

RECORD OF PROCEEDINGS

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE E-470 PUBLIC HIGHWAY AUTHORITY

Held: Thursday, March 10, 2022, at 9:00 a.m., at 22470 E. Stephen D. Hogan Parkway, in the Board Room, Aurora, Colorado.

Attendance: A regular meeting of the Board of Directors of the E-470 Public Highway Authority was held as scheduled and in accordance with applicable statutes of the State of Colorado, with the following directors present:

John Diak, Councilmember Town of Parker
Francoise Bergan, Mayor Pro Tem City of Aurora
Craig Hurst, Councilmember City of Commerce City
Jan Pawlowski, Councilmember City of Brighton
George Teal, Douglas County Commissioner
Bill Holen, Arapahoe County Commissioner
Jessica Sandgren, Mayor Pro Tem City of Thornton
Chaz Tedesco, Adams County Commissioner

Wynne Shaw, Councilmember City of Lone Tree (*non-voting*)
Kelly Brown, Tolling Operations Manager CDOT HPTE (*non-voting*)
Deborah Mulvey, DRCOG (*non-voting*)
Peggy Catlin, RTD (*non-voting*)

Also present were: Jim Brady, construction manager, Sherry Brunger, IT coordinator, Shaun Burk, IT infrastructure and operations senior manager, Heather Burke, public information officer, Jessica Carson, toll operations director, Wanda DeVargas, roadway maintenance supervisor, Geoffrey Doctoroff, risk and administrative services manager, Ryan Dole, senior financial analyst, Steve Erickson, project manager, Terry Fabrizio-Rollert, operations coordinator, Ted Gies, IT support specialist, Mark Gronowski, senior solutions delivery manager; Michael Hancock, tolling services manager, Jaime Heitman, controller, Jacob Kramer, HR manager, Kris Kellim, procurement manager, Diane Lundquist, executive assistant, Tricia Morales, customer service manager, Jamie Murray, building engineer, Jason Myers, finance and administrative services director, Aaron Schilz, service desk technician, Sam Serkman, building engineer, Derek Slack, roadway maintenance manager, Ken Smith, information technology director, Tim Stewart, executive director, Brianna Summers, accounting manager, Adam Terranova, app development manager, Neil Thomson, engineering and roadway maintenance director and Chuck Weiss, engineering manager, E-470 Public Highway Authority; Chris Chovan, Adams County; Darrell Salberg, Lori Brown

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and Kimberly Major, CSP; Roger Dashevsky and Richard Nelson, Dashevsky and Nelson LLC, Pedro Costa and Brenda Schuler, NWPLLC; Jack Nichols, WSP; Tony Unrein, City of Thornton; two members of the public; and Tamara Seaver, Icenogle Seaver Pogue, P.C.

Call to Order: Councilmember Diak, noting the presence of a quorum of the directors, called the regular meeting to order at 9:02 a.m.

Pledge of Allegiance: Councilmember Diak led all present in the Pledge of Allegiance.

Public Comment: None.

Consent Calendar: Commissioner Holen moved approval of the consent agenda, comprising meeting minutes of February 3 and February 10, 2022, Arapahoe County Fairground and Event Agreement and D2C Contract No. EN-21-CMF-1 Task Order Amendments. The motion was seconded by Councilmember Pawlowski and approved unanimously by the Board.

Finance and Administrative Services

Department:

2021

Colorado State Patrol Report:

Mr. Doctoroff, Risk and Administrative Services Manager, reviewed the Authority's intergovernmental agreement with Colorado State Patrol ("CSP") and the history of the partnership, noting it provides continuity of law enforcement over E-470's 47 miles. CSP's Sgt. Darryl Salberg then addressed the Board regarding recent trends with respect to E-470's operations, including COVID related issues such as cars without license plates or expired temporary license plates and stolen vehicles. Mayor Pro Tem Bergan inquired about whether jails will take people stealing catalytic converters and Sgt. Salberg explained that, unfortunately, it was too low a value and several communities were no longer taking these types of offenders. Mayor Pro Tem Bergen expressed her appreciation for Sgt. Salberg's service. Thereafter, Board comments ensued, and Mayor Sandgren and Commissioner Holen also thanked Sgt. Salberg for his service. Councilmember Hurst commented that he was impressed with the low accident statistics. Commissioner Teal noted animal fencing between Castle Rock and Lone Tree would be installed over the summer. Finally, Councilmember Diak thanked Sgt. Salberg for his efforts.

Sgt. Salberg then introduced CSP Victims' advocates tasked with handling the Authority's serious and fatal accidents, Lori Brown and Kimberly Major. Ms.

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Brown reported that their unit works with families after serious injury crashes or catastrophe crashes. Ms. Major then addressed the Board. Mayor Pro Tem Bergan thanked Mss. Brown and Major for their work. Commissioner Holen expressed his gratitude to the State of Colorado for supporting families through crisis in accidents and thanked the ladies for the service which gratitude was echoed by Councilmember Pawlowski.

2021
Accident/
Incident
Analysis:

Mr. Doctoroff then provided the 2021 accident/incident briefing, reporting on roles and responsibilities of the various departments for billing, administrative services and roadway safety improvements and repairs. He then reported on crashes by year noting 2021 transactions increased 31.78% over 2020, with only a 3.7% increase in crashes. He then reviewed fatalities year over year as well as crashes by location, noting fewer crashes in proximity to Denver International Airport which likely resulted from lower airplane travel. He then reported on deer – vehicle collisions which increased during 2020 with less traffic on the road, likely to due to the deer feeling more comfortable crossing. He noted that 2021 deer collisions did decrease by 32% in 2021. Mr. Doctoroff then addressed wrong-way driver detection mentioning that the TMC detects the drivers as well as the roadway improvements to discourage confusion. Commissioner Holen asked if the new Quincy exit is causing confusion. Mr. Doctoroff noted that area has not yet been evaluated but would be evaluated. Mayor Pro Tem Bergan noted she also believed the Quincy exit could be confusing. Mr. Doctoroff then addressed the average clearance time for the various levels of incidents/accidents, following which he reported on collectable property damage recovery in 2021. Commissioner Teal left the meeting at 9:44 a.m. Commissioner Tedesco inquired as to trucks pulling off and attendant traffic issues. Mr. Doctoroff noted Applegreen’s design will have some pull off locations.

Engineering
and Roadway
Maintenance
Department:
CMS for
Road
Widening
Project:

Mr. Brady, Manager of Construction, addressed the Board and noted that CSP has also been utilized successfully for traffic control during Road Widening projects. He then reviewed with the Board the CMS Contract solicitation process associated with the I-70 to 104th Avenue Road Widening Project, noting only one proposal was received given that many of the firms were already committed to upcoming CDOT projects. However, Alfred Benesch & Company which has previously served well for former projects, did propose with the same core management team. Mr. Brady then reviewed the selection process and selection analysis and scoring based on a best value contracting approach. Mr. Brady then reviewed the contract terms and price. Thereafter, Commissioner Tedesco thanked Mr. Brady for the hard work and then moved to approve the award of Contract No. EN-22-CMS-1 for construction

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management services for the Road Widening project to Alfred Benesch & Company LLC for a not to exceed 2022 amount of \$3,000,000 and authorize the Executive Director to execute the contract subject to the review and approval of General Counsel. The motion was seconded by Commissioner Holen and approved unanimously by the Board.

Roadway/
Roadside
Maintenance
Contract:

Ms. DeVargas then addressed the Board and reviewed the need for roadway and roadside maintenance which the Authority accomplishes through various contracts, including the Roadway/Roadside Maintenance Contract and the Guardrail maintenance contract, both of which are expiring in May of 2022.

She then presented generally regarding the Roadway/Roadside Maintenance Contract and its various tasks and purposes. Following the general review, Ms. DeVargas reviewed the procurement culminating in 3 bids with T-P Enterprises, Inc. being the staff-recommended bidder. Thereafter she presented the terms of the proposed 3-year contract for \$4,500,000. Councilmember Pawlowski asked for clarification of the \$4,500,000 price, then Commissioner Tedesco inquired about the CPI adjustments and how much rates had increased. Mr. Slack responded noting he was only aware of one negative CPI adjustment in the past several years. He also stated that it was hard to compare the two contracts because previously tolls and insurance were reimbursed and other items had also changed, but he estimates around 6% as the increase.

Councilmember Hurst moved to approve the award of Contract No. EN-22-ROAD-1 for Roadway and Roadside Maintenance to T-P Enterprises, Inc., with a not to exceed value of \$4,500,000.00 over the three-year term of the contract, and authorize the Executive Director to execute the Contract, subject to the review and approval of General Counsel. The motion was seconded by Mayor Pro-Tem Bergan who then asked about the budgeted amount and disposition if the funds were not spent. Mr. Stewart addressed the distinction between contract and budget and noted the Board was capping out the total expenditure for the contract, not budget related matters. Thereafter, the motion was approved unanimously by the Board.

Guardrail
Maintenance
Contract:

Ms. DeVargas then reviewed with the Board the Guardrail Maintenance Contract and its various tasks and purposes, including the specialized equipment necessary for the guardrail services. Councilmember Hurst asked about insurance collections and whether the Authority collects the whole of the incident invoice. Ms. DeVargas noted the Authority invoices for a pursued collection of the full amount. Following her general review, Ms. DeVargas reviewed the procurement culminating in two bids with Ideal Fencing Corporation being the staff-recommended bidder on a best value basis. Thereafter she presented the terms of the proposed 3-year contract not-to-exceed the sum of \$1,000,000. Councilmember Hurst moved to approve the award of Contract No. EN-22-RAIL-1 for Guard Rail Maintenance to Ideal Fencing

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Corporation, with a not to exceed value of \$1,000,000.00 over the three-year term of the contract, and authorize the Executive Director to execute the Contract, subject to the review and approval of General Counsel. The motion was seconded by Councilmember Pawlowski, and the motion was approved unanimously by the Board.

Annexation
by City of
Aurora:

Mr. Thomson then addressed the Board for a briefing on a recent contact from the City of Aurora on a recent request by the Aurora Highlands developer to annex a 2-acre parcel of Authority property near 26th Avenue, in an annexation petition to the City of Aurora. The parcel is currently within unincorporated Adams County. Ms. Seaver described the Authority's annexation agreement, petitions and associated agreement that may be presented later depending on the City's schedule and processes.

Toll
Operations
Department:
2021 Annual
Customer
Experience
Survey
Briefing:

Ms. Carson introduced Ms. Morales who presented to the Board the annual customer experience survey. She reported on the survey and noted it is conducted once per year and has been carried out since 2013 to obtain feedback for customer experience improvement. She then reviewed the high-level satisfaction results and the #1 reason customers choose E-470 is because it saved time. Ms. Morales then reviewed the customer demographics, communication preferences, and the results of the Authority's gap analysis focusing on improvement, noting the gaps were very small.

Commissioner Holen commended Ms. Carson and her team for always expeditiously resolving customer issues. Councilmember Hurst noted the importance of customer service and echoed Commissioner Holen's comments.

Information
Technology
Department:
Atkins
Contract:

Mr. Smith reviewed the current role of Atkins and expansion of the general technology consulting portion of their role for the back-office project. Following the presentation, Councilmember Hurst made a motion to approve the Ninth Amendment to the Authority's Services Vendor/Consulting Task Order Contract for general technology consulting services with Atkins North America, Inc. Contract No. IT-17-ATKI-1, to extend the term through April 30, 2023 for an amount not to exceed the sum of \$1,834,400, and to authorize the Executive Director to execute the same, subject to the review and approval of General Counsel. Commissioner Holen seconded the motion, which was approved unanimously.

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- HNTB
Contract: Mr. Smith reviewed the HNTB Corporation contract and assistance with back office and next generation lane systems. Following the presentation, Councilmember Hurst made a motion to approve the Fifth Amendment to the Authority's Standard Consulting Contract for business process consulting services with HNTB Corporation, Contract No. IT-19-HNTB-1, to extend the term through April 30, 2023 for an amount not to exceed the sum of \$886,822.40, and to authorize the Executive Director to execute the same, subject to the review and approval of General Counsel. Commissioner Holen seconded the motion, which was approved unanimously.
- RAM Info
Contract: Mr. Smith noted RAM, Info has been a long time Authority partner and that they are used to support the current TCS back-office system, in Next Generation Lane project as well as the tolling services provided to HPTE and others. Councilmember Hurst made a motion to approve the issuance of Service Order No. 2 to the Authority's IT Master Services Agreement with Ram Info., Contract No. IT-21RAM-1, to extend the term through April 30, 2023 for an amount not to exceed the sum of \$3,971,000, and to authorize the Executive Director to execute the same, subject to the review and approval of General Counsel. Councilmember Pawlowski seconded the motion, which was unanimously approved.
- Nuspire
Contract: Mr. Smith reported on Nuspire's services as a 24/7 security monitoring and security operations center with related activities and protection of the Authority's firewall and rebuffing security threats. Commissioner Holen asked who responds and Mr. Smith noted they have the ability to engage in emergency response and the Authority also has an emergency response program. Councilmember Hurst made a motion to approve the Fourth Amendment to the Authority's IT Managed and Professional Services Contract with Nuspire, LLC, Contract No. 2016-IT-Gbprotect, to extend the term through April 30, 2023 for an amount not to exceed the sum of \$250,000, and to authorize the Executive Director to execute the same, subject to the review and approval of General Counsel. Councilmember Pawlowski seconded the motion and the motion was unanimously approved.
- Rule4, Inc.
Contract: Finally, Mr. Smith reported on Rule4, Inc.'s important role as functional Chief Information Security Officer, ongoing strategic cybersecurity guidance and planning, the Back Office System project and related matters. Following discussion, Council member Hurst made a motion to approve the Third Amendment to the Authority's IT Professional Services Service Order Contract for cybersecurity assessment and support IT services with Rule4, Inc., Contract No. IT-18-Rule4-1, to extend the term through April 30, 2023 for an amount not to exceed the sum of \$550,000, and to authorize the Executive Director to execute the same, subject to the review and approval of General Counsel. Commissioner Tedesco seconded the motion, which was unanimously approved.

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Executive Councilmember Diak noted that at the next Board meeting the outgoing and Director Report: incoming Executive Directors would both be present

Mr. Stewart reported on the recent crash landing of an airplane on E-470, with great response from the Authority's staff, CSP and other partners. He then reported on Applegreen's current processing of site plans with the member jurisdictions. Preliminary estimates from the contracting industry note that inflation may have significant impact on the current Road Widening Project and may require consideration in conjunction with the Master Plan. Finally, he reported on upcoming committee meetings.

Following Mr. Stewart's report. Mr. Myers introduced two new Building Engineers, Jamie Murray and Sam Serkman. Mr. Smith introduced Steve Erickson, the Authority's new Project Manager and Aaron Schilz, the Authority's new Service Desk Technician.

Other Business: Councilmember Hurst requested that Captain Hahn from CSP come out for a board briefing on what it means to be a HAZMAT route.

Adjournment: There being no further business to come before the Board, Councilmember Diak adjourned the meeting at 10:51 a.m.



Chair of the Meeting