

TRUENORTH COMMONS BUSINESS IMPROVEMENT DISTRICT

121 S. Tejon St., Suite 1100
Colorado Springs, Colorado 80903
719-635-0330

<https://www.truenorthcommonsbid.org>

NOTICE OF REGULAR MEETING AND AGENDA

DATE: Thursday, September 21, 2023

TIME: 9:00 a.m.

LOCATION: Via Microsoft Teams

You can attend the meetings in any of the following ways:

1. To attend via Microsoft Teams Videoconference use the below link:

ACCESS: https://teams.microsoft.com/l/meetup-join/19%3ameeting_NzUwOWQ2NTQtZTBiNy00OWNhLThmMjctZDU5MjcZOWQ4MmMx%40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%225b9f6fa2-e9dd-42cc-bfd8-f7dd2ed196a6%22%7d

2. To attend via telephone, dial 720-547-5281 and enter the following additional information:

Conference ID: 342 759 677#

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Daniel Schnepf	President	May, 2027
Donald Hunt	Treasurer	May, 2027
Eric Smith	Secretary	May, 2027
Vacant		May, 2025
Vacant		May, 2025

I. ADMINISTRATIVE MATTERS

- A. Call to order and approval of agenda.
- B. Present disclosures of potential conflicts of interest.
- C. Confirm quorum, location of meeting and posting of meeting notices.

D. Public Comment.

Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda. Comments will be limited to three (3) minutes per person.

E. Review and consider approval of minutes from the August 1, 2023 special Board meeting (enclosure).

II. CONSENT AGENDA

A. Ratify approval of the following documents for Series 2022B Visitor's Center Funds:

- a. Contract between the District and Colorado Springs Utilities for Gas Mainline Extension to Visitor Center in the amount of \$38,377.93.
- b. Contract between the District and Colorado Springs Utilities for Gas Service Extension to Visitor Center on a T&M basis estimated at \$14,615.58.
- c. Agreement for Professional Consulting Services between the District and Fentress Architects, Ltd. for architectural services in the amount of \$2,660,591.00.
 - i. Amendment No. 1 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for bridge design in the amount of \$81,000.00.
 - ii. Amendment No. 2 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for Mitigation Feasibility Assessment in the amount of \$15,000.00.
 - iii. Amendment No. 3 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for spiral star in the amount of \$5,320.00.
 - iv. Amendment No. 4 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for roadway lighting in the amount of \$16,060.00.
 - v. Amendment No. 5 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for restroom redesign in the amount of \$36,455.00.
 - vi. Amendment No. 6 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for Hosmer Signage design in the amount of \$17,450.00.
 - vii. Amendment No. 7 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for irrigation design renderings in the amount of \$32,160.00.

- viii. Amendment No. 8 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for mechanical and electrical distribution in the amount of \$23,340.00.
- ix. Amendment No. 9 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for spiral stair design completion in the amount of \$19,335.00.
- x. Amendment No. 10 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for retail concept design in the amount of \$5,175.00.
- xi. Amendment No. 11 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for tenant improvement build-out in the amount of \$97,555.00.
- xii. Amendment No. 12 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for lighting plans for office and retail sites in the amount of \$6,890.00.
- xiii. Amendment No. 13 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for tenant improvement build-out in the deductive amount of -\$45,010.30.
- xiv. Amendment No. 14 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for landscaping fly-through in the amount of \$20,390.00.
- xv. Amendment No. 15 to Agreement for Professional Consulting Services for architectural services between the District and Fentress Architects, Ltd. for roundabout signage in the amount of \$23,970.00.
- d. Agreement for Professional Consulting Services between the District and Galloway and Company, Inc. for site design and construction costs review on a T&M basis.
- e. Construction Manager/General Contractor (CMGC) Agreement for between the District and G.E. Johnson Construction Company, Inc. for construction management services.
 - i. First Amendment to CMGC Agreement between the District and G.E. Johnson Construction Company, Inc. for construction management services in the amount of \$276,570.00.
 - ii. Change Order No. 1 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for cost study log items and Zahner payment in the amount of \$67,851.00.
 - iii. Change Order No. 2 to CMGC Agreement for construction management services between the District and G.E. Johnson

- Construction Company, Inc. for cost study log updates and partial estimating contingency release in the deductive amount of - \$491,921.00.
- iv. Change Order No. 3 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for cost study log updates and finalized design elements in the amount of \$668,735.00.
 - v. Change Order No. 4 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for monument signs in the amount of \$287,531.0.
 - vi. Change Order No. 5 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for FDC cathodic, rated shaft, soffit up-light and frost in the amount of \$20,236.00.
 - vii. Change Order No. 6 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for mezzanine glass rail in the deductive amount of -\$100,404.00.
 - viii. Change Order No. 7 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for feature stair in the amount of \$785,782.00.
 - ix. Change Order No. 8 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for miscellaneous changes in the amount of \$331,698.00.
 - x. Change Order No. 9 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for monument signage in the deductive amount of \$(28,837.00).
 - xi. Change Order No. 10 to CMGC Agreement for construction management services between the District and G.E. Johnson Construction Company, Inc. for miscellaneous changes in the deductive amount of \$(108,155.00).
 - f. Agreement for Professional Consulting Services between the District and Group 14 Engineering, PBC for engineering services in the amount of \$44,200.00.
 - g. Agreement for Professional Consulting Services between the District and Grundy Construction Management & Consulting LTD for project & construction management services in the amount of \$181,905.00.
 - h. Agreement for Professional Consulting Services between the District and Kumar & Associates, Inc. for geotechnical investigation in the amount of \$73,394.00.
 - i. Agreement for Professional Consulting Services between the District and LB Pie LLC, Ltd. in the amount of \$42,700.00.

- i. Change Order No. 1 for Roofing System Shop Drawing / Submittal Review to Agreement for Professional Consulting Services between the District and LB Pie LLC, Ltd. in the amount of \$4,000.00.
 - ii. Change Order No. 2 for Curtain Wall Shop Drawing & Structural Calculations Review to Agreement for Professional Consulting Services between the District and LB Pie LLC, Ltd. in the amount of \$4,000.00.
 - iii. Change Order No. 3 for Inspections and Meetings to Agreement for Professional Consulting Services between the District and LB Pie LLC, Ltd. in the amount of \$8,880.00.
 - j. Agreement for Professional Consulting Services between the District and Lerch Bates, Inc. for building envelope consultation services in the amount of \$113,750.00.
 - i. Change Order No. 1 to Agreement for Professional Consulting Services for building envelope consultation services between the District and Lerch Bates, Inc. for roofing system shop drawing/submittal review in the amount of \$67,851.00.
 - ii. Change Order No. 2 to Agreement for Professional Consulting Services for building envelope consultation services between the District and Lerch Bates, Inc. for curtain wall shop drawing & structural calculations review in the amount of \$67,851.00.
 - k. Agreement for Professional Consulting Services between the District and SWCA, Incorporated, DBA SWCA Environmental Consultants (SWCA) for Phase 2 consultation services in the amount of \$9,850.00.
 - i. Amendment No. 1 to Agreement for Professional Consulting Services for Phase 2 consultation services between the District and SWCA for continued consultation in the amount of \$7,530.00.
 - l. Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc.
 - i. Change Order No. 8 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for water and sanitary services in the amount of \$169,250.00.
 - ii. Change Order No. 13 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for detention pond in the amount of \$873,098.00.
 - iii. Change Order No. 14 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for fire line credits in the deductive amount of -\$19,250.00.
 - iv. Change Order No. 16 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for VC CRA changes in the amount of \$8,600.00.
 - v. Change Order No. 23 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for roadworks and roundabout in the amount of \$1,421,174.00.
- B. Ratify approval of the following documents for Series 2022C Infrastructure Funds:

- a. Agreement for Professional Consulting Services between the District and Blur Workshop LLC for professional design services in the amount of \$6,500.00.
- b. Electric Extension and Revenue Guarantee Agreement between the District and Colorado Springs Utilities for geotechnical investigation.
- c. Time and Material Contract between the District and Colorado Springs Utilities for temporary electric power in the amount of \$17,582.92.
- d. Time and Material Contract between the District and Colorado Springs Utilities for electric mainline relocation in the amount of \$157,954.02.
- e. Time and Material Contract between the District and Colorado Springs Utilities for electric mainline relocation part II in the amount of \$199,827.50.
- f. Time and Material Contract between the District and Colorado Springs Utilities for gas main extension – I-25 to TNC in the amount of \$390,442.81.
- g. Time and Material Contract between the District and Colorado Springs Utilities for gas main extension – hotel stub in the amount of \$4,592.69.
- h. Time and Material Contract between the District and Colorado Springs Utilities for gas main extension – common access drive between hotel and office in the amount of \$16,427.06.
- i. Agreement for Professional Consulting Services between the District and Dark Sky Partners, LLC for night sky glow report in the amount of \$4,000.00.
- j. Agreement between the District and DM Construction for riser building drawings in the amount of \$28,736.71.
- k. Agreement for Professional Consulting Services between the District and Edward-James Surveying, Inc. for professional survey services in the amount of \$5,200.00.
 - i. Change Order No. 1 to Agreement for Professional Consulting Services for professional survey services between the District and Edward-James Surveying, Inc. for preparation of three legal descriptions and exhibits for utility easements in the amount of \$1,250.00.
 - ii. Change Order No. 2 to Agreement for Professional Consulting Services for professional survey services between the District and Edward-James Surveying, Inc. for preparation of three easements on Lot 4, Filing No. 1 in the amount of \$2,000.00.
- l. Change Order No. 1 to Agreement for Professional Consulting Services for project & construction management services between the District and Grundy Construction Management & Consulting LTD to extend contract duration in the amount of \$109,230.00.
- m. Agreement for Professional Consulting Services between the District and JDS-Hydro Consultants, Inc. for lift station and force main permitting and design in the amount of \$84,500.00.
 - i. Change Order No. 1 to Agreement for Professional Consulting Services for lift station and force main permitting and design between the District and JDS-Hydro Consultants, Inc. for

- additional design and project management services in the amount of \$11,960.00.
- ii. Change Order No. 2 to Agreement for Professional Consulting Services for lift station and force main permitting and design between the District and JDS-Hydro Consultants, Inc. for additional design services in the amount of \$8,925.00.
 - iii. Change Order No. 3 to Agreement for Professional Consulting Services for lift station and force main permitting and design between the District and JDS-Hydro Consultants, Inc. for construction administration services in the amount of \$16,500.00.
- n. Agreement for Professional Consulting Services between the District and Kumar & Associates, Inc. for additional subsurface exploration in the amount of \$49,999.00.
- i. Amendment No. 1 to Agreement for Professional Consulting Services for additional subsurface exploration between the District and Kumar & Associates, Inc. for geotechnical engineering study for proposed lift station and overflow vault in the amount of \$5,200.00.
 - ii. Amendment No. 2 to Agreement for Professional Consulting Services for additional subsurface exploration between the District and Kumar & Associates, Inc. for geotechnical engineering study for proposed underground detention structure in the amount of \$4,500.00.
 - iii. Amendment No. 3 to Agreement for Professional Consulting Services for additional subsurface exploration between the District and Kumar & Associates, Inc. for geotechnical engineering study for proposed 8" gravity sewer vault in the amount of \$3,900.00.
- o. Agreement for Professional Consulting Services between the District and Matrix Design Group, Inc. for site design services in the amount of \$2,300,250.00.
- i. Amendment No. 1 to Agreement for Professional Consulting Services for site design services between the District and Matrix Design Group, Inc. for additional services in the amount of \$20,700.00.
 - ii. Amendment No. 2 to Agreement for Professional Consulting Services for site design services between the District and Matrix Design Group, Inc. for additional services in the amount of \$389,650.00.
- p. Agreement for Professional Consulting Services between the District and Night Sky Metrics, LLC for night skies assessment in the amount of \$20,000.00.
- q. Proposal between the District and Precision Systems for power and control building in the amount of \$482,617.00.
- i. Proposal for Change Order No. 1 to Proposal for power and control building between the District and Precision Systems for lot labor and materials in the amount of \$16,677.00.

- r. Sales Agreement between the District and Smith & Loveless, Inc. for TNC lift station in the amount of \$262,038.00.
 - i. Adder for Sales Agreement for TNC lift station between the District and Smith & Loveless, Inc. for switches and increase depth in the amount of \$46,674.00.
- s. Agreement for Professional Consulting Services between the District and SWCA, Incorporated, DBA SWCA Environmental Consultants (SWCA) for Cultural Resource Support Associated with Visitor Center Project, Phase 1 in an amount not to exceed \$18,365.
 - i. Change Order No. 1 to Agreement for Professional Consulting Services for Cultural Resource Support Associated with Visitor Center Project, Phase 1 between the District and SWCA for interpretive signage in the amount of \$32,035.00.
- t. Agreement for Professional Consulting Services between the District and SWCA, Incorporated, DBA SWCA Environmental Consultants (SWCA) for Mitigation plan for the Visitor Center Project in an amount not to exceed \$10,950.
- u. Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc in the amount of \$5,196,224.17.
 - i. Change Order No. 1 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for septic pumping in the amount of \$1,380.00.
 - ii. Change Order No. 2 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for asphalt ramp in the amount of \$16,100.00.
 - iii. Change Order No. 3 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for water pipe and materials in the amount of \$83,437.47.
 - iv. Change Order No. 4 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for additional septic pumping in the amount of \$3,536.25.
 - v. Change Order No. 5 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for sign removal in the amount of \$6,300.00.
 - vi. Change Order No. 6 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for onsite water main in the amount of \$248,700.00.
 - vii. Change Order No. 7 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for median temporary paving in the amount of \$15,836.00.
 - viii. Change Order No. 8 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for water and sanitary services in the amount of \$169,250.00.
 - ix. Change Order No. 9 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for gravity sewer and bore in the amount of \$679,080.00.

- x. Change Order No. 10 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for force main in the amount of \$316,349.00.
- xi. Change Order No. 11 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for storm sewer outfall in the amount of \$199,645.50.
- xii. Change Order No. 12 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for roadway storm sewer in the amount of \$312,925.00.
- xiii. Change Order No. 13 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for detention pond and outfall piping in the amount of \$873,098.00.
- xiv. Change Order No. 14 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for fire line credits in the deductive amount of -\$19,250.00.
- xv. Change Order No. 15 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for dewatering reconciliation in the deductive amount of \$57,980.00.
- xvi. Change Order No. 16 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for additional CRA's on water line in the amount of \$8,600.00.
- xvii. Change Order No. 17 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for pedestrian bridge in the amount of \$2,255,882.86.
- xviii. Change Order No. 18 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for Bass Pro water line in the amount of \$194,783.91.
- xix. Change Order No. 19 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for topsoil relocate and roadway embankment in the amount of \$22,895.00.
- xx. Change Order No. 20 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for demo of existing entry sign in the amount of \$38,000.00.
- xxi. Change Order No. 21 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for lift station in the amount of \$1,150,823.00.
- xxii. Change Order No. 22 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for septic tank pumping, re-pain speed bump, epoxy coating manhole in the amount of \$37,145.00.
- xxiii. Change Order No. 23 to Contract for Sitewide Infrastructure between the District and Wildcat Construction Company, Inc. for roadworks and roundabout in the amount of \$1,421,174.00.
- v. Agreement between the District and Yesco for illuminated signage in the amount of \$374,112.50.

III. FINANCIAL MATTERS

- A. Review and consider acceptance of August 31, 2023 Unaudited Financial Statements (enclosure).
- B. Consider ratification of past claims and approval of current claims (enclosure).
- C. Review and consider approval of requisitions (enclosure).

IV. LEGAL MATTERS

- A. Review and consider approval of Operating Plan (enclosure).
- B. Acknowledge contract tracking logs (to be distributed).

V. MANAGER MATTERS

VI. DIRECTOR MATTERS

- A. Construction and contract updates.

VII. OTHER BUSINESS

VIII. ADJOURNMENT

The next regular meeting is scheduled for November 16, 2023 at 9:00 a.m.