

SOUTHEAST METRO STORMWATER AUTHORITY  
acting by and through  
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 13-21

Authorization to Design and Construct New SEMSWA Building and Related Road Improvements

WHEREAS, the Southeast Metro Stormwater Authority (SEMSWA) was formed by Intergovernmental Agreement to plan, fund, construct, acquire, operate, and maintain drainage and flood control facilities as well as to manage stormwater quality and comply with requirements of the National Pollutant Discharge Elimination System (NPDES) within its boundaries; and

WHEREAS, SEMSWA entered into a lease on April 1, 2007 with an effective date of July 1, 2007 for the rental of the real property and improvements located at 76 Inverness Drive East, Suite A, Englewood, Colorado 80112 (Lease); and

WHEREAS, the Lease expires by its terms on June 30, 2014; and

WHEREAS, at the time of the Lease the property at 76 Inverness Drive East, Suite A, Englewood, Colorado 80112 was adequate for the then current number of employees and vehicles owned and operated by SEMSWA; and

WHEREAS, however since 2007 SEMSWA's operation has expanded and thus the number of its employees and its owned vehicles has also increased; and

WHEREAS, 76 Inverness Drive East, Suite A, Englewood, Colorado 80112 is now not adequate to efficiently and effectively house the operation of SEMSWA; and

WHEREAS, the a space analysis prepared by Colliers International has determined that approximately 16,000 square feet of office space, 8,000 square feet maintenance space and 4 acres of total area would be adequate to permit SEMSWA to operate efficiently and effectively in the future; and

WHEREAS, SEMSWA has spent over a year looking at both existing real property and improvements either to lease or purchase and, to date, has been unable to locate any such property; and

WHEREAS, SEMSWA is the owner of real property located at 7337-7339 S. Jordan Road, Centennial, Colorado 80112 (Building Site) that is a suitable building site for the construction of a facility for SEMSWA's use now and in the future; and

WHEREAS, SEMSWA has secured a commitment from Colorado Business Bank to finance the construction of a facility to be owned and used by SEMSWA at the Building Site the terms of which are favorable to SEMSWA and are described in detail in Resolution 13-22; and

WHEREAS, even if SEMSWA could locate real property and improvements suitable to lease, the long term financial benefit to SEMSWA in building and owning a facility is superior to SEMSWA leasing a suitable facility; and

WHEREAS, with prior Board of Directors' approval, Staff has been working with both Applebaum Architects, LLC (Applebaum) and Taylor Kohrs LLC to develop a design for a SEMSWA facility as well as a determination of a Guaranteed Maximum Price for the construction of that facility; and

WHEREAS, as part of the construction of a SEMSWA facility it will be necessary that an approximately 650 lineal foot road be constructed between S. Jordan Road and SEMSWA's real property line; and

WHEREAS, Dove Valley Metropolitan District has agreed, through its Board of Directors, as part of the construction of the SEMSWA facility to make payment to SEMSWA for the construction of the road in the amount of \$732,500; and

WHEREAS, Dove Valley Metropolitan District has also agreed to reimburse SEMSWA for the \$732,500 amount upon acceptance of the construction by Dove Valley Metropolitan District.

NOW, THEREFORE, BE IT RESOLVED THAT The Board of Directors of the Southeast Metro Stormwater Authority, acting by and through the SEMSWA Water Activity Enterprise,

1. Authorizes the Executive Director of SEMSWA to enter into an additional contract with Applebaum for the completion of the design, the construction drawings and the specifications for the construction of the SEMSWA facility. Applebaum's total compensation for all services it will provide in regard to the SEMSWA facility will be limited to 8.25% of the final construction cost (excluding the road) currently estimated to be \$387,750, plus \$7,500 for reimbursable expenses. Included in that \$387,750 is the Board's previous authorization of \$135,000.
2. Authorizes the Executive Director of SEMSWA to enter into a contract with Taylor Kohrs LLC in the amount of \$4,299,930 as a Guaranteed Maximum Price plus contingencies of \$400,000 for the construction of the SEMSWA facility.
3. Authorizes the Executive Director of SEMSWA to enter into a contract with Taylor Kohrs LLC for the construction of the necessary road from S. Jordan Road to SEMSWA's real property line in the amount of \$769,785.
4. Authorizes construction to begin on the SEMSWA facility as soon as practical after entering into the above-reference contracts and obtaining all governmental approvals.

5. Authorizes the Executive Director to be the "Owner's Designated Representative" to make any and all decisions in regard to the design and construction of the SEMSWA facility and road as long as such decisions do not increase the costs as approved above.
6. Any proposed increase in the costs set forth above will require a further Board of Director's authorization.

SOUTHEAST METRO STORMWATER AUTHORITY  
acting by and through  
SEMSWA WATER ACTIVITY ENTERPRISE

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

APPROVED AS TO FORM:  
Attorney for  
Southeast Metro Stormwater Authority

By \_\_\_\_\_  
Edward J. Krisor

June 21, 2013

John A. McCarty, PE, PWLF  
Executive Director  
Southeast Metro Stormwater Authority  
76 Inverness Drive East, Suite A  
Englewood, CO 80112

RE: GMP Agreement  
SEMSWA Administration and Maintenance Buildings  
7401 South Jordan Road  
Centennial, CO 80112

Dear Mr. McCarty,

Taylor Kohrs is prepared to enter into a formal contract agreement (AIA Document A133-2009) with Southeast Metro Stormwater Authority for construction of the above referenced project in the amount of Four Million Two Hundred Ninety Nine Thousand Nine Hundred Thirty Dollars - **\$4,299,930**. We look forward to a successful project and want to thank you again for the opportunity afforded Taylor Kohrs.

Sincerely,



Scott M. Kohrs  
President

cc: JR Phillips  
Nick Dire

June 21, 2013

John A. McCarty, PE, PWLF  
Executive Director  
Southeast Metro Stormwater Authority  
76 Inverness Drive East, Suite A  
Englewood, CO 80112

RE: GMP Agreement  
Hinsdale Street Improvements  
Centennial, CO 80112

Dear Mr. McCarty,

Taylor Kohrs is prepared to enter into a formal contract agreement (AIA Document A133-2009) with Southeast Metro Stormwater Authority for construction of the above referenced project in the amount of Seven Hundred Sixty Nine Thousand Seven Hundred Eighty Five Dollars - **\$769,785**. We look forward to a successful project and want to thank you again for the opportunity afforded Taylor Kohrs.

Sincerely,



Scott M. Kohrs  
President

cc: JR Phillips  
Nick Dire