



# Quarterly Status Report

July 2019 through September 2019



PREPARED BY:



**COLORADO**  
Department of Transportation

IN CONSULTATION WITH:



**COLORADO**  
Department of Transportation  
Statewide Bridge Enterprise

**DATE:** October 28, 2019

**TO:** Colorado Transportation Commission (TC)  
Colorado High Performance Transportation (HPTE) Board of Directors  
Colorado Bridge Enterprise (BE) Board of Directors

**FROM:** Keith Stefanik, 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 Central 70 Project Intra-Agency Agreement (IAA) dated August 22, 2017, (as amended by the First Amendment to the IAA, dated November 15, 2017, and the Second Amendment to the IAA, dated April 3, 2019), the Central 70 Project Director shall provide quarterly updates to the Transportation Commission, Bridge Enterprise (BE) Board of Directors, and the High Performance Transportation Enterprise (HPTE) Board of Directors through Final Acceptance.

## MATTERS REQUIRING POLICY INPUT

None at this time.

## COMPLETED MILESTONES THIS QUARTER

### July 2019

- 100% Union Pacific Railroad (UPRR) Bridge plans submitted for approval.
- UPRR license agreements for infrastructure in their right of way (ROW) submitted for approval.
- Conditional Acceptance of the 100% Cover Systems Design.
- Placed bridge deck for I-270 over I-70 bridge structure.
- Implemented the westbound I-70 to Steele Street off-ramp detour.
- Continued reconstruction of the Colorado, Monroe, Steele, Columbine, and Clayton over I-70 bridge structures.
- Continued reconstruction of the I-70 over Dahlia, Holly, Monaco, and Peoria bridge structures.

### August 2019

- 100% Burlington Northern Santa Fe Railway (BNSF) bridge and crossing plans approved by BNSF.
- Opened the Columbine and Clayton bridges over I-70 to traffic on August 19, 2019.
- Received UPRR approval of the demolition plans for the existing UPRR over 46<sup>th</sup> Avenue bridge.
- Addressed UPRR comments and resubmitted the 100% UPRR Bridge plans and license agreements for UPRR approval.
- Placed bridge deck for I-70 over Peoria bridge (Phase 1).
- Continued reconstruction of various bridges structures.

### September 2019

- Began 9-month shut down of BNSF Market Lead tracks, including removal of existing tracks.
- Switched traffic on to the new I-270 over I-70 bridge and demolished the old structure.
- Switched traffic on to Phase 1 (outside lanes) of the new I-70 over Peoria bridge, demolished the old structure, and began construction of the Phase 2 bridge (inside lanes).
- Set girders at the Colorado over I-70 bridge (Phase 1).
- Continued reconstruction of various bridge structures along I-70 between Brighton Boulevard and Quebec Street.
- Addressed UPRR comments and resubmitted the 100% UPRR Bridge plans for UPRR approval.
- Began demolition of the UPRR over 46<sup>th</sup> Avenue bridge.
- Continued permanent paving on I-70 east of Central Park Boulevard.
- Began repairs at the I-70 over Sand Creek bridge.

## **UPCOMING MILESTONES**

### October through December 2019

- Approval of 100% UPRR Bridge plans by UPRR.
- Complete demolition of the UPRR over 46<sup>th</sup> Avenue bridge.
- Complete Phase 2 of the I-70 over Peoria bridge (inside lanes).
- Complete Milestone 1 work (excluding punch list items).
- Place bridge deck at Colorado over I-70 bridge (Phase 1).
- Begin substructure of UPRR over I-70 and BNSF over I-70 bridge structures.
- Begin reconstruction of I-70 over Quebec bridge.

## LAWSUIT UPDATE

Lawsuit/Complaint	Status
Lawsuit filed against Environmental Protection Agency (EPA) regarding Air Quality standards	Ruling in EPA’s favor
Title VI complaint filed against the Federal Highway Administration (FHWA) regarding Environmental Justice	Administrative decision in the Colorado Department of Transportation’s (CDOT) favor
Drainage lawsuit against City of Denver	Ruling in City of Denver’s favor
National Environmental Policy Act (NEPA) Lawsuit filed against FHWA regarding connected action	Lawsuit dismissed with prejudice
NEPA lawsuit filed against FHWA regarding environmental issues	Plaintiffs and State reached settlement agreement in December 2018. State in process of implementing settlement mitigations including funding health study, air quality monitoring, and additional landscaping.

All lawsuits associated with the Project to date have been resolved. The State (CDOT) reached a settlement agreement with the petitioners (Sierra Club, Elyria and Swansea Neighborhood Association, Chaffee Park Neighborhood Association, and Colorado Latino Forum) in the civil action lawsuit (D. Colo. No. 17-1679) in December 2018.

As part of this settlement agreement, CDOT agreed to a variety of mitigations including funding a community health study, air quality monitoring, and landscaping. CDOT received the petitioners’ proposal and identification of nonprofit organization (The Nature Conservancy) on March 29, 2019 related to the acquisition and planting of trees throughout Elyria, Swansea and Globeville. CDOT reviewed and accepted the proposal and then issued payment to The Nature Conservancy in the amount of \$25,000. The Nature Conservancy confirmed receipt on April 25, 2019.

Also per the settlement agreement, an Agreement related to a proposed health study was executed between the Petitioners, CDOT, CDPHE and Denver on July 16, 2019. With the execution of the Agreement, CDOT provided \$550,000 to CDPHE for ultimate completion of the Health Study. CDPHE confirmed receipt on September 12, 2019.

The Department is in the process of negotiating a change with the Developer to add the vines to the sound walls between Brighton Boulevard and High Street and also add additional trees within small remnant parcels between Brighton Boulevard and Fillmore Street. Both additions are to fulfill one of the commitments in the settlement.

The overall status of all settlement agreement items will be tracked monthly by the Department to conclusion.

## ISSUES

The Developer and the Enterprises negotiated the terms of a settlement agreement, which resolved Supervening Events (SEs) 1, 2, and 4. Supervening Event 1 was for late execution of the UPRR RRA by the Enterprises. Supervening Event 2 was for late completion of the Phase 0 UPRR Yard improvements by the UPRR. Supervening Event 4 was for increases in steel prices due to the federal tariffs. The settlement agreement was executed on May 15, 2019.

UPRR approval of submittals, including the 100% UPRR bridge plans, continues to be delayed and is driving the overall completion date of the Project. The Department and the Developer continue to work with UPRR on resolving outstanding comments and identifying mitigation strategies. UPRR did approve the UPRR bridge demolition plans in August 2019, which allowed the Developer to begin demolition of the existing UPRR bridge in September 2019. The Department also is working with all parties to expedite the approval of the PUC permit amendment. Finally, the Department is performing reviews of the Developer’s UPRR submittals prior to submission to UPRR (instead of concurrently with the UPRR review per the Project Agreement) to identify and correct any errors or missing documents in the submittals and minimize UPRR rejections. The Developer submitted the latest revision to UPRR on September 27, 2019 for review. The Department anticipates UPRR approval of the 100% UPRR bridge plans by October 4, 2019.

The Enterprises have received numerous SEs (see SEs 8, 10-15, 17-18, 21-22, 24-26, 29-30, and 31 -34) related to the UPRR bridge based on design criteria interpretation differences between the Developer and UPRR. The Enterprises are currently working with the Developer and the UPRR to resolve these SEs. Regardless of the merits of each of the SEs, approval of the UPRR 100% bridge design is critical to the project schedule. Upon approval of the UPRR 100% bridge design by UPRR, the merit and impacts (cost and schedule) associated with each of these SEs can be determined. The Developer and the Enterprises will discuss future dates in order to come to resolution regarding the SEs.

The Developer’s project schedule is indicating that completion of Milestones 1 and 2 will occur after the associated milestone completion deadlines (approximately 230 days late). The Department and the Developer are meeting regularly to identify and implement mitigation strategies to get the overall project back on schedule, including the interim completion milestones. As part of these efforts, the Developer is identifying work elements that are proposed to be completed as part of the Milestone 1 punch list. The Department will review these proposed items upon submittal by the Developer.

Supervening events are summarized in the table below (shading indicates the SE is closed).

SEN #	Description	Date Received from Developer	Type of SEN	Status
1	UPRR Agreement Delay, Request for Extension to	04/25/2018	Comp Event	Included in Settlement Agreement

SEN #	Description	Date Received from Developer	Type of SEN	Status
	Detailed Supervening Event Submission			
2	UPRR Phase 0 Work Delay	03/23/2018	Comp Event	Included in Settlement Agreement
3	UPRR Work Performance Schedule	03/23/2018	Delay Relief Event	Withdrawn by the Developer
4	Section 232 Steel and Aluminum Tariffs	08/13/2018	Relief Event	Included in Settlement 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 the Developer
7	Sand Creek Bridge	11/20/2018	Comp Event	Waiting on detailed SE submission by Developer
8	UPRR Crossing Diaphragm Spacing	12/17/2018	Delay Relief Event	Rejected by the Enterprises on 09/30/2019
9	Structure E-17-FX Viaduct	12/17/2018	Comp Event	Withdrawn by the Developer
10	UPRR Transverse Plate Welding	02/22/2019	Delay Relief Event	Rejected by Enterprises on 08/29/2019
11	UPRR Underside Plate Welding	02/22/2019	Delay Relief Event	Rejected by Enterprises on 08/31/2019
12	UPRR Drip Plates	02/22/2019	Comp and Relief Event	Waiting on detailed SE submission by Developer
13	UPRR Bearings	02/22/2019	Comp and Relief Event	Waiting on detailed SE submission by Developer
14	UPRR Impact Loading	02/22/2019	Delay Relief Event	Rejected by Enterprises on 09/23/2019
15	UPRR Rebar Detailing	02/22/2019	Delay Relief Event	Rejected by Enterprises on 09/23/2019
16	Severe Weather Event - Bomb Cyclone	03/27/2019	Relief Event	Waiting on revised detailed SE submission by Developer
17	UPRR Shoring	03/28/2019	Comp Event	Rejected by Enterprises on 08/29/2019
18	UPRR Shoring unexcused RR delay	03/28/2019	Delay Relief Event	Rejected by Enterprises on 08/29/2019
19	AP-102 Hazardous Material	03/27/2019	Comp Event	Withdrawn by the Developer
20	Reserved			
21	UPRR Steel Notes	05/02/2019	Comp Event	Rejected by Enterprises on 07/10/2019.
22	UPRR Steel Notes Relief	05/02/2019	Delay Relief Event	Rejected by Enterprises on 07/10/2019.
23	Recognized Hazardous Material (RHM) 46 <sup>th</sup> and	05/29/2019	Comp Event	Waiting on detailed SE submission by Developer



SEN #	Description	Date Received from Developer	Type of SEN	Status
	Steele Southwest Gore Asbestos			
24	UPRR Crossing Diaphragm Spacing	06/14/2019	Comp Event	Rejected by Enterprises on 09/30/2019. Related to SE Event 8.
25	UPRR Transverse Plate Welding	06/19/2019	Comp Event	Rejected by Enterprises on 08/31/2019. Related to SE Event 10.
26	UPRR Underside Plate Welding	06/28/2019	Comp Event	Rejected by Enterprises on 08/31/2019. Related to SE 11.
27	Reserved			
28	Reserved			
29	UPRR Impact Loading	06/28/2019	Comp Event	Rejected by Enterprises on 09/23/2019. Related to SE 14.
30	UPRR Rebar Detailing	06/28/2019	Comp Event	Rejected by Enterprises on 09/23/2019. Related to SE 15.
31	UPRR Drainage Review	08/22/2019	Comp Event	Under review by Enterprises
32	UPRR Drainage Review	08/22/2019	Delay Relief Event	Under review by Enterprises. Related to SE 31.
33	UPRR Unreasonableness	08/22/2019	Comp Event	Under review by Enterprises
34	UPRR Unreasonableness	08/22/2019	Delay Relief Event	Under review by Enterprises. Related to SE 33.

## SCHEDULE STATUS

The Developer reported that the Project is 31.8% complete through September 2019. Design is 98.5% complete and construction is 19.7%.

The Revised Baseline Schedule reflects the updated construction sequencing that reflects the work plan towards the revised Milestones Completion dates associated with the settlement agreement. The Revised Baseline Schedule was conditionally accepted on May 14, 2019.

Milestones 1 and 2 are delayed due to seasonal construction work associated with Stone Matrix Asphalt (SMA) pavement, which is pushing this work out of the 2019 construction season for Milestone 1 and the 2020 construction season for Milestone 2. Pushing of the paving work outside of the 2019 and 2020 seasons has been caused by several factors including longer than anticipated design duration, construction productivity issues, field design changes, vertical/horizontal control and weather that was cooler and wetter than usual during the spring of 2019. The Developer is not attributing any of the causes of these delays to the Enterprises.

The Developer still anticipates having traffic in the final configuration for Milestone 1 (12/09/2019) and Milestone 2 (11/10/2020) at the baseline dates but the top lift of asphalt

pavement (SMA) would not be constructed along with some barrier walls, sign structures, lighting, and local roadways.

Milestones 3, 4, 5, 6, and Substantial Completion are all linked. Delay associated with this work is tied to approval of the UPRR 100% bridge design by UPRR. This approval is currently anticipated for October 4, 2019, which is much later than what was anticipated at the time of the Settlement Agreement in November 2018 and as planned in the Revised Baseline 2. The Developer believes this delay is compensable and the basis of this position is detailed in the outstanding Supervening Events associated with UPRR. As mentioned earlier, the validity of many of the Developer's claims will be analyzed and any associated impacts determined once the UPRR 100% bridge design is approved.

The Developer and the Enterprises are meeting regularly to discuss potential mitigation measures that can provide some schedule recovery. For example, the Developer procured the UPRR bridge girders at risk and the UPRR allowed the UPRR bridge to be demolished prior to approval of the 100% bridge design. Additional mitigation measures continue to be evaluated by the Enterprises and the Developer.

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	07/30/2020	-234 days
Payment Milestone 2 (Dahlia Street to Sand Creek Bridge)	11/10/2020	07/01/2021	-233 days
Payment Milestone 3 (Phases 1-5 of the UPRR Crossing)	10/17/2020	03/22/2021	-156 days
Payment Milestone 4 (Westbound I-70 between Brighton Boulevard to Dahlia Street & Removal of Viaduct)	09/26/2021	12/22/2021	-87 days
Payment Milestone 5 (Eastbound I-70 between Brighton Boulevard to Dahlia Street, UPRR Phase 6)	03/25/2022	09/02/2022	-161 days
Payment Milestone 6 (SMA paving & Cover top)	08/20/2022	11/03/2022	-84 days
Commence ITS/Tolling Testing/Integration	09/22/2022	12/09/2000	-92 days



Substantial Completion	09/21/2022	12/21/2022	-92 days
Final Acceptance	12/20/2022	03/22/2023	-92 days
Design/Build Phase Close-out	06/2023	09/2023	-90 days

\*see Schedule Status narrative for additional information regarding the status

The forecast dates for Milestones 3, 4, 5, 6, Substantial Completion, and Final Acceptance will be delayed by construction elements that are now in the 100% UPRR Bridge plans. This will increase the overall construction duration for Phase 4 and 5 of the UPRR work compared to what was anticipated in Revised Baseline 2. The Developer is in the process of quantifying these impacts and will provide a copy of the schedule to the Department for review. After acceptance by the Department, this schedule will become Revised Baseline 3 and will reflect the plan for the remaining work.

## BUDGET STATUS

No changes to the project budget have occurred in the reporting period.

Enterprises Costs Estimate	Amount
Environmental Phase	\$40.9M
Procurement Phase	\$82.1M
Delivery Phase	\$52.2M
Miscellaneous Enterprise Reserve	\$5.3M
ROW Phase	\$122.2M
Utility Phase	\$37.9M
<b>Enterprises Construction Total</b>	<b>\$335.3M</b>

In addition to the funds listed in the above table, the Enterprises have established a construction contingency (funded by the Department and Colorado Bridge 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 the Developer 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.

Contingency	Amount (in millions)
Enterprises Change Order/Supervening Event Initial Contingency	\$45.9
Executed Change Orders – Previous	\$1.8
Executed Change Orders – Current Period	\$1.4
Settlement Agreement	\$7.6
<b>Remaining Enterprises Change Order/Supervening Event Contingency Balance</b>	<b>\$35.1</b>

## CONTRACT CHANGE NOTICES

As of September 30, 2019, the Enterprises have executed (48) Change Orders, issued (41) Enterprise Change Notices, received (28) Developer Change Notices, issued (14) Directive Letters, received (31) Supervening Event Notices, received (29) Preliminary Supervening Event Submission, and received (3) Detailed Supervening Event Submissions. The change orders executed to date have had a net cost of \$3.2 million to the Project.

No claims have been filed by the Developer against the Project and neither party has referred a dispute to the Dispute Resolution Panel (DRP) at this time.

## QUALITY

The Developer is responsible for implementation and maintenance of an effective quality program to manage, control, document and ensure Developer compliance with all obligations and requirements in the Central 70 Project Agreement. The Enterprises implement the quality oversight program to monitor the Developer's quality program, but are not responsible for implementation of the Developer'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 noted below, the Enterprises' Owner Verification Testing (OVT) program has statistically verified and validated that all materials placed by the Developer through September 2019 are in conformance with Project Agreement requirements. The Developers testing program identified concrete that did not meet the required 28-day compressive strength. There are only 8 tests out of approximately 800 concrete tests performed during this period that did not meet specification. On average the concrete was only 200 pounds per square inch lower than the 4,000 to 4,500 PSI specification. The material represented by the 8 tests has been accepted into the project based on Design Engineer of Record evaluation, KMP concurrence, and Enterprise concurrence.

**Independent Assurance Testing:** The Enterprises' Independent Assurance Testing (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 Developer testers are qualified to test on the Project through September 2019.

**Construction Verification Inspections (CVI):** The Enterprises' CVIs evaluate Developer compliance with Project Agreement (PA) requirements by assessing a risk-based percentage of their Construction Work. All non-conforming work identified by the Enterprises is resolved through KMPs nonconformance report closure process. From July 2019 through September 2019, the Enterprises conducted 259 CVIs, yielding a 93 percent overall conformance percentage. For the entire project through September 2019, the Enterprises have conducted 533 CVIs, yielding a 90 percent overall conformance percentage. The Developer continues to perform well for permanent construction work such as Electrical/ITS, Structures, Walls, Roadway, Earthwork, and Utilities. However, the Enterprises have identified concerns with

temporary work, especially related to Maintenance of Traffic (MOT). The notable MOT issues are summarized below.

Element	Work Component	Issue	Status
MOT (Maintenance of Traffic)	Temporary Drainage	KMP is not installing temporary drainage per the signed and sealed MOT plans	This was identified as a systemic issue in late July 2019. KMP started making progress on rectifying the issue in September 2019. Due to complexity of tying temporary drainage to the MOT phasing, KMP has started using the Traffic Control Revision (TCR) process to make field decisions on temporary drainage in collaboration with the Design Engineer of Record. <b>OPEN</b>
MOT (Maintenance of Traffic)	Methods of Handling Traffic (MHT)	KMP is not consistently performing traffic control per approved MHTs on low volume roads.	This was identified as a systemic issue in late September 2019. KMP plans to hold a project-wide stand-down meeting in early October to address this issue. <b>OPEN</b>

**Project Management Process Audits:** The Enterprises' Project Management Process Audits evaluate Developer compliance with the PA and processes prescribed in the Developer's approved Management Plans. From July 2019 through September 2019, the Enterprises conducted 65 process audits, yielding a 93 percent overall conformance percentage. For the entire Project, the Enterprises conducted 382 process audits, yielding an 84 percent overall conformance percentage. Notable process quality Issues identified by the Enterprises and/or the Developer for this reporting period are presented below.

Element	Process	Issue	Status
Construction Quality Management	PA Schedule 8 and Quality Management Plan (QMP)	Issues continue related to KMP building work without released for construction (RFC) design changes and/or shop drawings.	This issue is carried over from the second quarter quality report of 2019. Corrective Action plan 008 was submitted in April 2019. Due to ineffectiveness of the April 2019 plan, KMP submitted a revised plan in June 2019. In September, KMP showed improvement by implementing a more efficient and organized restricted activity process. CAR-008 will likely close in October or November. <b>OPEN</b>

Element	Process	Issue	Status
Construction Quality Management	PA Schedule 8 and QMP	Delay in entering NCRs until well past the 24-hour window and not entering NCRs at all until prompted by the Department.	This issue is carried over from the second quarter quality report of 2019. KMP has implemented effective mitigation efforts described in Corrective Action plan 013. This Corrective Action was closed in July 2019. <b>CLOSED</b>
Civil Rights	PA Schedule 15	KMP self-identified the issue of not paying subcontractors within 30 days of the invoice (Prompt Payment).	This issue is carried over from the second quarter quality report of 2019. KMP implemented internal Corrective Action 014 to resolve this issue and resolved the issue in September. <b>CLOSED</b>
Traffic (MOT) Process	PA Schedule 10, Section 2 and Transportation Management Plan (TMP)	KMP is not performing traffic switches per the signed and sealed MOT plans and is late picking up lane closures.	This issue is carried over from the second quarter quality report of 2019. This issue is a result of KMP process with opening traffic switches to the traveling public. Corrective Action Plan 015 was initiated in August, but KMP continued to struggle with noncompliant traffic shifts through September. KMP is working toward improving CAR 015 and Executive Management is active in trying to resolve this issue. <b>OPEN</b>
Construction Quality Management	Horizontal and Vertical Grade Control	KMP self-identified the issue. The issues include drainage lines installed off line, aprons poured too wide and not to design elevation, a concrete box culvert installed off alignment, RCP not laid aligned to inlet opening, and the Peoria WB on-ramp reverse curve is too short.	KMP began implementing Corrective Action Plan 016 in September 2019. KMP will monitor to determine if the development of a formalized process for survey checks improve the problem with horizontal and vertical grade errors. <b>OPEN</b>
Construction Quality Management	Concrete Process Control (low breaks)	KMP self-identified the issue. Intermittent low 28-day strength results from Aggregate Industries Class D concrete	KMP began implementing Corrective Action Plan 017 in August 2019. KMP will monitor if process improvements in CAR 017 resolves the low concrete breaks. <b>OPEN</b>

**Design Verification Reviews (DVR):** The Enterprises' DVRs evaluate Developer compliance with PA requirements by assessing the Developer's design plans and other deliverables. From July 2019 through September 2019, the Enterprises conducted 109 DVRs, yielding a 92 percent overall conformance percentage. For the entire Project, the Enterprises conducted 702 reviews, yielding an 84 percent overall conformance percentage. All noncompliant design identified by the Enterprises is resolved prior to the Developer releasing the plans for construction. Additionally, the Developer and the Enterprises issue Nonconformance Reports (NCRs) for design issues that are identified during performance of construction work. The nonconforming design is then resolved prior to construction. 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 the Developer for this reporting period.

## MAINTENANCE/TRAFFIC ISSUES

The focus of routine maintenance work for this reporting period included vegetation control, flexible pavement repair, graffiti removal, litter cleanup and resolution of any safety critical or hazardous defects which occurred throughout the course of the reporting period.

A weekend long closure of I-70 from Steele St/Vasquez Blvd to I-270 for demolition of the old I-270 structure was performed during this period. During this closure, crews also set girders at the Colorado Boulevard bridge. Traffic switching onto the new I-270 flyover required a full weekend closure of I-70 over Peoria street.

## SAFETY ISSUES

The Developer had two recordable events for the quarter. The Developer has commenced all major construction activities, identifying traffic related incidents, metal to metal, and utility strikes as safety concerns. A large safety focus is being made on the excavations near and around the existing viaduct and the UPRR shooflies. The Developer has also implemented new procedures to help prevent utility strikes, using cones to mark existing lines, utility staff-on-call to expedite on-call marks, etc.

The Developer completed the following safety critical work for this quarter: bridge demolition, drilled shaft installation, pile installation, trench excavation for drainage, sanitary and waterline related items, and excavation for the permanent walls along I-70 between York and I-225,

Safety Patrol has responded to 975 events during this reporting period. Events include abandoned vehicles, crash/incidents, debris, heavy traffic, pedestrians, police activity, stalled motor vehicles, and stalled or disabled commercial vehicles. 58 percent of these events were self-identified by Safety Patrol.

## CIVIL RIGHTS STATUS

### Small Business DBE/ESB Goals

Design Status: The Developer's Disadvantaged Business Enterprise (DBE) goal for the design is 11.6%. To date, the Developer has commitments to DBE design firms of 10.82% (\$5.2 million in

work); this meets 93% of the Developer's DBE goal for the design period. The Developer's Emerging Small Business (ESB) goal for the design period is 3.0%. To date, the Developer has commitments to ESB design firms of 8.98% (\$4.31 million in work); this exceeds the ESB goal for design for the Project.

Construction Status: The Developer's DBE goal for the construction is 12.5%. To date, the Developer has commitments to DBE construction firms of 9.70% (\$73.01 million in work); this meets 77% of the Developer's DBE goal for the construction period. The Developer's ESB goal for the construction period is 3.0%. To date, the Developer has commitments to ESB construction firms of 5.68% (\$42.74 million in work); this exceeds the Developer'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. Total enrollment reached 1,282 members, with 163 enrolled this quarter. The Central 70 Project is a founding partner of WORKNOW. For further information on the WORKNOW Program please go to: <https://work-now.org/accomplishments-to-date/>

The Neighborhood Training Center (NTC) continues to serve as a hub for construction training and support programs. However, a new location within the Globeville, Elyria, and Swansea (GES) neighborhood, is still being sought due to construction needs and increasingly difficult accessibility. Several key events occurred this quarter: (1) hosted the first pilot Traffic Control Awareness class on July 26, 2019 and the second class on August 23, 2019; (2) the Developer kicked off an on-going "Women in Construction" series in partnership with its signatory unions on the Project on August 17, 2019. The second class was on September 21, 2019; (3) hosted a community-based Meet and Greet in the Five Points neighborhood on September 26, 2019.

The Developer and its subcontractors have enrolled local hires for both professional services and construction. They have enrolled 348 local hires and 126 On-the-Job Training (OJT) participants. The Developer has recorded 233,552 local hire hours and 57,948 OJT hours.

### **MITIGATION/COMMUNITY COMMITMENTS STATUS**

As of the date of this report, 124 of the 148 identified Record of Decision (ROD) mitigation measures are either in progress or completed.

The Enterprises and Developer have completed eight ROD re-evaluations to date. Re-evaluation 8 was executed on August 26, 2019. The Department is drafting Re-evaluation 9. The need for this Re-evaluation has been triggered by minor expansions of the project limits along Peoria Street to accommodate drainage and sidewalks. State Historic Preservation Office (SHPO) consultation will not be required for Re-evaluation 9.

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. The table below provides the status of these 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. The Developer 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	Soil sampling on seven residential properties was completed in June 2018
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	Deferred	Deferred until the new managed lanes are operational.
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.

Mitigation	Status	Notes
Swansea Elementary Phase 3	Complete	Construct temporary outdoor features including playground, parking, and access roads.
Swansea Elementary Phase 4	In Design	To be constructed by Developer along with the Cover.

## COMMUNITY ENGAGEMENT

The Enterprises, supported by the Developer, 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 with focused outreach to commuters through service club presentations throughout the metro area providing Project overview and benefits. The Public Information team has also continued using various outreach tools in the community to alert residents. This includes small group and individual meetings, door-to-door flyers and weekly traffic updates sent through email. In addition, the communications team developed collateral to inform commuters and residents of the Project progress in year one. The communications team focused on communicating a full closure of I-70 and bridge construction along the corridor. In addition, a significant outreach was implemented for the Columbine and Clayton bridge reconstruction with Swansea Elementary School prior to beginning of the 2019-2020 school year.