

**COLORADO INTERNATIONAL CENTER
METROPOLITAN DISTRICT (“CIC”) NOS. 7 & 11**

141 Union Boulevard, Suite 150
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NOTICE OF A SPECIAL MEETING AND AGENDA

<u>Board of Directors</u>	<u>Office</u>	<u>Term/Expires</u>
Timothy D’Angelo	President	2023/May 2023
Todd Witty	Treasurer	2025/May 2023
Theodore Laudick	Assistant Secretary	2025/May 2025
VACANT		2023/May 2023
VACANT		2023/May 2023
Ann Finn	Secretary	

DATE: March 24, 2023

TIME: 10:00 A.M.

PLACE: Zoom Meeting: **This meeting will be held via Zoom without any individuals (neither District representatives nor the general public) attending in person. The meeting can be joined through the directions below:**

Zoom information:

<https://us02web.zoom.us/j/89562312783?pwd=MlZqQ09nQ3FGL3MzRXNVczNHc2ZOUT09>

Meeting ID: 895 6231 2783

Passcode: 655550

Dial In: 1-253-215-8782

I. ADMINISTRATIVE MATTERS

A. Present Disclosures of Potential Conflicts of Interest.

B. Confirm quorum, location of meeting and posting of meeting notices. Approve Agenda [**CIC Nos. 7 & 11**]. Designate 24-hour posting location [**CIC No. 11 only**].

C. 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 will be removed from the Consent Agenda and considered in the Regular Agenda.

- Consider approval of Minutes of the December 16, 2022 Regular Meeting [**CIC No. 11 only**] and Minutes of the February 17, 2023 Regular Meeting [**CIC No. 7 only**] (enclosures).
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II. PUBLIC COMMENTS

- A. 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.
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III. FINANCIAL MATTERS

- A. **[CIC No. 7 only]** Review and accept unaudited financial statements for the period ending _____, 2022 and cash position statement dated _____, 2022 and updated as of _____, 2022 (to be distributed).
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- B. **[CIC No. 7 only]** Review and accept payment of claims from _____, 2022 through _____, 2022 in the amount of \$_____ (to be distributed).
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IV. LEGAL MATTERS

- A. Discuss cancellation of May 2, 2023 Regular Directors' Election.
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V. CAPITAL MATTERS

- A. **[CIC No. 7 only] 66th/68th and Denali Street Project (the "Project"):**
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(1) Discuss status of the Project.

(2) Review and consider approval of Engineer's Report and Certification #02, dated _____ and prepared by Ranger Engineering, LLC, certifying soft, indirect, District-funded, and hard costs for Public Improvements in the amount of \$_____ (to be distributed). Consider acceptance of \$_____ in certified costs for Public Improvements.

- B. **[CIC No. 7 only]** Discuss status of Dandelion Draw, No Name Pond and the 68th Avenue/Loop Road west of Gun Club Road.
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- C. **[CIC No. 7 only]** Review bids for the High Point Northwest Early Grading Project (enclosure).
-

1. Award Contract.
-

2. Authorize Construction Manager to issue Notice of Award and Notice to Proceed.
-

VI. OTHER BUSINESS

A. _____

- VII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR APRIL 21, 2023.**

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 11 HELD DECEMBER 16, 2022

A Regular Meeting of the Board of Directors (referred to hereafter as the "Board") of the Colorado International Center Metropolitan District No. 11 (referred to hereafter as the "District") was convened on Friday, the 16th day of December, 2022, at 10:00 a.m. This District Board meeting was held and properly noticed to be held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Timothy D'Angelo
Todd Witty
Theodore Laudick

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Erica Montague, Esq.; McGeady Becher P.C.

Zachary Leavitt; CliftonLarsonAllen LLP

Paul Hyde; Hyde Development

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board noted it was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Attorney Becher requested that the Directors review the Agenda for the meeting and advise the Board of any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

ADMINISTRATIVE MATTERS

Location of Meeting and Posting of Notices: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined that this meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that the District had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic

RECORD OF PROCEEDINGS

manner of the meeting be changed by taxpaying electors within the District boundaries.

Agenda: Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director D'Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Agenda was approved, as presented.

Consent Agenda: The Board considered the following actions:

- Approve the Minutes of the October 21, 2022 Regular Meeting.

Following review, upon motion duly made by Director D'Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

**PUBLIC
COMMENTS**

There were no public comments.

OTHER BUSINESS

Status of Development: Director D'Angelo provided an update on the development within the District. He noted the grading work has started and the Dollar General building should be completed by January 2024.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Laudick, seconded by Director D'Angelo and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: _____
Secretary for the Meeting

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 7 HELD FEBRUARY 17, 2023

A Regular Meeting of the Board of Directors (referred to hereafter as the "Board") of the Colorado International Center Metropolitan District No. 7 (referred to hereafter as the "District") was convened on Friday, the 17th day of February, 2023, at 10:00 a.m. This District Board meeting was held and properly noticed to be held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Timothy D' Angelo
Todd Witty
Theodore Laudick

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Erica Montague, Esq.; McGeady Becher P.C.

Zach Leavitt; CliftonLarsonAllen LLP (for a portion of the meeting)

Paul Hyde; Hyde Development (for a portion of the meeting)

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board noted it was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Attorney Montague requested that the Directors review the Agenda for the meeting and advise the Board of any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

ADMINISTRATIVE MATTERS

Location of Meeting and Posting of Notices: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. The Board determined that this meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that the District had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic

RECORD OF PROCEEDINGS

manner of the meeting be changed by taxpaying electors within the District boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director D'Angelo, seconded by Director Witty, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website at: <https://cicmetrodistricts7and11.com/> or if posting on the website is unavailable, notice will be posted at the easternmost point accessible on the north side of E. 64th Avenue, Aurora, Colorado.

Agenda: Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion duly made by Director D'Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Agenda was approved, as presented.

Consent Agenda: The Board considered the following actions:

- Approve the Minutes of the December 16, 2022 Regular Meeting.

Following review, upon motion duly made by Director D'Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

PUBLIC COMMENTS

There were no public comments.

FINANCIAL MATTERS

Unaudited Financial Statements / Cash Position Statement: There were no financial statements or cash position statement presented.

Payment of Claims: There were no claims presented.

LEGAL MATTERS

Facilities Acquisition Agreement by and between Colorado International Center Metropolitan District No. 7, DG Strategic VI, LLC, and Highpoint North Acquisition, LLC: The Board deferred discussion.

RECORD OF PROCEEDINGS

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 HM Metropolitan District No. 1, Aurora High Point at DIA Metropolitan District, and Colorado International Center Metropolitan District No. 7: The Board reviewed the 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 HM Metropolitan District No. 1, Aurora High Point at DIA Metropolitan District, and Colorado International Center Metropolitan District No. 7.

Following review, upon motion duly made by Director D’Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Board approved the 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 HM Metropolitan District No. 1, Aurora High Point at DIA Metropolitan District, and Colorado International Center Metropolitan District No. 7.

CAPITAL MATTERS

66th/68th and Denali Project (“Project”):

Engineer’s Report and Certification #02, dated and prepared by Ranger Engineering, LLC: There was no report at this time.

Dandelion Draw, No Name Pond and the 68th Avenue/Loop Road west of Gun Club Road: Mr. Laudick reported the grading work has been approved for Dandelion Draw, No Name Pond, and 68th Avenue, and noted the civil plans are under second review by the City of Aurora. He also noted the civil design plans for Loop Road should be completed and approved by the City in early May.

66th/68th Ave. and Denali Project: Mr. Laudick reported the work has been delayed due to the weather.

66th, 68th Ave. and Denali St. Street Light Project (“Street Light Project”): Following review and discussion, upon motion duly made by Director D’Angelo, seconded by Director Laudick and, upon vote, unanimously carried, the Board approved the award of the contract for the Street Light Project to Dynalectric Company in the amount of \$456,635, and authorized Director D’Angelo to review and approve the proposal from Xcel Energy to power up the lights, subject to ratification by the Board.

OTHER BUSINESS None.

RECORD OF PROCEEDINGS

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director D'Angelo, seconded by Director Witty and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: _____
Secretary for the Meeting

**BIDDING AND CONTRACT REQUIREMENTS
SECTION 00020 INVITATION TO BID**

INVITATION TO BID

Colorado International Center Metropolitan District No. 7 (hereinafter called the “**Owner**”) will receive sealed Bids for the High Point Northwest Early Grading Project (the “**Project**”) at 18591 E 64th Ave, Denver CO until 10:00 am., March 9, 2022. At such time, Bids received will be publicly opened and read aloud.

A description of the Work to be performed is: Earthwork mass grading of the High Point Northwest property including erosion control, drainage improvements and the relocation of Dandelion Draw.

Electronic bid packages will be available after 10:00 am. on February 20, 2022. Send request for bid documents to Randy Ficklin II at randy@silverbluffcompanies.com

Bids shall be made on the forms furnished by the Owner and shall be enclosed in a sealed envelope and endorsed with the name of the Bidder. A Bid Bond in an amount equal to ten percent (10%) of the total Bid amount will be required. The Bid Bond will be retained by Owner as liquidated damages should the Successful Bidder fail to enter into a Contract with the Owner in accordance with the Bid. Bidders must supply a list of Subcontractors providing \$10,000.00 or more in labor and/or materials to the Project.

Attention is called to the fact that Bidders offer to assume the obligations and liabilities imposed by the Contract Documents. The Successful Bidder for the Project will be required to furnish a Performance Bond and a Labor and Materials Payment Bond in the full amount of the Contract Price, in conformity with the requirements of the Contract Documents.

Bidders are hereby advised that the Owner reserves the right to not award a Contract until sixty (60) days from the date of the opening of Bids, and Bidders expressly agree to keep their Bids open for the sixty (60) day time period. Owner reserves the right to reject any and all Bids, to waive any informality, technicality or irregularity in any Bid, to disregard all non-conforming, non-responsive, conditional or alternate Bids, to negotiate contract terms with the Successful Bidder, to require statements or evidence of Bidders’ qualifications, including financial statements, and to accept the proposal that is in the opinion of the Owner in its best interest. Owner reserves the right to accept any combination of Bids which in Owner’s sole, and absolute judgment will, under all circumstances, best serve the Owner’s interests. Owner also reserves the right to extend the Bidding period by Addendum if it appears in its interest to do so.

Any questions concerning this bid shall be directed in writing to: Randy Ficklin II at randy@silverbluffcompanies.com no later than 5:00 pm, March 6th 2023.

END OF SECTION

High Point Northwest Early Grading

Bid Opening- March 9, 2023 @ 10:00am

Contractor:	Bid Bond:	Addendum #1:	Addendum#2:	Bid Amount:	Discrepancy:
RCD Construction	Received	Acknowledged	Acknowledged	\$ 3,091,314.40	\$ -
Summit Excavation	Received	Acknowledged	Acknowledged	\$ 2,922,815.12	\$ -
Fiore & Sons	Received	Acknowledged	Acknowledged	\$ 1,869,670.23	\$ -
Kelley Trucking	Received	Acknowledged	Acknowledged	\$ 2,654,411.65	\$ -
Arvada Excavation	Received	Acknowledged	Acknowledged	\$ 2,031,058.87	\$ -