



Quarterly Status Report

January 2023 through March 2023



PREPARED BY:



IN CONSULTATION WITH:



COLORADO
Department of Transportation
Statewide Bridge Enterprise

DATE: April 24, 2023

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: Final 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

As the Central 70 Project achieved Substantial Completion during this reporting period, this will be the final quarterly report for the Project.

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 2023 through March 2023

- Continue punch list item work for all segments.
- Finalizing integration and testing of the Intelligent Transportation Systems (ITS) devices and permanent fiber optic cabling.
- Finalizing work on various stormwater retention pond certifications from Brighton Boulevard to Peoria Street.

- Finalizing testing of Express Lanes tolling infrastructure and equipment.
- Completed York East pond excavation and associated roadway reconstruction work.
- Closed out Corrective Action Request (CAR-032).
- Continued demobilization and site restoration from various construction staging yards within the project limits. The Central 70 Project Office trailers will be demobilized in July 2023.
- Continued seasonally restricted final I-70 striping with reflectivity verification to be completed by end of May 2023.
- Completed final profile grinding of I-70 pavement for smoothness.
- Continued landscaping corridor wide.
- Completed development of the Substantial Completion punch list.
- Substantial Completion was achieved February 16, 2023.
- Continue compiling project documentation for Final Acceptance.
- Continued review of As-Built design plans.

UPCOMING MILESTONES

April 2023 through June 2023

- Commence tolling of I-70 Express Lanes in May/June.
- Issue Notice of Substantial Landscaping Completion.
- Closeout outstanding Corrective Action Requests, NCR's and Design Packages.
- Complete review and acceptance as-built packages.
- Complete installation of ROW fencing around remnant parcels.
- Complete Pond certification process.

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. CDPHE signed a contract with ENVIRONS and Colorado State University (CSU) to conduct the study in March 2022 and the study is underway. Meetings are being held monthly at the CSU Spur at the National Western Complex.

ISSUES

KMP achieved Substantial Completion on February 16, 2023.

The Federal Emergency Management Agency (FEMA) approval of the Letter of Map Revision (LOMR) for the Sand Creek overflow channel continues to drive the completion date for the

project. KMP submitted the LOMR documents to the flood plain administrator (City and County of Denver) for review in September 2022 and to FEMA in November 2022. Comments were received from each entity in December 2022. KMP addressed these comments with a resubmittal on February 14, 2023. As this entire process typically takes a year, KMP and the Enterprises continue working with the City and County of Denver on options to accelerate this process (the concurrent Denver and FEMA reviews being one such acceleration). As KMP submitted the remaining LOMR documents to FEMA prior to Substantial Completion, the Enterprises agreed to allow the LOMR approval to be added to the punch list. The Enterprises will continue to monitor the status of the LOMR review and its impacts on the Final Acceptance deadline (July 29, 2023).

The Enterprises, KMP, and the City and County of Denver continue to resolve remaining punch list items 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 items

KMP continues to work with Jorgenson (the Operations and Maintenance (O&M) Contractor) on updating various management plans and submittals required for the Operating Period. As of the date of this report, KMP has received either Acceptance or Conditional Acceptance on 16 of the 20 submittals required for the Operating Period. The Enterprises continue to monitor and have regular discussions with KMP regarding the status of the Operating Period submittals and plans.

Supervening Events (SE) are summarized in the table below (shading indicates the SE is closed). There are no open SEs as of the date of this report.

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 nd Amendment to the Project Agreement
2	UPRR Phase 0 Work Delay	03/23/2018	Comp Event	Resolved with 2 nd 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 nd 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

SEN #	Description	Date Received from KMP	Type of SEN	Status
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
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 th 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

SEN #	Description	Date Received from KMP	Type of SEN	Status
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.
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 Asbestos-Containing Material (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 th & Jackson RHM	06/15/2020	Comp Event	Withdrawn by KMP
43	Discovery of Recognized Hazardous Material – 46 th & Pilot ACM	07/30/2020	Comp Event	Withdrawn by KMP

SEN #	Description	Date Received from KMP	Type of SEN	Status
44	RHM – E 46th S between Milwaukee and Steele ACM	04/20/2022	Comp Event	Withdrawn by KMP
45	RHM – I-70 and Coliseum	05/16/2022	Comp Event	Withdrawn by KMP
46	Swansea Underground Storage Tank	06/15/2022	Comp Event	Withdrawn by KMP

SCHEDULE STATUS

KMP reported that the Project is 99.9% complete through March 2023. Design is 100% complete and construction is 99.9%.

Revised Baseline Schedule 6 (RBS6) is the current project schedule. The Critical Path of the Project continues to be driven by the preparation, submittal, and approval of the Letter of Map Revisions for the Sand Creek Overflow channel, with the anticipated FEMA approval driving Final Acceptance. See earlier discussion on the status of the Sand Creek LOMR.

KMP achieved Substantial Completion this period, with only punch list items remaining to be completed.

KMP continued to work on close-out for all three railroads (DRIR, BNSF, and UPRR) this period. The as-built package for BNSF was submitted to BNSF for approval in December 2022, but is dependent on BNSF and CCD resolving a pre-emption issue at the BNSF crossing of East 46th Avenue. The as-built packages for UPRR and DRIR were accepted this reporting period.

Major construction activities are complete on the Project, with the focus now on completing punch list items throughout the corridor and transitioning into the Operating Period. KMP continues to prepare close-out documentation for submittal to the Enterprises and Third-Parties.

Landscaping installation continued until the end of October 2022 but was suspended for the winter. KMP resumed irrigation and planting for those areas that had not been previously completed this period, with a goal of achieving Substantial Landscape Completion prior to May 31, 2023.

Tolling equipment and integration by ETC is complete. Tolling is scheduled to commence in May/June 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	N/A	Completed 10/28/2022
Payment Milestone 6* (Cover Top, 46 th Avenue South)	11/23/2022	N/A	Completed 11/23/2022
Complete Intelligent Transportation System(s) (ITS)/Tolling Testing/Integration	02/15/2023	N/A	Completed 04/04/2023
Substantial Completion	02/16/2023	N/A	Completed 02/16/2023
Final Acceptance	07/29/2023	07/29/2023	0 days
Design/Build Phase Close-out**	01/29/2024	12/25/2023	0 days
*Modified as part of the Fourth Amendment to the Project Agreement.			
** Completion of Final project documentation.			

BUDGET STATUS

The project budget reflects the 2023 Annual Update to the Financial Plan that was approved by FHWA in March 2023.

Enterprises Costs Estimate	Amount
Environmental Phase	\$40.7M
Procurement Phase	\$83.0M
Delivery Phase	\$65.2M
Miscellaneous Enterprise Reserve*	\$16.8M
ROW Phase	\$117.2M
Utility Phase	\$23.7M
Enterprises Construction Contingency	\$48.5M
Enterprises Construction Total	\$378.2M

*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 the 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.

The Enterprises previously reallocated funds from cost underruns in the Utility and Delivery Phases of the Project to supplement the Project Contingency. The Utility Phase of the Project realized cost savings due to the Burlington Northern Sante Fe (BNSF) and UPRR railroad agreement (RRA) actual construction costs being lower than originally estimated. As the BNSF and UPRR RRA work, for which the Enterprises were responsible to pay the railroads directly, has completed, the Enterprises elected to reallocate \$11M from the unused Utility Phase funds to cover project contingency overruns. The Utility Phase still maintains an unused balance of over \$1M that will not be reallocated until the UPRR and BNSF final invoices are settled. In addition, the Miscellaneous Enterprise Reserve from the Delivery Phase is also anticipated to have remaining funds available at Final Acceptance based on actual costs to date. Finally, KMP was not able to achieve Substantial Completion by December 31, 2022, so the 2021 Settlement Agreement Incentive of \$2.5M was not paid to KMP and these funds were reallocated to the Project Contingency. The Enterprises continue to monitor these cost underruns in the Utility and Delivery Phases as the Project approaches Final Acceptance. The Project has sufficient budget to cover all identified costs.

Contingency	Amount (in millions)
Enterprises Change Order/Supervening Event Initial Contingency	\$45.9M
Enterprises Transfer of Unused Funds from Utility and Delivery Phases to Change Order/Supervening Contingency	\$11.0M
Executed Change Orders – Previous	\$28.4M
Executed Change Orders – Current Quarter	\$0.3M
Settlement Agreement	\$7.6M
2021 Settlement Agreement (Base)	\$12.5M
2021 Settlement Agreement (Incentive)*	\$0M
Remaining Enterprises Change Order/Supervening Event Contingency Balance	\$8.1M

*2021 Settlement Agreement (Incentive) of \$2.5M was not achieved by KMP

CONTRACT CHANGE NOTICES

As of March 31, 2023, the Enterprises have executed (128) Change Orders, issued (81) Enterprise Change Notices, received (39) KMP Change Notices, issued (31) Directive Letters, received (43) Supervening Event Notices, received (41) Preliminary Supervening Event Submissions, and received (23) Detailed Supervening Event Submissions. The change orders executed to date have had a net cost of \$28.7 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: The Owner Verification Testing program was completed in February 2023. Other than as detailed in the Enterprises’ Quality Reports 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 Independent Assurance Testing program was completed in February 2023. The Enterprises’ IAT program tested 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 2023.

Construction Verification Inspections (CVI): The Construction Verification program was completed in January 2023. The Enterprises’ CVIs evaluated 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 2023 through March 2023, the Enterprises’ conducted 12 CVIs, yielding a 98 percent overall conformance percentage. For the entire project through March 2023, the Enterprises’ have conducted 2,887 CVIs, yielding a 95 percent overall conformance percentage. KMP performed 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. Open NCRs and other minor remaining construction Work will be tracked via the Substantial Completion Punchlist.

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. The Department is currently focused on auditing KMP Operating Period processes. From January 2023 through March 2023, the Enterprises’ conducted 13 process audits, yielding a 76% percent overall conformance percentage (excluding civil rights audits). For the entire Project through March 2023, the Enterprises’ conducted 784 process audits, yielding an 87 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 the open Corrective Action Requests (CAR).

Element	Process	Issue	Status
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 for 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 December 2022, KMP is currently resurveying the numerous inverts and has not yet submitted as-builts and nonconformance information to the Department. The Department requires that this is closed prior to Final Acceptance. OPEN

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. The Department accepted the revised OMQMP, but KMP has not implemented the plan consistently. Department process audits show that KMP needs to improve their OMQMP implementation. The Department requires that this is closed prior to Final Acceptance. OPEN
Construction Quality Management	Cover Systems Communications	In June 2022, the Department requested KMP to investigate the root cause and develop a corrective action plan to address active Head-to-head Cover Systems going offline. From the start of May 2022 and into June 2022, the Jorgensen CTMC Operators sent approximately fourteen emails describing Cover System communication issues.	KMP Has stopped receiving frequent Cover System Communication issues. KMP has developed an efficient process to track and correct Individual issues as they arise. This Corrective Action was closed in January 2023. CLOSED
Construction Quality Management	Pump Station Failure	On August 7, 2022, a significant rain event resulted in deep standing water on I-70 mainline between Columbine and York from 7:00 PM to 9:40 PM. The pumps did not automatically start as designed.	KMP has completed all procedural and operation improvements related to the Corrective Action. This Corrective Action was closed in February 2023. CLOSED

Element	Process	Issue	Status
Construction Quality Management	Deluge Valve Cabinet Heaters	On 12/19/22, Department requested that KMP develop three separate Corrective Action Plans to mitigate significant concerns related to the Deluge Valve Cabinet (DVC) flow alarms and freezing that occurred on 12/17/22 and 12/19/22. (1) Temporary monitoring plan, (2) long term solution to prevent valve freezing, (3) operational improvements for monitoring and response.	KMP has developed the temporary monitoring and heating plan and successfully prevented freezing valves during the Arctic Blast (12/21/22). They have mostly completed design changes and operational improvements for the other two items. The Department requires that this is closed prior to Final Acceptance. OPEN

Design Verification Reviews (DVR): The Enterprises’ DVRs evaluate KMP compliance with PA requirements by assessing KMP’s design plans and other deliverables. From January 2023 through March 2023, the Enterprises’ conducted 23 DVRs yielding a 90 percent overall conformance percentage. For the entire Project, the Enterprises conducted 396 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. The Department is currently focused on reviewing Civil Rights Documents, Operating Period Plans, and As-Built Submittals.

MAINTENANCE/TRAFFIC ISSUES

The focus of routine maintenance work for this reporting period included flexible and rigid pavement maintenance; shoulder and slope repair; drainage structure cleaning; litter, trash and sweeping; graffiti removal; traffic services inspection; sign maintenance; safety patrol operations; snow and ice operations; snow fence installation repair; CTMC/tunnel operations 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

With the achievement of Substantial Completion, KMP had very limited construction activities occurring during the reporting period (primarily punch list work). As such, safety data was not available.

CIVIL RIGHTS STATUS

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

Design Status through the 1st Quarter of 2023: KMP's DBE goal for the design is 11.6% (\$6.65 million). KMP has commitments to DBE design firms of 14.47% (\$8.23 million) and payments to DBE design firms of 14.27% (\$8.18 million); the commitment amount exceeds the KMP DBE goal for the design period. KMP's ESB goal for the design period is 3.0% (\$1.72 million). KMP has commitments to ESB design firms of 9.89% (\$5.67 million^{*}) and payments to DBE design firms of 9.80% (\$5.62 million); the commitments and payments exceed the ESB goal for design for the Project.

Construction Status through the 1st Quarter of 2023: KMP's DBE goal for the construction is 12.5% (\$95.9 million). KMP has commitments to DBE construction firms of 17.97% (\$137.8 million) and payments of 17.82% (\$136.7 million); this exceeds the KMP DBE goal for the construction period. KMP's ESB goal for the construction period is 3.0% (\$23 million). KMP has commitments to ESB construction firms of 10.53% (\$80.8 million) and payments of 8.63% (\$66.2 million); this exceeds KMP's ESB goal for construction for the Project.

^{*}Dollar value of the contract was decreased. Additionally, payment amounts and counting amounts are being updated as closeouts are processed.

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/>

KMP and its subcontractors have enrolled local hires for both professional services and construction. They have enrolled 657 local hires to date. The total Local Hire hours decreased to 1,086,332.91 due to reporting in LCPtracker^{*}; with more than 50% of those hours completed by New Hires. KMP has met their Local Hire Goal based on hours reported in LCPtracker and has met the Goal for the Local Hire Incentive.

^{*} This number will fluctuate per quarter due to payrolls being rejected / accepted / resubmitted / contractors removed, etc.

KMP has enrolled 295 On-the-Job Training (OJT) participants since inception. To date, 352,423 OJT hours have been reported. Based on the number of hours reported, the OJT Goal of 200,000 hours has been met. KMP has met the OJT Substantial Completion Graduate Incentive with 45 Graduated Retained Apprentices.

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). KMP and the Department are working on compiling the environmental closeout documents associated with the Mitigation Completion Report. KMP submitted a draft Mitigation Completion Report on March 23, 2023 and the Department is reviewing this submittal.

The Department worked with stakeholders to develop two historic context documents (one for Argo Park and one for Globeville neighborhood) to fulfill the Historic Creative Mitigation requirement for the Project. The two historic context documents are currently under development with initial drafts expected to be completed by the end of the June 2023. If desired, the communities will then be able to use these context documents to obtain local landmark designation or state or national register of historic places nominations (the Department would only develop the context documents and would not be part of obtaining designation).

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. Post-construction sampling on seven residential properties was completed in January 2023.
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	Complete	GES low income program has gone live and residents are able to sign up. Residents will be ready to use the Managed Lanes the day tolling goes live.
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.

Mitigation	Status	Notes
Swansea Elementary Phase 4	Complete	The playground was opened prior to school starting in August 2022 and the multi-use field was opened in November 2022.

COMMUNITY ENGAGEMENT

Community engagement for the project concluded with the end of construction. The public information team continues to work with the City and County of Denver Arts & Venues department to commission public artwork for the park. A separate effort to commission artists to paint the generators at 46th North Avenue and Clayton Street and 46th North Avenue and York Street is also underway.