no labor or materials have been supplied under contracts, agreements, verbal or written, or any other arrangement of any type whatsoever, other than the above contract duly authorized and executed change orders as noted in Item 2 above, and the undersigned does hereby release The Park Creek Metro District and Mortenson from any claim or liability therefore for the period covered by this application.

I also certify that payments, less application retention, have been made through the period covered by previous payments received from the contractor to (1) all my subcontractors (sub-subcontractors) and (2) for all materials and labor used in or in connection with the performance of this Contract. I further certify I have complied with Federal, State, and local tax laws, including Social Security laws and Unemployment Compensation Laws and Workman's Compensation Laws insofar as applicable to the performance of this Contract.

PARTIAL WAIVER OF LIEN

NOW THEREFORE, in receipt of the payment of the amount due on this application (Item 6 above) the undersigned does hereby irrevocably release and waive any and all mechanic's liens or other liens or right to claim any and all mechanic's liens or other liens against the above real estate or any part thereof for any of the materials and/or labor heretofore furnished or performed in connection with this project, reserving, however, all lien rights for labor and/or materials furnished after said date.

Contractor: Full Scope Civil Group

By: _____ Title: _____

Construction Manager Approval	
Quantities Checked By: _____	Date: _____
Math Checked By: _____	Date: _____
Recommended for Payment By: _____	Date: _____
Park Creek Metro District Approval	
BY: _____	Date: _____
BY: _____	Date: _____

Full Scope Civil Group

Payment Request Number: 1- F57

Period FROM: December 1, 2023
 TO: December 31, 2023
 Contract No.: F57- 08

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing Contractor's signed Retainage Certification is attached.
 In tabulations below, amounts are stated to the nearest dollar. Use Column I on Contracts where variable retainage for line items may apply.
 F57- 08

Item No.	Description of In-Tract Work	Quantity Calculations				Cost Calculations				Completed and Stored to Date (D+E)	% Complete (G/C)	Balance to Retainage Finish (C3-G)
		Original Contract Quantity	Change Order Quantity	Work Completed Previous Application Quantities	Work In Place Qty	Scheduled Value	Change Orders	Revised Contract Amount	Work Completed Previous Application Amounts			
100,000	DEMOLITION, GRADING, AND EROSION CONTROL	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
	DEMOLITION, GRADING, AND EROSION CONTROL SUBTOTAL					\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	SANITARY SEWER	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
	SANITARY SEWER SUBTOTAL					\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	STORM SEWER	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
	STORM SEWER SUBTOTAL					\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	WATER LINES	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
	WATER LINES SUBTOTAL					\$0	\$0	\$0	\$0	\$0	100.0%	\$0
300,100	ROADWAYS (In Tract)	79.5	0.0	0.0	0.0	\$16,695	\$0	\$16,695	\$0	\$0	0.0%	\$16,695
300,200	R&R Curb & Gutter	46.0	0.0	0.0	0.0	\$6,900	\$0	\$6,900	\$0	\$0	0.0%	\$6,900
300,300	R&R Concrete Alley	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
300,400	R&R Handicap Ramps	2.0	0.0	0.0	0.0	\$4,000	\$0	\$4,000	\$0	\$0	0.0%	\$4,000
300,500	Partial Depth Replacements	74.0	0.0	0.0	0.0	\$20,054	\$0	\$20,054	\$0	\$0	0.0%	\$20,054
300,600	Route & Seal Cracks	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
300,600	Traffic Control	0.0	0.0	0.0	0.0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
	ROADWAYS (In Tract) SUBTOTAL					\$47,649	\$0	\$47,649	\$0	\$0	0.0%	\$47,649
100,000	LANDSCAPING	0	0	0	0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
100,000	Item	0	0	0	0	\$0	\$0	\$0	\$0	\$0	100.0%	\$0
	LANDSCAPING SUBTOTAL					\$0	\$0	\$0	\$0	\$0	100.0%	\$0
	CURRENT TOTALS					\$47,649	\$0	\$47,649	\$0	\$0	0.0%	\$47,649



2942 EVERGREEN PKWY
 SUITE #206
 EVERGREEN, CO 80439

To: Mortenson	Contact:
Address: 1621 18TH ST. SUITE 400 Denver, CO 80202	Phone: 707-228-5925
	Fax:
Project Name: F57 ROADWAY ACCEPTANCE REPAIRS	Bid Number:
Project Location:	Bid Date:

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
300.100	R&R Curb & Gutter	79.50	LF	\$210.00	\$16,695.00
300.400	R&R Concrete Alley	46.00	SF	\$150.00	\$6,900.00
300.500	Partial Depth Replacements (& Core & Replace HMA)	2.00	EACH	\$2,000.00	\$4,000.00
300.600	Route & Seal Cracks (& Concrete Grinding)	74.00	LF	\$271.00	\$20,054.00

Total Bid Price: \$47,649.00

Notes:

- 300.100 - INCLUDES ITEM NUMBERS FROM REPORT 1000,1001,1007,1008,1010,1013,1014,1019,1020,1030,1037,1039,1047,1048
- 300.200 - NO ISSUES IDENTIFIED ON THE REPORT - NO BID
- 300.300 - NO ISSUES IDENTIFIED ON THE REPORT - NO BID
- 300.400 - INCLUDES ITEM NUMBERS FROM REPORT 1018,1035,1041,1042
- 300.500 - INCLUDES ITEM NUMBERS FROM REPORT 1017
- 300.600 - INCLUDES ITEM NUMBERS FROM REPORT 1004,1005,1006,1009,1011,1012,1015,1016,1021,1024,1025,1026,1027,1029,1030,1031,1032,1034,1040,1043,1044,1045,1046
- TRAFFIC CONTROL BASED ON SHOULDER CLOSURE WITH SIGNAGE ONLY - NO FLAGGERS, LANE CLOSURES, ETC. ANY WORK THAT REQUIRES A FULL LANE CLOSURE WITH FLAGGERS WILL BE \$3500/DY
- ALL PERMITS ARE EXCLUDED
- LANDSCAPING RESTORATION IS EXCLUDED
- ALL EROSION CONTROL IS EXCLUDED
- NO AGGREGATE BASE COURSE INCLUDED ON ANY REPAIRS
- INCLUDES TRUCKING AND DUMP FEES FOR DEMOLITION
- ALL SURVEY EXCLUDED
- ALL C&G REPAIRS SPECIFICALLY EXCLUDE ANY HMA PATCHBACK PER CITY AND COUNTY OF DENVER TRANSPORTATION STANDARDS & DETAILS 12.0

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Full Scope Civil Group</p> <p>Authorized Signature: _____</p> <p>Estimator: _____</p>
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CONTRACTOR CHANGE ORDER
Exhibit C

The Park Creek Metropolitan District
7350 E. 29th Ave, Suite 200
Denver, CO 80238

CHANGE ORDER NO.: 2

PROJECT: Filling PD TOS Park & Cottonwood Gallery Park
TO: Brightview Landscape Development Inc.
8888 Molsenbocker Road
Parker, CO 80134

DATE: 12-Dec-23

CONTRACT NO.: PD-001

DESCRIPTION OF CHANGE: CO #2 PD Park Misc Utility Changes and Borrow

Full and final settlement of all costs and charges, including all necessary labor, material, equipment, services, taxes, costs to maintain schedule, bonds and insurance described in the following:

Line	Pay Item	Description	Non Park Trunk Amt	Park Trunk Amt	In-Tract Amount	Denver Water Amt	Total Amount
1	CO 2.1	Park Storm Water System	\$0	\$14,240	\$0	\$0	\$14,240
2	CO 2.2	Park Irrigation System	\$0	(\$4,740)	\$0	\$0	(\$4,740)
3	CO 2.3	Provide Erosion Control at Spruce St Borrow Site	\$0	\$31,800	\$0	\$0	\$31,800

See Attached for Additional Breakout Information

Net Increase/Decrease to Contract:			\$0	\$41,300	\$0	\$0	\$41,300
The original Contract Sum was			\$0	\$4,722,773	\$0	\$0	\$4,722,773
Net change by previously authorized Change Orders			\$0	\$0	\$29,409	\$0	\$29,409
The Contract Sum prior to this Change Order was			\$0	\$4,722,773	\$29,409	\$0	\$4,752,182
The Contract Sum will be modified in the amount of			\$0	\$41,300	\$0	\$0	\$41,300
The new Contract Sum including this Change Order will be			\$0	\$4,764,073	\$29,409	\$0	\$4,793,482

AS A RESULT OF THIS CHANGE THE SCHEDULE IS INCREASED BY 0 CONSECUTIVE CALENDAR DAYS
UNLESS STATED ABOVE, ALL CONTRACT PROVISIONS SHALL CONTINUE IN FULL FORCE AND EFFECT

Recommended by: Construction Manager
M.A. Mortenson Company
4715 N Willow St
Denver, CO 80238

Accepted by: Contractor/Supplier
Brightview Landscape Development Inc.
8888 Molsenbocker Road
Parker, CO 80134

BY (Signature)

BY (Signature)

Kerry O'Connell
(Printed Name)

Matt Muddick
(Printed Name)

Date

Date

Approved by: Development Manager
Brookfield Development
7351 E. 29th Ave.
Denver, CO 80238

Approved by: Owner
The Park Creek Metropolitan District
7350 E. 29th Ave, Suite 200
Denver, CO 80238

Gary Truesdale, Development Manager

King H. Harris, President

Date

Date

Please See Attached for Routing Information

CONTRACTOR CHANGE ORDER BREAKOUT
Exhibit C

CHANGE ORDER NO.: 2

DATE: 12-Dec-23

CONTRACT NO.: PD-001

The Park Creek Metropolitan District
7350 E. 29th Ave. Suite 200
Denver, CO 80238

PROJECT: Filing PD TOS Park & Cottonwood Gallery Park
TO: Brightview Landscape Development Inc.
8888 Moitsenbocker Road
Parker, CO 80134

CO #2 PD Park Misc Utility Changes

DESCRIPTION OF CHANGE:

Line	Pay Item	Description	Category	Explanation	Unit	Unit Cost	Non Park Trunk QTY	Park Trunk QTY	In-Tract QTY	Denver Water QTY	Total QTY	Total Cost
1	CO 2.1	Park Storm Water System	Landscape	Not Included in Original Contract Redesign	LS	\$14,240.00	0.00	1.00	0.00	0.00	1.00	\$14,240
2	CO 2.2	Park Irrigation System	Landscape	Leave Existing F 54 Vault in Place per Denver Water	LS	(\$4,740.00)	0.00	1.00	0.00	0.00	1.00	
3	CO 2.3	Provide Erosion Control at Spruce St Borrow Site	Landscape	Had to Restore & Seed Block after exporting 30,000 cy of fill	LS	\$31,800.00	0.00	1.00	0.00	0.00	1.00	\$31,800
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
											Total:	\$41,300

CONSECUTIVE CALENDAR DAY INCREASE TO THE PROJECT SCHEDULE AS A RESULT OF THIS CHANGE IS 0 DAYS

- Routing Information:
- 6 originals to Contractor for Signature (from Mortenson)
 - 5 originals returned to Construction Manager for Signature (from Contractor)
 - 5 originals forwarded to Development Manager for Signature (from Construction Manager)
 - 5 originals forwarded to Owner for Signature (from Development Manager)
 - 3 executed originals returned to Development Manager (from Owner)
 - 2 executed originals returned to Construction Manager (from Development Manager)
 - 1 executed original returned to Contractor (from Construction Manager)



The Park Creek Metropolitan District
7350 E. 29th Ave. Suite 200
Denver, CO 80238

CHANGE ORDER NO.: 1

PROJECT: Uinta Plaza - Landscaping

DATE: 13-Dec-23

TO: Brightview Landscape
8888 Motsenbocker Rd.
Parker, CO 80134

CONTRACT NO.: MG-005

DESCRIPTION CO #1 Misc Landscaping Revisions requested by DIG Studios plus Temporary Watering Costs and Erosion Control
OF CHANGE: Measures

Full and final settlement of all costs and charges, including all necessary labor, material, equipment, services, taxes, costs to maintain schedule, bonds and insurance described in the following:

Line	Pay Item	Description	Non Park Trunk Amt	316128	In-Tract Amount	Denver Water Amt	Total Amount
1	100.010	Topsoil	\$0	\$0	\$6,323	\$0	\$6,323
2	100.020	Change Tree Species	\$0	\$0	(\$5,999)	\$0	(\$5,999)
3	100.030	Deleted Tulip Trees (214.32)	\$0	\$0	(\$5,500)	\$0	(\$5,500)
4	100.040	Art Structure Footing	\$0	\$0	\$990	\$0	\$990
5	100.050	QCP Flower Pot Mods	\$0	\$0	\$2,640	\$0	\$2,640
6	100.060	Temporary Power	\$0	\$0	\$1,800	\$0	\$1,800
7	100.070	Temporary Irrigation	\$0	\$0	\$31,680	\$0	\$31,680
8	100.080	Erosion Seeding	\$0	\$0	\$2,790	\$0	\$2,790
9	100.090	Trench Drain Connection	\$0	\$0	\$2,640	\$0	\$2,640

See Attached for Additional Breakout Information

Net Increase/Decrease to Contract:	\$0	\$0	\$37,364	\$0	\$37,364
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The original Contract Sum was	\$0	\$0	\$700,878	\$0	\$700,878
Net change by previously authorized Change Orders	\$0	\$0	\$0	\$0	\$0
The Contract Sum prior to this Change Order was	\$0	\$0	\$700,878	\$0	\$700,878
The Contract Sum will be modified in the amount of	\$0	\$0	\$37,364	\$0	\$37,364
The new Contract Sum including this Change Order will be	\$0	\$0	\$738,242	\$0	\$738,242

AS A RESULT OF THIS CHANGE THE SCHEDULE IS INCREASED BY 0 CONSECUTIVE CALENDAR DAYS
UNLESS STATED ABOVE, ALL CONTRACT PROVISIONS SHALL CONTINUE IN FULL FORCE AND EFFECT

Recommended by: Construction Manager

M.A. Mortenson Company
4715 Willow St.
Denver, CO 80238

BY Kerry O'Connell

Date 12.13.23

Approved by: Development Manager

Forest City Stapleton Inc.
7351 E. 29th Ave.
Denver, CO 80238

BY _____
Gary Truesdale Construction manager

Date _____

Accepted by: Contractor/Supplier

Brightview Landscape
8888 Motsenbocker Rd.
Parker, CO 80134

BY Mathew Mudek

Date _____

Approved by: Owner

The Park Creek Metropolitan District
7350 E. 29th Ave. Suite 200
Denver, CO 80238

BY _____
King H. Harris, President

Date _____

CONTRACTOR CHANGE ORDER BREAKOUT
Exhibit C

CHANGE ORDER NO.: 1

DATE: 13-Dec-23

CONTRACT NO.: MG-005



The Park Creek Metropolitan District
7350 E. 29th Ave. Suite 200
Denver, CO 80238

PROJECT: Uinta Plaza - Landscaping

TO: Brightview Landscape
8888 Mottsenbocker Rd.
Parker, CO 80134

DESC: MG-004

CO #1 Misc Landscaping Revisions requested by DIG Studios plus Temporary Watering Costs and Erosion Control Measures

Line	Pay Item	Description	Category	Explanation	Unit	Unit Cost	Non Park Trunk QTY	Park Trunk QTY	In-Tract QTY	Denver Water QTY	Total QTY	Total Cost
1	100.010	Topsoil	Landscape	F&I Amended topsoil in tree wells and Flower pots	LS	\$6,323.00			1.00		1.00	\$6,323
2	100.020	Change Tree Species	Landscape	Change Tulip Trees to Maple Trees per DIG	EA	(\$153.82)			39.00		39.00	(\$5,999)
3	100.030	Deleted Tulip Trees (214.32)	Landscape	Delete Trees due to space constraints per DIG	EA	\$1,100.00			(5.00)		(5.00)	(\$5,500)
4	100.040	Art Structure Footing	Landscape	Excavate Footings for Demiurge Art Structures	LS	\$990.00			1.00		1.00	\$990
5	100.050	QCP Flower Pot Mods	Landscape	Fill pots with foam and Concrete for Ballast	LS	\$2,640.00			1.00		1.00	\$2,640
6	100.060	Temporary Power	Landscape	Install solar powered irrigation valves due to Xcel	LS	\$1,800.00			1.00		1.00	\$1,800
7	100.070	Temporary Irrigation	Landscape	Hand Water Trees AM/PM 3 days / week for 16 weeks due to Denver Water delays on setting meters	LS	\$31,680.00			1.00		1.00	\$31,680
8	100.080	Erosion Seeding	Landscape	Clean & reseed all 3 corners	LS	\$2,790.00			1.00		1.00	\$2,790
9	100.090	Trench Drain Connection	Landscape	Tie in Trench drain change grates to domes per wastewater	LS	\$2,640.00			1.00		1.00	\$2,640
10												
11												
12												
13												
14												
15												
											Total:	\$37,364

CONSECUTIVE CALENDAR DAY INCREASE TO THE PROJECT SCHEDULE AS A RESULT OF THIS CHANGE IS 0 DAYS

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BrightView Landscape Development, Inc.

**Potential Change Item
No. 00001**

Title: Additional landscape items
Project: Uinta Plaza - Landscape
Attn:

Date: Dec 13, 2023
Job: 111995

Phone:

Description Of Estimate:
Additional landscape items

Breakdown Of Work

Item	Description of Work	Quantity	Units	Unit Price	Net Amount
1	topsoil	1.00	LS	6,323.00	\$6,323.00
2	change tree species	1.00	LS	-5,999.00	-5,999.00
3	delete tulip trees (BUILT FROM 214.20)	1.00	LS EA	4,818.00	4,818.00
4	art structure footing	1.00	LS	990.00	\$990.00
5	qcp flower pot mods	1.00	LS	2,640.00	\$2,640.00
6	temp power	1.00	LS	1,800.00	\$1,800.00
7	temp irrigation	1.00	LS	31,680.00	\$31,680.00
8	erosion seeding	1.00	LS	2,790.00	\$2,790.00
9	pipng	1.00	LS	2,640.00	\$2,640.00
Total :					\$38,046.00

Estimated Time Extension 0 Days \$ 37,364

This estimate will remain in effect for 15 days, unless otherwise noted. After expiration, a new estimate will be submitted upon request.

Notes:

- This work will not be done until approved and written change order is issued.
- A signature below authorizes us to proceed with the work described above, at the stated prices.
- Extension of time necessary for this change: 0 consecutive working days.
- This work was done in accordance with your order to proceed: Please issue change order.

Prepared By: _____

Approved By: _____

BrightView Landscape Development, Inc.

Date: Dec 13, 2023

Date: _____