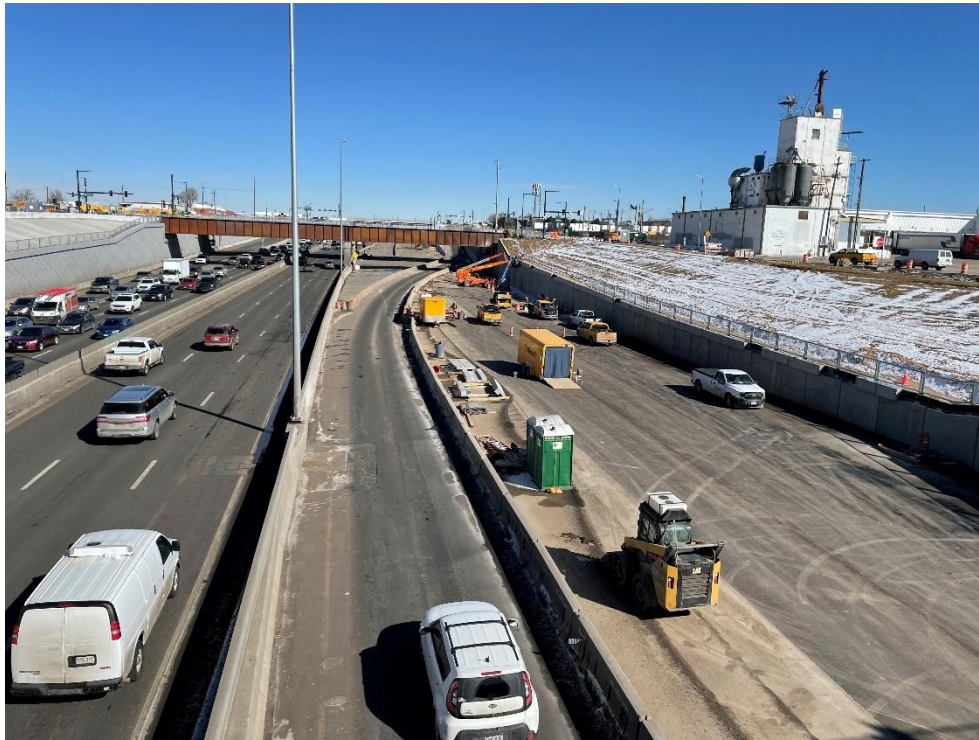




# Quarterly Status Report

January 2022 through March 2022



PREPARED BY:



**COLORADO**  
Department of Transportation

IN CONSULTATION WITH:



**COLORADO**  
Department of Transportation  
Statewide Bridge Enterprise

**DATE:** April 25, 2022

**TO:** Colorado Transportation Commission (TC)  
Colorado Transportation Investment Office (CITO) Board of Directors (formerly the Colorado High Performance Transportation (HPTE))  
Colorado Bridge and Tunnel Enterprise (BE) Board of Directors

**FROM:** Robert Hays, Project Director, Central 70 Project

**SUBJECT:** Quarterly Update

### PROJECT PROGRESS

This memo summarizes the status of the Central 70 Project across the following areas:

- Status of Design and Construction
- Status of Pre-Development Budget
- Status of Community Commitments

### ACTION

No actions are requested at this time. This memo is for information purposes only.

### BACKGROUND

Per the Amended and Restated Central 70 Project Intra-Agency Agreement (IAA) dated September 14, 2021, the Central 70 Project Director shall provide quarterly updates to the Transportation Commission, Colorado Bridge and Tunnel Enterprise (BE) Board of Directors, and the Colorado High Performance Transportation Enterprise (HPTE) Board of Directors through Final Acceptance.

### MATTERS REQUIRING POLICY INPUT

None at this time.

### COMPLETED MILESTONES THIS QUARTER

#### January 2022 through March 2022

- Continued work on bridge finishes for the I-70 bridge over Brighton Boulevard.
- Began replacing Stapleton Drive signage throughout the project limits in accordance with Transportation Commission directive.
- Continued working on punch list items and remaining incomplete work in Milestone 1 and Milestone 2B.
- Began jet fan installation on Eastbound (EB) I-70 Cover.
- Continue construction of the City and County of Denver (CCD) portion of the Cover Building.

- Completed traffic switch for EB I-70 from Steele Street to Colorado Boulevard and began working on median barrier.
- Began reconstruction of the Swansea parking lot and playground.
- Continued work on the UPRR bridge, including placing the last girders for service bridge.
- Continued installation of the Intelligent Transportation Systems (ITS) devices east of Sand Creek and permanent fiber optic cabling from Node 1 to the Airport Road Node building.
- Continued construction of Airport Node building.
- Completed EB I-70 Cover deck pours and began garden roof assembly waterproofing.
- Began Cover Top retaining walls and miscellaneous concrete work.
- Continued construction of drainage, walls, utilities, roadway, and paving for future EB I-70.
- Continued construction of East 46<sup>th</sup> Avenue South, including roadway, utilities, and drainage.
- Completed construction of the intersection at York Street and East 47<sup>th</sup> Avenue.
- Continued work in the Brighton East and West ponds.
- Continued placement of Mechanical, Electrical and Plumbing (MEP) systems at the Cover
- Continued construction on the Fire Control Center (FCC) room for the EB I-70 lanes.
- Continued soil mixing for EB lanes from Columbine Street to UPRR for the I-70 and Fixed Firefighting System (FFFS) drainage systems.
- Continued the placement of wall panels from Colorado Boulevard to Brighton in EB I-70 lowered section as walls are excavated.
- Continued working on various stormwater retention pond certifications from Brighton Boulevard to Peoria Street.
- Continue construction on the I-70 sign structures and roadway finishes west of Brighton Boulevard.
- Began repairs to the York Street over I-70 bridge.
- Continued drainage crossing under the Regional Transportation District (RTD) and UPRR tracks at Colorado Boulevard.
- Continued remaining work at Safeway property adjacent to the Colorado Boulevard on-ramp to EB I-70.

## UPCOMING MILESTONES

### April 2022 through June 2022

- Pour last portion of UPRR service deck.
- Complete replacing Stapleton Drive signage throughout the project limits in accordance with Transportation Commission directive.
- Continue working on punch list items and remaining incomplete work in Milestone 1 and Milestone 2B.
- Complete jet fan installation for the EB I-70 Cover.

- Continue construction of the City and County of Denver (CCD) portion of the Cover Building.
- Begin tolling installation, configuration and testing by Electronic Toll Collection (ETC) for I-70 Express Lanes.
- Continue reconstruction of the Swansea parking lot, basketball court and playground.
- Continue installation of the Intelligent Transportation Systems (ITS) devices east of Sand Creek and permanent fiber optic cabling from Node 1 to the Airport Road Node building.
- Continue construction of Airport Node building.
- Complete CDOT installation of Ciena network switch.
- Complete garden roof assembly waterproofing.
- Continue Cover retaining walls and miscellaneous concrete work.
- Complete construction of drainage, walls, utilities, roadway, and paving for future EB I-70.
- Continue construction of East 46<sup>th</sup> Avenue South between Brighton and Colorado Boulevards, including roadway, utilities, and drainage.
- Complete work in the Brighton East and West ponds.
- Complete placement of Mechanical, Electrical and Plumbing (MEP) systems at the Cover and continue commissioning tests.
- Completion of construction on the Fire Control Center (FCC) room for the EB I-70 lanes.
- Complete soil mixing for EB lanes from Columbine Street to UPRR for the I-70 and Fixed Firefighting System (FFFS) drainage systems.
- Complete the placement of wall panels from Colorado Boulevard to Brighton in EB I-70 lowered section.
- Complete various stormwater retention pond certifications from Brighton Boulevard to Peoria Street.
- Complete construction on the I-70 sign structures, barrier repairs, and roadway finishes west of Brighton Boulevard.
- Complete repairs to the York Street over I-70 bridge.
- Complete remaining work at Safeway property adjacent to the Colorado Boulevard on-ramp to EB I-70.
- Begin far east pavement overlays from I-225 to Chambers Rd.
- Begin Cover Top grading and amenities.

## LAWSUIT UPDATE

All lawsuits associated with the Project to date have been resolved.

As part of the settlement agreement with the Sierra Club plaintiffs (Sierra Club, Elyria and Swansea Neighborhood Association, Chaffee Park Neighborhood Association, and Colorado Latino Forum), CDOT funded a health study of the Elyria-Swansea neighborhoods. The Colorado Department of Public Health and Environment (CDPHE) is leading this effort on behalf of the State. Currently CDPHE is working to get Colorado State University (CSU) under contract to perform the study.

## ISSUES

Milestone 1 was previously achieved by KMP on December 9, 2019. The Enterprises issued a change order to KMP to correct drainage and cross slope issues on I-70 east of I-225 and this work is nearing completion, with only minor elements remaining to complete. KMP continues to work on remaining Milestone 1 punch list items with an anticipated completion in Summer 2022.

The Enterprises and KMP continue to implement lessons learned from the Westbound (WB) I-70 Cover commissioning process for the Cover over EB I-70 (scheduled for summer 2022). The structure for the Cover over EB I-70 is complete and installation of lighting, fire-life safety, and other systems is on-going. Engagement with the Denver Fire Department (DFD) continues with DFD testing scheduled for late June/early July 2022.

The Enterprises, KMP, and the City and County of Denver continue to work through design and submittal comments on the Cover Top from Denver Parks and Recreation (DPR) and other City entities. All parties continue to work together making progress towards resolution of these comments. Negotiations with KMP for the Change Order for the DPR requested modifications to the Cover Top irrigation are nearing conclusion. The Enterprises are currently working with KMP and the City and County of Denver Tech Services on resolving comments on the Closed Circuit Television (CCTV) system for the Cover Top.

KMP is in the process of finalizing Revised Baseline Schedule 6 (RBS6) which re-sequences and accelerates the Work in the lowered section to achieve Substantial Completion in December 2022. The Enterprises reviewed the schedule and provided comments to KMP. The Enterprises anticipate the resubmittal in mid-April.

KMP continues to work with Jorgenson (the Operations and Maintenance (O&M) Contractor) on identifying a replacement O&M Manager and updating various management plans and submittals required for the Operating Period. The Enterprises continue to monitor this situation and are involved in regular discussions with KMP regarding these items.

During the month of March 2020, a global pandemic (COVID-19) was declared by the World Health Organization (WHO). Federal, State, and Local leaders have all implemented mitigation measures to reduce the spread of COVID-19. These measures have ultimately reduced physical contact and person to person interactions.

As of this Quarter, the impacts of COVID-19 have decreased in the community. Vaccinations and treatments are readily available, and all members of the project are encouraged to get vaccinated. At the project level, safety precautions such as face masks and social distancing continue to follow federal and state guidelines. Both KMP and the Enterprises are requiring all staff to work remotely if they are feeling ill, regardless of symptoms. KMP continues to update the Safety Management Plan for the project to address the current safety protocols. Staff have

returned to the project office, either full time or in a hybrid model. However, large project meetings continue in a virtual format to minimize the potential for COVID-19 transmission.

COVID-19 continues to be monitored by the Enterprises but has not impacted the project schedule at this time. KMP has indicated that some supply chain issues with raw materials, ITS/CCTV equipment, and other project elements exist, but KMP to date has been able to either identify alternate suppliers or accommodate extended procurement timeframes within the project schedule.

Supervening Events (SE) are summarized in the table below (shading indicates the SE is closed). KMP withdrew SE-23 on January 27, 2022, upon completing the excavation adjacent to the old Steele Street off-ramp. There are no open SEs on the project at this time.

SEN #	Description	Date Received from KMP	Type of SEN	Status
1	UPRR Agreement Delay, Request for Extension to Detailed Supervening Event Submission	04/25/2018	Comp Event	Resolved with 2 <sup>nd</sup> Amendment to the Project Agreement
2	UPRR Phase 0 Work Delay	03/23/2018	Comp Event	Resolved with 2 <sup>nd</sup> Amendment to the Project Agreement
3	UPRR Work Performance Schedule	03/23/2018	Delay Relief Event	Withdrawn by KMP
4	Section 232 Steel and Aluminum Tariffs	08/13/2018	Relief Event	Resolved with 2 <sup>nd</sup> Amendment to the Project Agreement
5	Swansea Asbestos Containing Material	07/07/2018	Comp Event	Change Order was executed on 09/03/2019
6	AP-83 Asbestos Containing Material	10/10/2018	Comp Event	Withdrawn by KMP
7	Sand Creek Bridge	11/20/2018	Comp Event	Change Order was executed on 05/06/2020
8	UPRR Crossing Diaphragm Spacing	12/17/2018	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement
9	Structure E-17-FX Viaduct	12/17/2018	Comp Event	Withdrawn by KMP
10	UPRR Transverse Plate Welding	02/22/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement
11	UPRR Underside Plate Welding	02/22/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement
12	UPRR Drip Plates	02/22/2019	Comp and Relief Event	Withdrawn by KMP
13	UPRR Bearings	02/22/2019	Comp and Relief Event	Withdrawn by KMP
14	UPRR Impact Loading	02/22/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement



SEN #	Description	Date Received from KMP	Type of SEN	Status
15	UPRR Rebar Detailing	02/22/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement
16	Severe Weather Event - Bomb Cyclone	03/27/2019	Relief Event	Withdrawn by KMP
17	UPRR Shoring	03/28/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement
18	UPRR Shoring Unexcused RR delay	03/28/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement
19	AP-102 Hazardous Material	03/27/2019	Comp Event	Withdrawn by KMP
20	Reserved			Not submitted to Enterprises
21	UPRR Steel Notes	05/02/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement
22	UPRR Steel Notes Relief	05/02/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement
23	Recognized Hazardous Material (RHM) 46 <sup>th</sup> and Steele Southwest Gore Asbestos	05/29/2019	Comp Event	Withdrawn by KMP
24	UPRR Crossing Diaphragm Spacing	06/14/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement. Related to SE Event 8
25	UPRR Transverse Plate Welding	06/19/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement. Related to SE Event 10
26	UPRR Underside Plate Welding	06/28/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement. Related to SE Event 11.
27	Reserved			Not submitted to Enterprises
28	Reserved			Not submitted to Enterprises
29	UPRR Impact Loading	06/28/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement. Related to SE Event 14.
30	UPRR Rebar Detailing	06/28/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement. Related to SE Event 15.
31	UPRR Drainage Review	08/22/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement.
32	UPRR Drainage Review	08/22/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement. Related to SE Event 31.

SEN #	Description	Date Received from KMP	Type of SEN	Status
33	UPRR Unreasonableness	08/22/2019	Comp Event	Closed. Included in 2021 Memorandum of Settlement.
34	UPRR Unreasonableness	08/22/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement. Related to SE Event 33.
35	Fire Department Review	12/26/2019	Delay Relief Event	Closed. Included in 2021 Memorandum of Settlement.
36	Fire Department Review	12/26/2019	Relief Event	Closed. Included in 2021 Memorandum of Settlement. Related to SE Event 35.
37	Discovery of Recognized Hazardous Material – Dahlia & Stapleton ACM	01/31/2020	Comp Event	Withdrawn by KMP
38	Enterprises’ Failure to Grant and Extension of Time	04/14/2020	Comp Event	Closed. Included in 2021 Memorandum of Settlement.
39	Swansea School Asbestos Containing Material – Phase 2	05/04/2020	Comp Event	Change Order was executed on 09/13/2021.
40	Shutdowns, Suspensions, Disruptions and Other Impacts Related to COVID-19	05/21/2020	Comp Event	Withdrawn by KMP
41	Shutdowns, Suspensions, Disruptions and Other Impacts Related to COVID-19	05/21/2020	Force Majeure, Delay and Relief Events,	Withdrawn by KMP
42	Discovery of Recognized Hazardous Material – 46 <sup>th</sup> & Jackson RHM	06/15/2020	Comp Event	Withdrawn by KMP
43	Discovery of Recognized Hazardous Material – 46 <sup>th</sup> & Pilot ACM	07/30/2020	Comp Event	Withdrawn by KMP

### SCHEDULE STATUS

KMP reported that the Project is 87.0% complete through March 2021. Design is 100% complete and construction is 85.7%. Milestone 5A was achieved on March 25, 2022.

The Enterprises conditionally accepted Revised Baseline Schedule 5 (RBS5) in September 2021 which incorporated the new and revised Milestones into the project schedule. The schedule information below reflects RBS5 and incorporates the new Substantial Completion date of February 16, 2023, that was captured in the Fourth Amendment to the Project Agreement. As mentioned previously, KMP is working on Revised Baseline Schedule 6 (RBS6) which would improve on the Milestone and Substantial Completion dates shown in RBS5. The Critical Path of the Project begins with the installation of the cover fire protection system for the EB I-70 Cover,



followed by systems testing and cover systems commissioning. EB I-70 traffic is then placed into the future EB lanes of the lowered section in August 2022. After EB I-70 traffic is placed into the future EB lanes, median barrier construction will be completed east of Brighton Boulevard and west of Colorado Boulevard where temporary ramps are currently in place for the temporary I-70 head-to-head condition, and top lift paving will be performed in the WB I-70 lanes in the lowered section.

Construction continues west of Brighton Boulevard, with barrier removals beginning for the installation of new sign structure foundations. Construction of the UPRR Access Road Bridge nears completion. Abutment 1 construction was completed in March, and span 1 was erected. Mass excavation of eastbound I-70 was completed in March, and wall excavation was near completion through the lowered section. York bridge repairs are ongoing, and the construction of 46th Avenue South continues between York and Steele Streets. Cover Top construction began in March, with wall placement underway, and construction of planter boxes beginning. Cover Systems work continues under the Cover, with lighting, fire protection, and ventilation systems all in progress. Traffic was shifted into the new eastbound I-70 lanes between Steele Street and Colorado Boulevard in March in preparation for tolling system installation. Punch list work associated with Milestone 2B nears completion in the Center Segment. Work associated with Change Order 081 east of Peoria Street is nearly complete, with barrier placement and pavement striping remaining to be completed in 2022.

Following completion of this work, the punch list will be developed, and Substantial Completion will be achieved in late January 2023.

The table below provides a summary of the current status of the project Completion Milestones.

Event	Baseline Date	Forecast Date	Status
Commercial Close	11/21/2017	NA	Completed 11/21/2017
Financial Close	12/21/2017	NA	Completed 12/21/2017
NTP1	02/09/2018	NA	Completed 02/09/2018
NTP2	06/01/2018	NA	Completed 07/10/2018
NTP3 (Snow and Ice Control Services)	07/01/2018	NA	Completed 07/18/2018
Payment Milestone 1 (Sand Creek Bridge to Chambers Road)	12/09/2019	NA	Completed 12/09/2019
Milestone 2A* (WB I-70 between Monaco and Colorado; outside bridge decks complete)	11/10/2020	N/A	Completed 11/05/2020

Milestone 2B* (Sta 2091+00 (Dahlia Street) to Sand Creek Bridge)	09/29/2021	N/A	Completed 09/29/2021
Payment Milestone 3* (UPRR Phase 4B, switch SY-112 to new bridge)	10/17/2020	N/A	Completed 10/17/2020
Payment Milestone 4A* (UPRR Phase 5)	09/26/2021	N/A	Completed 09/26/2021
Payment Milestone 4B* (Viaduct Demolition)	12/20/2021	N/A	Completed 09/29/2021
Payment Milestone 5A* (Cover Girders, EB Colorado Off-Ramp, EB I-70 Mass Excavation)	03/25/2022	N/A	Completed 03/25/2022
Payment Milestone 5B* (EB I-70 between Brighton Boulevard to Dahlia Street, UPRR Phase 6, WB I-70 SMA Paving)	10/28/2022	10/11/2022	17 days
Payment Milestone 6* (Cover Top, 46 <sup>th</sup> Avenue South)	11/23/2022	10/20/2022	34 days
Complete Intelligent Transportation System(s) (ITS)/Tolling Testing/Integration	02/15/2023	01/26/2023	20 days
Substantial Completion	02/16/2023	01/31/2023	16 days
Final Acceptance	07/29/2023	07/13/2023	16 days
Design/Build Phase Close-out**	01/29/2024	01/13/2024	16 days
*Modified as part of the Fourth Amendment to the Project Agreement. ** Completion of Final project documentation.			

## BUDGET STATUS

The project budget reflects the 2022 Annual Update to the Financial Plan that was approved by FHWA in April 2022.

Enterprises Costs Estimate	Amount
Environmental Phase	<b>\$40.7M</b>
Procurement Phase	<b>\$83.7M</b>
Delivery Phase	<b>\$53.1M</b>
Miscellaneous Enterprise Reserve*	<b>\$1.2M</b>
ROW Phase	<b>\$116.7M</b>
Utility Phase	<b>\$34.7M</b>
Enterprises Construction Contingency	<b>\$45.9M</b>
<b>Enterprises Construction Total</b>	<b>\$378.4M</b>

\*Included in Delivery Phase Amount

Included in the funds listed in the above table, the Enterprises have established an Enterprises Construction Contingency (funded by the Department and Colorado Bridge and Tunnel Enterprise) to cover additional costs due to Supervening Events and Change Orders during the

construction phase of the Project. Per the Project Agreement, the Enterprises have the option of paying KMP for changes via a lump sum payment or by adjusting the annual availability payment. The current balance of this contingency fund is provided in the table below.

While this table currently indicates a negative balance for the Project Contingency at Substantial Completion, the Enterprises are in the process of reallocating funds from cost underruns in the Utility and Delivery Phases of the Project to supplement the Project Contingency. The Utility Phase of the Project has realized cost savings due to the Burlington Northern Sante Fe (BNSF) and UPRR railroad agreement actual construction costs being lower than originally estimated. The Miscellaneous Enterprise Reserve from the Delivery Phase is also anticipated to have remaining funds available at Substantial Completion based on actual costs to date. The Enterprises currently forecast these cost underruns in the Utility and Delivery Phases to be around \$12 Million total and will be available prior to the Settlement Agreement payments to KMP being due at Substantial Completion. The Project has sufficient budget to cover all identified costs.

Contingency	Amount (in millions)
Enterprises Change Order/Supervening Event Initial Contingency	\$45.9M
Executed Change Orders – Previous	\$26.9M
Executed Change Orders – Current Quarter	\$0.0M
Settlement Agreement	\$7.6M
2021 Settlement Agreement (Base)	\$12.5M
2021 Settlement Agreement (Incentive)	\$2.5M
<b>Remaining Enterprises Change Order/Supervening Event Contingency Balance</b>	<b>(\$3.5M)</b>

### CONTRACT CHANGE NOTICES

As of March 31, 2021, the Enterprises have executed (112) Change Orders, issued (71) Enterprise Change Notices, received (37) KMP Change Notices, issued (31) Directive Letters, received (40) Supervening Event Notices, received (38) Preliminary Supervening Event Submissions, and received (23) Detailed Supervening Event Submissions. The change orders executed to date have had a net cost of \$26.9 million to the Project.

No claims have been filed by KMP against the Project.

### QUALITY

KMP is responsible for implementation and maintenance of an effective quality program to manage, control, document and ensure KMP compliance with all obligations and requirements in the Central 70 Project Agreement. The Enterprises implement the quality oversight program to monitor KMP’s quality program but are not responsible for implementation of KMP’s quality

program. However, the Enterprises retain the responsibility for acceptance of the work based on the assessment and test results of the quality oversight program summarized below.

**Owner Verification Testing:** Other than as detailed in the Enterprises' Quality Report to the Federal Highway Administration (FHWA), the Enterprises' Owner Verification Testing (OVT) program has statistically verified and validated that all materials placed by KMP are in full conformance with Project Agreement requirements.

**Independent Assurance Testing (IAT):** The Enterprises' IAT program tests each OVT and Independent Quality Control (IQC) tester for each test procedure at least once per year. The Enterprises have determined that all Owner Verification and KMP IQC testers are qualified to test on the Project through March 2022.

**Construction Verification Inspections (CVI):** The Enterprises' CVIs evaluate KMP compliance with Project Agreement (PA) requirements by assessing a risk-based percentage of their Construction Work. All non-conforming work identified by the Enterprise is resolved through KMP's nonconformance report closure process. From January 2022 through March 2022, the Enterprises' conducted 133 CVIs, yielding a 98 percent overall conformance percentage. For the entire project through March 2022, the Enterprises' have conducted 2,553 CVIs, yielding a 95 percent overall conformance percentage. KMP continues to perform well for permanent construction work such as Electrical/ITS, Structures, Walls, Roadway, Earthwork, Cover, and Utilities. All nonconforming construction work identified by either KMP or the Enterprises has been properly addressed through the Nonconformance Reports (NCR) process.

**Project Management Process Audits:** The Enterprises' Project Management Process Audits evaluate KMP compliance with the PA and processes prescribed in KMP's approved Management Plans. From January 2022 through March 2022, the Enterprises' conducted 24 process audits, yielding an 88% percent overall conformance percentage (excluding civil rights audits). For the entire Project through December 2021, the Enterprises' conducted 698 process audits, yielding an 89 percent overall conformance percentage (excluding civil rights audit). Notable and outstanding process quality issues for this reporting period are presented below. This list includes all of the open Corrective Action Requests (CAR).

Element	Process	Issue	Status
Construction Quality Management	Cover MEP Systems – Requirements Traceability Matrix (RTM)	On 06/03/2021 the Enterprises requested that KMP develop a corrective action plan to address systemic Nonconforming Work related to Schedule 10, Section 12.22 traceability and management of the Cover MEP System requirements.	In August 2021, the Department Approved KMPs corrective action plan to address this issue. To close the CAR, KMP must demonstrate successful implementation of the plan by holding successful Pre-Activity Meetings and submitting test scripts for the upcoming Cover MEP work on the south bore. The Department expects that this will remain open until summer 2022. <b>OPEN</b>
Construction Quality Management	As-Built Verification for Invert Elevations of Drainage Structures	KMP found that multiple drainage structures along the Fixed Firefighting Suppression drainage system were out of tolerance, leading to negative flow. In September 2021, KMP notified the Department that they do not have records verifying the invert elevations of all the other drainage structures that they had placed on the Project.	In September 2021, the Department Approved KMPs corrective action plan to address this issue. KMP plans to go back and re-survey all invert elevations for previously placed structures. They will also revise the PC Drainage checklist to ensure that they document invert elevations before building on top of the structures. As of March 2022, KMP has not finished surveying the inverts of drainage structures in the Center Segment. The Department expects that this will remain open until summer 2022. <b>OPEN</b>
Operations and Maintenance	Maintenance Management Plan (MMP)	In October 2021, the Department issued a nonconformance notice showing that KMP was not performing Cover Systems Inspections per the frequencies prescribed in the MMP/ Tunnel Operations, Maintenance, Inspection and Evaluation Manual (TOMIE).	By the end of November 2021, KMP has caught up with all the missing inspections. For closure of the CAR, KMP needed to continue conducting all inspections through February 2022. KMP continued to perform required inspections through February so the Department closed the CAR. <b>CLOSED</b>

Element	Process	Issue	Status
Operations and Maintenance	Operations and Maintenance Quality Management Plan (OMQMP)	KMP issued a corrective action to address the OMQMP and discrepancies between what was detailed in the plan and what has been implemented in the field. This Corrective Action was developed in response to various deficiencies in implementation observed in the field.	For Closure, KMP needs to resubmit the OMQMP and then properly implement the plan for a quarter. KMP submitted a draft of the OMQMP to the Department in March 2022. The Department expects that this Corrective Action will remain open through the summer 2022. <b>OPEN</b>
Construction Quality Management	ITS	In February 2022, KMP notified the Department of damaged ITS fiber for the new CDOT backbone. This was the second instance of damaged backbone on the Project. The damage was caused by careless splicing procedures. This CAR is to document process changes with splicing and protection of finished fiber.	KMP has not yet officially submitted the corrective action plan to the Department. However, KMP has described the plan to revise splicing procedures and protect fiber in the Quality and ITS Task Force meetings. <b>OPEN</b>

**Design Verification Reviews (DVR):** The Enterprises’ DVRs evaluate KMP compliance with PA requirements by assessing KMP’s design plans and other deliverables. From January 2022 through March 2022, the Enterprises’ conducted 46 DVRs yielding a 93 percent overall conformance percentage. For the entire Project, the Enterprises conducted 1,287 reviews, yielding an 86 percent overall conformance percentage. All noncompliant design identified by the Enterprises is resolved prior to KMP releasing the plans for construction. Additionally, KMP and the Enterprises issue NCRs for design issues that are identified during performance of construction work. The nonconforming design is then resolved prior to construction acceptance. Since there has not been any known noncompliant design incorporated into the permanent work, there are not any notable design issues identified by the Enterprises and/or KMP for this reporting period.

### MAINTENANCE/TRAFFIC ISSUES

The focus of routine maintenance work for this reporting period included flexible and rigid pavement patching, fence repair, snow and ice plowing, litter control, sweeping cycle, traffic services inspections, guardrail repair, graffiti removal, single-post and multi-post sign repair and resolution of any safety critical or hazardous defects which occurred during the reporting period.



The construction assessment team has been performing weekly assessments of the Maintenance of Traffic (MOT)/Method(s) of Handling Traffic (MHT) setups. Any issues are being communicated with and addressed by KMP.

### SAFETY ISSUES

KMP had zero recordable events for this quarter, keeping the total at 12 for the project. “Play of the Day” meetings are held daily, and safety topics are discussed with the crews. KMP performs after-incident investigations and discusses root cause and preventative measures for each incident. KMP continues to perform “Safety Adventures” where a discipline goes and audits an operation daily and discusses their findings during the “Play of the Day” meeting. These include best practices, lessons learned and issues that were found.

Safety Patrol responded to 1,068 events during this reporting period. This total includes 208 crash/incidents.

### CIVIL RIGHTS STATUS

#### Small Business Disadvantaged Business Enterprise (DBE)/Emerging Small Business (ESB) Goals

Design Status through the 1st Quarter 2022: KMP’s DBE goal for the design is 11.6% (\$7.03 million). KMP has commitments to DBE design firms of 13.19% (\$7.99 million) and payments to DBE design firms of 12.64% (\$7.66 million); the commitment amount exceeds the KMP DBE goal for the design period. KMP’s ESB goal for the design period is 3.0% (\$1.8 million). KMP has commitments to ESB design firms of 9.22% (\$5.56 million) and payments to DBE design firms of 9.07% (\$5.59 million); the commitments and payments exceed the ESB goal for design for the Project.

Construction Status through the 1st Quarter 2022: KMP’s DBE goal for the construction is 12.5% (\$94.6 million). KMP has commitments to DBE construction firms of 17.97% (\$135.9 million) and payments of 16.75% (\$126.7 million); this exceeds the KMP DBE goal for the construction period. KMP’s ESB goal for the construction period is 3.0% (\$22.7 million). KMP has commitments to ESB construction firms of 10.53% (\$79.6 million) and payments of 8.17% (\$61.8 million); this exceeds KMP’s ESB goal for construction for the Project.

#### Workforce Development Program and Goals

The WORKNOW program combines construction workforce training and supportive service programs into one coordinated program. The Central 70 Project is a founding partner of WORKNOW. For further information on the WORKNOW Program please go to: <https://worknow.org/accomplishments-to-date/>

During the COVID-19 crisis, coordination with WORKNOW regarding virtual outreach increased. WORKNOW continued providing services to both employed and laid off construction workers,

while enacting proper health mitigation measures. In partnership with WORKNOW, the Central 70 team developed a workforce presentation that has been shared during virtual Community Office Hours and other virtual hiring events

KMP and its subcontractors have enrolled local hires for both professional services and construction. They have enrolled 689 local hires to date. This quarter, KMP met the Local Hire Goal by recording 1,160,618 Local Hire hours with more than 50% of those hours completed by New Hires. KMP is now tracking additional New Hire hours to achieve the additional New Hire financial incentive.

KMP has enrolled 280 On-the-Job Training (OJT) participants since inception. To date, 416,511.65 OJT hours have been reported. Based on hours reported, the OJT Goal of 200,000 hours has been met.

### MITIGATION/COMMUNITY COMMITMENTS STATUS

As of the date of this report, all the identified Record of Decision (ROD) mitigation measures are either in progress or completed.

The ROD included 146 mitigation commitments to be completed as part of the project. The mitigation commitments are being completed in conjunction with the construction work and are being tracked by the Enterprises and KMP in the Monthly Environmental Status Report (ESR). Reevaluation #12 added one mitigation measure for impacts that may occur due to maintenance, emergency or other circumstances during the operations and maintenance period to the 4-acre recreation area on top of the lowered section. There are no additional Reevaluations in process at this time. This Project is unique in that the core feature of the project—lowering the highway and constructing a Cover/park that will link the two sides of the community back together—was developed to address Environmental Justice (EJ) concerns that arose from original highway construction back in the 1960s. In addition to the Cover and park, the Central 70 Project includes other unique EJ mitigations such as the recognition of the importance of the Swansea Elementary School as a community center. These mitigations include two new early childhood education classrooms, a new heating and air conditioning (HVAC) system, new exterior windows and doors, a relocated and renovated main entrance and administration offices, and a new playground at the Swansea Elementary School. The table below provides the status of the EJ mitigations.

Mitigation	Status	Notes
Targeted assistance to crucial businesses to remain in the neighborhood.	Complete	Assistance was provided to all businesses that were displaced by the project per the Uniform Act. All impacted businesses have been completed and reestablished in their new location per the Uniform Act. KMP will continue the Community Outreach for businesses within the project area.
Provide funding to assist displacees with financial counseling and procurement of financing.	Complete	Funding has been provided through Community Resources and Housing Development Corporation (CRHDC)
Provide before, during, and after environmental sampling to assure the project has not caused re-contamination of residential properties.	Complete	Pre-construction soil sampling on seven residential properties was completed in June 2018. During construction soil sampling on seven residential properties was completed in August 2020.
Mitigate noise and dust impacts by providing residents living adjacent to the project new storm windows, furnace filters, and air conditioning units.	Complete	Assessments and installations of improvements were completed on 03/14/2019. Ongoing warranty work and energy credits will continue through the Construction Period.
Fresh Food Access – Provide \$100,000 to Denver Office of Economic Developments Globeville Elyria-Swansea (GES) Healthy Food Challenge.	Complete	The Enterprises transferred funds to the City and County of Denver in early November 2018; an initial report was received by the Enterprises in July 2019.
Provide \$2M in funding to support affordable housing in Elyria and Swansea neighborhoods.	Complete	The Enterprises transferred funds to Brothers Redevelopment in late November 2018; quarterly reports began in 2019.
Monetary Incentive for Managed Lanes	In Progress	HPTE finalizing details of GES low income program.
Swansea Elementary Phase 1	Complete	Retrofit school building with new classrooms, windows, doors, and HVAC system
Swansea Elementary Phase 2	Complete	Modify outdoor areas around school to provide playground, parking, and access roads during construction period.
Swansea Elementary Phase 3	Complete	Construct temporary outdoor features including playground, parking, and access roads.
Swansea Elementary Phase 4	In Progress	Design in complete. KMP began construction in late March 2022 along with the Cover Top. Anticipated to complete in Fall 2022.

## COMMUNITY ENGAGEMENT

The Enterprises, supported by KMP, is responsible for communicating with citizens, the media, public officials and other stakeholders regarding the Project. Public Information efforts continue to take a two-pronged approach by focusing outreach on commuters and residents through various social media outlets, ongoing presentations and check-in calls. The Public Information (PI) team has continued using various outreach tools to alert the public about upcoming traffic and construction impacts.

The PI team kicked off the new year by discussing overall project progress and preparing for project completion and significant milestones. Stacia Sellers, the Central 70 Communications Manager, presented alongside several members of the Project Team, including the CDOT and Kiewit Project Directors, at the 2022 Design-Build Institute of America National Conference. The communications portion of the presentation covered the creative and unique project outreach and mitigations both during the viaduct demolition and throughout the life of construction.

In addition, the PI team coordinated donations for Swansea Elementary School in preparation for the construction of the permanent playground. Kiewit donated toys and games to Swansea Elementary School to ensure that outside activities were still be promoted.

The team continued a hybrid of in-person and virtual community office hours, with Chips & Chat and Coffee & Chat remaining virtual due to the increased participation compared to when the meetings were held in person before COVID-19.