

CITY OF COMMERCE CITY

Request for Proposals for Preliminary and Final Design of Widening of
96th Avenue from Chambers Road to Tower Road

JUNE 23, 2022

HUITT-ZOLIARS



June 23, 2022

Ms. Diana Trettin, Project Manager
City of Commerce City
8602 Rosemary Street
Commerce City, CO 80022

**RE: Request for Proposals
Preliminary and Final Design of Widening of 96th Avenue from Chambers Road to Tower Road**

Dear Diana,

We are excited about the above-referenced opportunity and look forward to continuing our professional relationship with the City of Commerce City. A segment of 96th Ave from Chambers to Tower Rd. needs to be expanded in order to provide capacity improvements, both along the roadway and, in particular, at the Tower Rd intersection. Considering our past experience on the Tower Rd widening project for the City (that included the intersection improvement at 96th Ave), we are the ideal firm to work with you on this challenging, yet exciting, project.



THE HUITT-ZOLLARS TEAM

We have assembled a project team of highly qualified professionals with specific expertise in the design of roadways, intersections, multi-modal systems, and drainage improvements. As the Project Manager, Wendy Amann brings more than 30 years of successful municipal engineering experience to Colorado's Front Range communities and will be the primary contact for the City of Commerce City throughout this contract. She has developed a good rapport with many Commerce City staff and is confident she can bring this project to a successful conclusion, meeting or exceeding all stakeholder goals.

Wendy L. Amann, PE
Project Manager
Huitt-Zollars, Denver office
4582 S. Ulster St., Ste. 240
Denver, CO 80237
Office: 303-740-7325 x11215
Cell: 720-272-6267
Email: wamann@huitt-zollars.com

Our Key Personnel for this project will be:

- **Rob Demuele**, Principal-in-Charge (provides oversight on many HZ Denver projects)
- **Gerald "Jerry" Prusik**, Technical Advisor (managed both Tower Rd and Brighton Rd improvement projects)
- **Savina Garcia**, Quality Manager (reviews the majority of the HZ Denver office's civil projects)
- **Logan Kiser**, Roadway Design (working on current roadway improvement projects)
- **Daisy Quintana**, Drainage Design (worked on Brighton Rd improvements)
- **Cindy Arteaga**, Bridge Design Review (worked on the Fulton Ditch bridge replacement as part of Brighton Rd improvements)
- **Alejandra Gallegos**, Traffic Signal and Intersection Traffic Analysis (PTOE certified)

The subconsultants that we have chosen to work with us bring knowledge and abilities that ensure creative and efficient solutions for this project. Each of the sub-consultant team members have worked with us on similar projects throughout many Denver metro cities and as a result, we have a well-established relationship with each one of them. They include:

- **Foresight West Surveying** for surveying services
- **Kumar & Associates** for geotechnical engineering (worked with HZ on the Brighton Rd improvement project)
- **San Engineering** for bridge design (they designed the existing 96th Ave. bridge over 2nd Creek)
- **ACI Consulting** for environmental compliance services
- **DHM** for landscape design services (worked on the Tower Rd improvement project with HZ)
- **KCI Technologies** for utility locates services (can provide services to comply with CO state law)
- **Universal Field Services** will assist on ROW Acquisition efforts



KEY POINTS

Project Understanding. This project will widen an approximately 2 mile stretch of 96th Ave., from Chambers to Tower Rd, encompassing the intersections at each end as well as four other intersections along the corridor. The left turn from north-bound Tower onto west-bound 96th Ave is particularly problematic during peak travel times. The new bridge for the widened section of 96th Ave over 2nd Creek will be a duplicate of the existing bridge, bearing on abutments already in place to receive it. There will be a special section of the roadway/trail along the Rocky Mountain Arsenal that will be a more natural configuration, lending itself to the nature area it runs along.

We have recent and relevant experience with this type of project. The lessons learned from the successful completion of the Tower Road widening project (involving every component we have on 88th Ave) as well as the successful replacement of the Brighton Rd bridge over Fulton Ditch will enable us to bring efficiencies as well as creative solutions to this project.

Project Manager and Design Team Organization. Our Project Organization is arranged for work efficiency and control. The Project Manager is supported by multiple group leaders that specialize in their assigned disciplines. As noted above, the project manager for this project will be Wendy Amann, supported by Jerry Prusik as a technical advisor, given his experiences on recent Commerce City projects. Wendy was the Principal in Charge for the above-referenced Tower Road project, a significant roadway and multi-modal improvement project that had several intersections to be worked through, significant ROW acquisition, and multiple stakeholders to accommodate. Wendy has led large design teams on multi-million dollar projects in other states from the Denver office. She understands how to use the depth of resources available to our team from throughout the firm, providing an unparalleled ability to provide the specific and exact expertise needed for every aspect of this project.

Design Approach and Schedule. Our approach will build upon our previous municipal project experiences by reviewing lessons learned, identifying unforeseen conditions, and validating design and coordination procedures. The schedule is developed to integrate first: stakeholder reviews and coordination and second: established procedures and processes to conduct quality reviews prior to milestone submittals. Maintenance of the traffic throughout the construction process will be a significant challenge on this project.

Ability to Respond. The information provided shows that Huitt-Zollars and our seven subconsultant design firms have the Denver-based resources to perform this work. Although all work will be managed out of the Huitt-Zollars Denver office, additional resources are readily available from the corporate firm. We have the ability to augment staff as needed to meet local project manpower and schedule requirements. The Denver office has successfully managed work efforts shared between as many as six Huitt-Zollars offices. Each office is electronically networked, which provides the firms' full range of capabilities to all clients.

We appreciate your time in reviewing our proposal. Our understanding of city, state, and federal review processes & requirements will allow us to efficiently plan and execute this project, with no learning curve. We look forward to your favorable response. If you have any questions, please don't hesitate to contact Wendy at (303) 740-7325, email wamann@huitt-zollars.com, or our principal-in-charge, Rob Demuele, at rdemuele@huitt-zollars.com. Again, thank you for your consideration.

Cordially,
Huitt-Zollars, Inc.

Wendy L. Amann, PE
Vice President, Project Manager

Robert J. Demuele III
Vice President, Principal-In-Charge

B. METHOD

PROJECT UNDERSTANDING

In response to rapidly increasing traffic volumes on 96th Ave, due in large part to the ongoing build-out of Buffalo Highlands and Eastpoint (as well as other neighboring active developments), The City of Commerce City (C3) intends to widen 96th Ave, from Chambers Rd to Tower Rd (2 miles). Work will include a study of the existing Tower Rd intersection operations, specifically to address concerns with the queuing of NB to WB traffic. The existing 2-lane 96th Ave will be widened to a 4-lane, median divided street.

Two typical sections will be developed, in recognition of the difference in roadside treatments between the east and west half of this project. The west half of the project is located immediately north of the Rocky Mountain Arsenal property. The north side of this segment is residential, while the south side is very rural. Thus, this typical section will not have curb and gutter along the south side. A 4-foot shoulder will be introduced for this section, with a soft trail (similar to what exists today). The east half of the project has residential development along both the north and south sides of the street. So, this typical section will have curb and gutter and sidewalks along both sides of the street.

This project will also complete the 96th Ave bridge over 2nd Creek. The existing bridge was designed as a 4-lane/divided (open) median. The complete substructure was constructed, but only the (ultimate) westbound side superstructure was built. This project will place five (5) concrete girders and construct the eastbound superstructure, finishing this 4-lane structure.

PROJECT APPROACH

We have conducted an initial on-site field review to better understand this project and who will benefit from the proposed improvements and who will be impacted by construction activity. Those who use 96th Ave and Tower Rd every day (residents and commuters), pedestrians, bicyclists and other multi-modal users, will all benefit, and will also be those most affected by the construction of the proposed improvements.

C3 has planned for preliminary and final design to be completed in a 12 timeframe, beginning July 2022, with construction commencing in 2023. Major design work tasks will include the following:

- Project Management
- Resident and Stakeholder Coordination
- Data Collection
- Preliminary Design
- Field Inspection Review (FIR)
- Final Design
- Final Office Review (FOR)
- Bidding
- Construction

We employ our formal Project Work Plan approach in executing every project. Refer to the Project Management section on page 3 of this proposal for further discussion of, and insight into our standard Project Work Plan approach to effectively controlling our project performance.

Our complete work task breakdown is shown with our Preliminary Design Schedule included on page 9 with this proposal. Work will be initiated immediately following our Kick-Off Meeting, with field topographic survey, geotechnical investigations, and environmental field studies.

CRITICAL ITEMS

A successful project outcome requires the designer to be aware of the issues that typically can adversely affect a roadway improvement project outcome. We understand C3's design and plan development requirements, and how to move this project to construction. C3 has included a Scope of Work for this project with the RFP. Our Work Plan and Schedule for this project reflect the work tasks required to complete Preliminary and Final design and construction documents based on the scope outlined in the RFP.

The primary potential **critical items** to be aware of, and proactively manage on this project include:

- Resident and other Stakeholder Coordination (C3, Adams County, South Adams County Water and Sanitation District, local developers)
- Environmental Studies and Reports
- Subsurface Utility Engineering (SUE)
- Construction Phasing and Maintenance of Traffic

Each of these items represent important decisions or outside agency approvals that have often caused delays in moving projects to construction. We recognize the critical nature of the need to address these concerns timely to avoid such delay. To this point, effective communication is the underlying key to addressing every one of these concerns. We take a very proactive approach in communicating with all stakeholders, from the very beginning. Everyone involved with this

project will be actively engaged, starting with the Kick-Off Meeting. Our recommended approach to each of these potential concerns is as follows:

RESIDENT AND OTHER STAKEHOLDER COORDINATION

Coordination with residents, Adams County, South Adams County Water and Sanitation District, and others will be an important aspect of this project. Access to and from neighborhood streets and adjacent neighborhoods will be affected during construction, and must be adequately addressed throughout all phases of construction.

We will follow the City's lead, but will be available to lead meetings with residents and other stakeholders as needed to best accommodate their concerns related to this project to be sure that we have their concurrence with the proposed improvements and how to implement them while maintaining access throughout construction.

ENVIRONMENTAL FIELD STUDIES AND REPORTS

We plan to conduct an environmental investigation and identify necessary clearances for the proposed improvements. Reconnaissance level technical evaluations will be undertaken in parallel with the design process to identify potential impacts associated with the project and inform the design process. Evaluations will consider the natural environment including, migratory birds, wetlands and water resources (including Section 404 permitting, if required), noxious weeds, hazardous materials, historic 4F property, historical resources, archeological and paleontology assessments and survey, threatened or endangered species, and non-historic 4F clearances, all in recognition of our proximity to/immediately adjacent to the Rocky Mountain Arsenal for the west half of this project.

SUBSURFACE UTILITY ENGINEERING (SUE)

Utilities within this segment of 96th Ave are both above and below ground. Our initial on-site field review and records search of the proposed work area have identified the following potential utilities:

- | | | |
|------------------------------|----------------------------|---------------------|
| ✓ South Adams County – Water | ✓ United Power - Electric | ✓ AT&T Fiber Optic |
| and Sanitary | ✓ Comcast Cable | ✓ Aviso Fiber Optic |
| ✓ Xcel Energy – Gas | ✓ Century Link Fiber Optic | |

Utilities will be located as part of our topographic survey effort. Underground utilities will be designated and surveyed with our initial survey efforts. Potential conflicts will be identified during the preliminary design effort. Test holes will be performed during early final design to verify depths and sizes of existing underground facilities, if necessary, as part of the C3 identified Additional Services. Our first goal will be to avoid, or at least minimize impacts to utilities. Should utility relocations be unavoidable, we will accommodate relocation requirements in our construction documents.

CONSTRUCTION PHASING AND MAINTENANCE OF TRAFFIC

We are fully aware of the constructibility constraints that this project poses (maintaining through traffic and access throughout construction), and have a great deal of experience developing successful solutions with similar challenges.

Roadway reconstruction activities can generally allow for traffic to remain in the current laneage, while the new eastbound side of 96th Ave is constructed. Drainage storm pipes and curb inlets can be constructed with the same approach (curb inlets and storm drainage piping is already in place along the north/westbound side of this project. Traffic can then be shifted all to the newly constructed south (eastbound) side to allow for reconstruction of the existing laneage. For added safety, required lane shifts can be implemented, initially with flaggers as needed, to facilitate the change in daily driving patterns necessary to construct the proposed improvements. ROW plans, legal descriptions and plan exhibits will be developed during our Final design phase of work.

PROJECT CHALLENGES / UNIQUE OPPORTUNITIES: New bridge over 2nd Creek:

San Engineering will prepare construction drawings for the completion of the bridge carrying 96th Avenue over Second Creek. Generally, this will include the bridge superstructure, but several other elements will be involved. Engineered backfill under the new approach slabs, completion of the architectural elements, and miscellaneous lighting and deck drainage infrastructure will be needed. ***Because San Engineering designed the original bridge, efficiencies are anticipated through the use of original CAD files, construction drawings, and construction submittals.***

The original bridge utilized pre-stressed concrete “BT” (Bulb-Tee) girders. While the girders are performing well, local pre-stressed girder technology and fabrication capabilities have advanced in recent years. The newer “CBT” (Colorado Bulb-

Tee) girders are more structurally efficient and geometrically versatile and will be specified for the new superstructure. Aesthetically, there will be little or no difference between the existing and new superstructures.

Similarly, the latest bridge rail technology will be integrated into the design. The “Type 10 MASH” bridge rail system has exhibited improved results through crash testing, as compared to the original “Type 10M” bridge rails on the existing bridge. Therefore, a standard Type 10 MASH rail will be specified for the interior bridge rail, and a modified design thereof to accommodate pedestrian and project aesthetics will be specified for the exterior bridge rail. While providing an improved safety to vehicles, the new rails will involve very little departure from the original bridge’s decorative rails.

Additionally, we would recommend the construction plans include the requirement for an overlay on the existing bridge deck and approach slabs. The original deck, designed as a bare deck without asphalt, has been in service for nearly 10 years and is exhibiting wear. An overlay at this time will greatly extend the service life of the deck and will reduce long-term maintenance costs. The overlay can be either a conventional asphalt lift over waterproofing membrane, or a thin-bonded polyester concrete overlay.

The bridge design will be based on AASHTO LRFD Design Specifications, as well as the CDOT Bridge Design Guide and applicable CDOT design memorandum. The structural calculations will take into account the effects of vehicular live loads, dead loads, earth loads, wind loads, and thermal loads.

RIGHT-OF-WAY (ROW)

Based on Adams County GIS mapping, the Right-of-Way (ROW) width along this segment of Brighton Road is primarily 68’-70’, with two segments of approximate 100’ width. C3 has shown a preference for maintaining the existing east ROW line. We will develop and finalize the improved corridor street centerline and limits of work during preliminary design, holding the east side ROW line. Once this centerline is established, we will then be able to model the proposed improvements and make an initial determination of potential ROW impacts. The base property ownership map will be developed during data collection. As noted above, we will develop and refine the ROW requirements throughout preliminary design. By the end of preliminary design, we will be able to show the anticipated ROW (easement) requirements necessary to construct the proposed improvements. ROW plans, legal descriptions and plan exhibits will be developed during our Final design phase of work.

PROJECT MANAGEMENT APPROACH

Wendy Amann, PE brings over 30 years of experience managing teams tasked with producing the construction documents for various types of infrastructure improvements for a diverse client base. Wendy will be primarily responsible for controlling the day-to-day aspects of the project; and Rob Demeule, PE, our Principal-in-Charge, will ensure that the company’s resources are fully available to the project, that all company policies and procedures are followed, and that Commerce City is thoroughly satisfied with the services provided.

Project Work Plan:

We believe the key to client satisfaction is to provide a clear understanding of expectations and to provide flexibility in meeting these expectations should conditions change. The expectations for a project are best laid out in a detailed Project Work Plan. Our Project Work Plan forms the basis for guiding the Project Manager and the entire Project Team through successful project completion.

We intend to utilize the anticipated project scope outlined in Commerce City’s Request for Proposal document as the basis for our Project Work Plan for this project. This initial work task list will be refined during the scoping exercise which will allow our project team to update the proposed project schedule into a schedule that will be followed throughout the duration of the project. The work plan document identifies who will perform the work, the technical work to be performed, the criteria to be adhered to, the timeline and sequence of work for completion (including identification of interim milestone submittals), products to be submitted, the budget to complete the work, and the work effort required of each project participant for each week of the project duration. It is our intention to meet or exceed the specifications in the RFP for this document.

Progress Meetings:

Our management approach also includes regularly scheduled Progress Meetings that document action items and track project issues and resolutions, as well as provide up-to-date information on schedules, budgets, and

construction costs. All team members are involved in these meetings, either by their presence, or by notification and distribution of meeting minutes. Records will be kept of meetings, written and electronic correspondence, and verbal communications (telephone or face-to-face) in order to document issues, concerns, and decisions.

Schedule Control:

Schedule is controlled with constant monitoring of schedule status versus design progress. The project will have a “living” schedule that is updated continuously as design progresses, allowing changes to be made as necessary before critical deadlines or milestones are missed. The schedule shown on page 9 will be updated as needed with C3.

Design Cost:

Design cost and schedule will be controlled by constantly monitoring our budget and schedule status versus design progress. Each project is initiated with a Project Entry Form including budgeted hours and costs for each phase and task. Timesheets, expense reports, and subconsultant invoices are submitted and approved by the project manager weekly. Then, once a month, the project manager receives a detailed work-in-progress report with actual hours and costs to date for each phase and task. With each month’s invoice, C3 will receive a spreadsheet breakdown of cumulative work task budget expended versus percent complete and a comparison of actual versus scheduled activities. These can be as simple or as detailed as needed, and as agreed to in cooperation with C3’s Project Manager.

Construction Costs: We will control costs by employing value engineering principles throughout design development. Preliminary and final opinions of construction costs will be evaluated in order to save costs. We propose that benchmark construction cost be identified (at about the preliminary stage) that can be used as a baseline to compare the cost effects of proposed changes and enhancements. This is an effective way to control scope growth or scope creep, which can lead to cost overruns. At the beginning of a project, we will make a pre-design estimate and compare it with the budgeted or funded cost. If there is a discrepancy, we will work with C3’s staff to develop a plan of action before proceeding with a project that is under-budgeted. As the project progresses, the estimate will be reviewed and updated.

We will also conduct constructability reviews as another means of achieving an economical design. Keeping in mind how the contractor will build the improvements enables us to design a project that meets all stakeholder requirements and goals. We engage industry associations in the design process where warranted to facilitate economical solutions and move the project in the most realistic path.

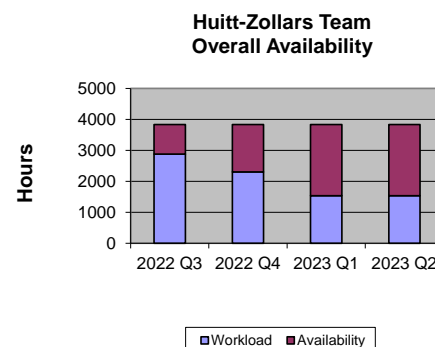
As shown in the summaries of our past projects, we have worked throughout the Denver Metro Communities. Collectively, this team has worked for nearly every major municipality along the Front Range. C3 will be pleased with our knowledge of the project area as well as with our familiarity with the local codes and requirements. We maintain good relationships with local contractors and continually update our database for unit pricing. The labor and materials market servicing the C3 area has changed somewhat since we completed the Tower Road project. However, our Lowell Boulevard project for Adams County (currently under construction) uses the same labor pool and we have a recent and thorough understanding of current unit costs. C3 can be confident in our team’s ability to provide accurate cost estimates for this project.

By continuously reviewing both the design and potential construction costs throughout the life of the project, we can provide an efficient and economical project that meets or exceeds Commerce City’s expectations, which is our definition of a successful project.

WORKLOAD AND CAPACITY

The chart shown to the right indicates the availability of the HZ team outlined in this proposal. As shown, we have adequate capacity to provide the services required to successfully manage this contract and complete various tasks for C3.

The project status and workload outlined in the chart below shows that many of our projects are near completion, giving us the ability to make the 96th Avenue Widening project our top priority.



C. QUALIFICATIONS OF RESPONDENTS

	Roadway Widening	Drainage	Intersection Work	Traffic Engineering	Bridge Design	Retaining Wall Design	Multi-Modal/Trails	Signing/Striping	Utilities/SUE	ROW Acquisitions	Surveying	Geotech	Environmental	Landscape/Irrigation	Street Lighting	Public Involvement	Construction Traffic Control	Availability
WENDY AMANN, PE Project Manager	✓	✓	✓		✓	✓	✓		✓							✓		70%
ROB DEMEULE, PE Principal-in-Charge	✓	✓	✓	✓			✓	✓	✓							✓		30%
SAVINA GARCIA, PE Quality Manager	✓	✓	✓	✓			✓	✓	✓							✓	✓	25%
JERRY PRUSIK, PE Team Leadership	✓		✓	✓	✓		✓	✓	✓									35%
LOGAN KISER, PE Roadway Design	✓		✓	✓			✓	✓	✓							✓	✓	50%
DAISY QUINTANA, EIT, CFM Drainage Design	✓	✓	✓				✓	✓	✓							✓	✓	60%
ZACH STEINKUHLER, PE, CFM Drainage Design		✓	✓															40%
ALEJANDRA GALLEGOS, PE, PTOE Traffic Signal and Intersection Traffic Analysis			✓	✓			✓										✓	40%
JEFFREY ROBERTS, PE, LEED AP Street Lighting Design															✓			40%
CINDY ARTEAGA, PE Bridge Design Review					✓	✓	✓											30%
RY RUSK, PLS Survey / ROW Documents										✓	✓							30%
JIM NOLL, PE Geotechnical Engineering												✓						40%
KEVIN RAMBERG Environmental Studies and Permitting													✓			✓		40%
JOHN MIGLIACCIO, PE, LEED AP 2nd Creek Bridge Design					✓	✓	✓											55%
MARK WILCOX, ASLA Landscape and Irrigation														✓		✓		40%
DARLENE TRULUCK Subsurface Utility Designation and Test Holes									✓									20%
LARRY RISINGER, SR/WA, RPLS ROW Acquisition										✓								25%

D. PAST PERFORMANCE

128th Avenue Widening and Colorado Boulevard Intersection Improvements - Thornton, CO

Huitt-Zollars prepared construction bid documents (plans and technical specifications) for widening approximately one mile of an existing three-lane major arterial street to five lanes. Work includes geometric design (including a new roundabout), drainage design, signing and striping plans, maintenance of traffic plans, auxiliary intersection turn lanes, traffic signal replacement, landscape design, and erosion control plans. The intersection at 128th Avenue and Colorado Boulevard currently provides single left-turn lanes on both of these major arterial streets. One of the City's goals on this project was to provide double left-turn lanes in all four directions. Our design accommodated this goal and achieved other improvements, including new ADA compliant curb ramps on each of the four corners (among others), shifted lanes on the west side of the intersection to align with the existing laneage on the east side of the intersection, all four traffic signal poles were relocated or replaced due to the approach street widening, and maintained right-turn auxiliary lanes in all four directions.



CLIENT REFERENCE:

Grant Bloom

City of Thornton

9500 Civic Center Drive

Thornton, CO 80229

P: 303.538.7236

E: grant.bloom@cityofthornton.net



Tower Road Widening - Commerce City, CO

As a keynote project in the City's capital improvement program, the Tower Road Widening project improved Tower Road from 81st Avenue to 103rd Avenue. The project widened the existing two-lane facility to four lanes, divided with a raised landscaped median. In addition to roadway reconstruction and widening, other improvements included three traffic signal controlled intersections (81st Avenue, 88th Avenue, and **96th Avenue**), new drainage and water quality facilities, a major drainage structure with pedestrian underpass at 2nd Creek, sanitary sewer, potable water, landscaping and irrigation, street lighting, and numerous relocations of existing utilities. The City acquired a significant amount of right-of-way from the adjacent properties, and extensive stakeholder coordination was required. The project was just under three miles and cost approximately \$30 million to construct.

CLIENT REFERENCE:

Diana Trettin

City of Commerce City

8602 Rosemary Street

Commerce City, CO 80022

P: 303.227.7195

E: dtrettin@c3gov.com

Brighton Road - Commerce City, CO

Huitt-Zollars is developing preliminary and final design and bid documents for the reconstruction of Brighton Road from E. 104th Avenue to E. 112th Avenue. In order to move the roadway reconstruction into construction as early as possible, the project has been split into two phases for design and construction, as follows:

- Phase I - Reconstruction of the existing 2-lane asphalt road to provide a 2-lane typical section with 5-foot shoulders on both the east and west sides of the road. Mill and overlay over the Fulton Ditch bridge. (Construction completed November 2020)
- Phase II – Fulton Ditch bridge replacement and design for an east side multi-use trail. (Currently in 90% Design)

The total project work includes: field topographic survey, geotechnical investigations and pavement design, environmental clearances, subsurface utility engineering (SUE), intersection traffic analysis to validate anticipated intersection auxiliary lane conditions at E. 104th Avenue and E. 112th Avenue, roadway horizontal and vertical geometric alignment, roadside ditch/swale drainage conveyance, stormwater management considerations, signing and striping, landscape and irrigation, construction phasing and traffic control, public/stakeholder coordination, identification of right-of-way (ROW) requirements, ROW acquisition documents and ROW acquisition assistance (as an Additional Service).



CLIENT REFERENCE:

Mark Winnen, PE

City of Commerce City
8602 Rosemary Street
Commerce City, CO 80022
P: 303.227.7195
E: mwinnen@c3gov.com



Lowell Boulevard - Adams County, CO

Huitt-Zollars prepared construction documents for the widening of Lowell Boulevard from West 56th Avenue to West 62nd Avenue, including a 5-track at-grade rail crossing (UPRR, BNSF, and RTD). The project included new curb, gutter, sidewalk, and widening the road from two to three lanes with a continuous center turn lane. The work also included a geotechnical study, traffic study, drainage study (with a floodplain no-rise certification), storm sewer, water quality elements, USACE 404 Permit, right-of-way acquisition documents, and right-of-way acquisition services.

REFERENCE:

Jennifer Shi, PE

Adams County
4340 South Adams County
Parkway
Brighton, CO 80601
P: 720.523.6835
E: jshi@adcogov.org



Tennyson Complete and Connected Corridor - Arvada, CO

Huitt-Zollars was chosen as the prime designer for the City of Arvada's Tennyson Complete and Connected project, conceived to provide a consistent and defined horizontal alignment with one lane of traffic in both the north and south direction on Tennyson Street, from Clear Creek to W 64th Avenue. Buffered bike lanes or "Sharrows" are to be striped in both directions of travel. Work includes: removals, pavement widening, curb, gutter and sidewalk, storm sewer improvements, signing and striping, and ROW acquisition. Additionally, a new pedestrian bridge is being constructed over Clear Creek, downstream of Tennyson Street.

CLIENT REFERENCE:

Kris Gardner, PE

City of Arvada

8101 Ralston Road

Arvada, CO 80002

P: 720.898.7647

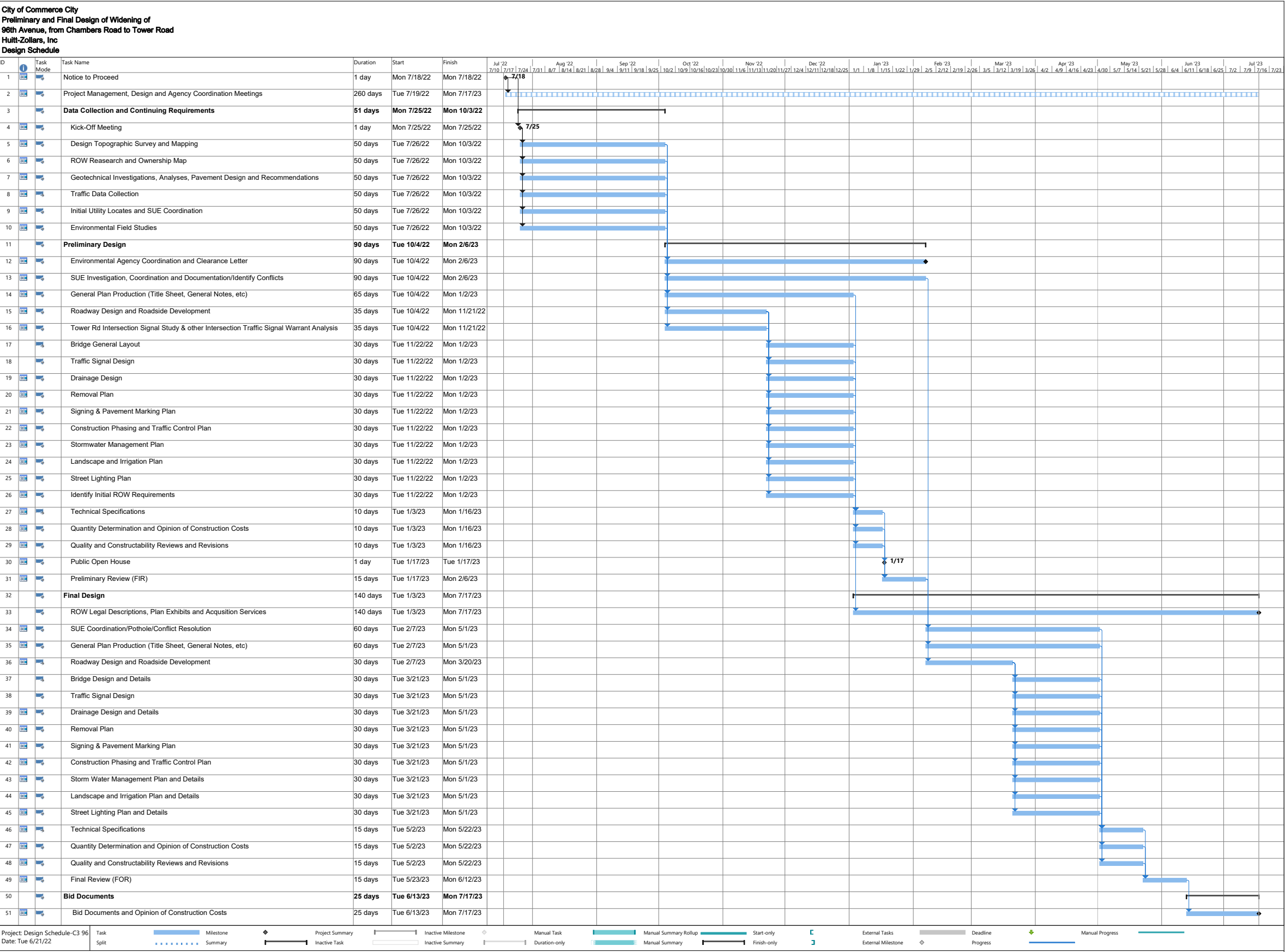
E: k.gardner@arvada.org

Adams County contracted with Huitt-Zollars, independently, to provide additional hydraulic analysis of the Clear Creek floodplain as an initial work element to eventually replace the existing Tennyson Street bridge. This work was performed to define the requirements of the future Tennyson Street bridge and ensure that the new pedestrian bridge is compatible with both the existing and future Tennyson Street bridges, without causing any floodplain impacts. The pedestrian bridge also resulted in other ancillary work required to relocate the City of Westminster's Kershaw Ditch headworks to mitigate an impact of the new pedestrian bridge.

E. EXCLUSIONS AND ADDITIONAL SERVICES

All exclusions and proposed modifications to the contract can be found in the Appendix.

F. PRELIMINARY PROJECT SCHEDULE



MILESTONE SCHEDULE

Notice to Proceed
July 2022

Data Collection and Continuing
Requirements
July 2022 – October 2022

Preliminary Design
October 2022 – February 2023

Final Design
February 2023 – June 2023

Bid Documents
June 2023 – July 2023

G. ADDITIONAL INFORMATION



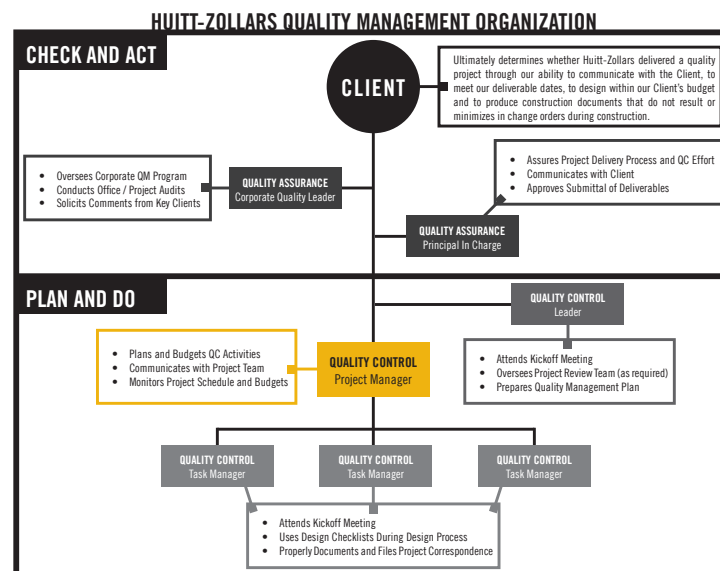
QUALITY MANAGEMENT APPROACH

Huitt-Zollars utilizes an ISO 9001:2015 compliant Quality Management System that serves as the foundation for continuous performance improvement in every aspect of our work. Performance is continuously measured for effectiveness and efficiency, and we aim to ensure that our services provide added responsiveness and value to C3's 96th Avenue Project.

Rob Demuele, PE, Principal-in-Charge, will actively monitor the work to ensure that uniform practices and expectations are in place. Savina Garcia, PE, as Quality Manager, will ensure that the project specific quality plan is prepared and implemented by the entire team, and will perform or direct independent technical reviews of all milestone submittals to ensure that they are accurate and complete.

Our quality process starts with training and a clearly defined work plan, and results in the quality product that C3 expects. Some of the key initiatives that will take place in this process include the following:

- Prepare a Project Quality Management Plan (QMP) that defines the scope, schedule, and role for each project participant and the uniform quality procedures to employ on the assignment.
- Conduct a quality / review.
- Employ uniform procedures and policies based on the City's policies and procedures.
- Employ uniform documentation and distribution methods for progress reports, design decisions, and current design documents so every team member has current information.
- Use design review checklists for each design discipline to validate the design process, confirm that standards and expectations are being met, and provide an opportunity for coordination among all disciplines.
- Provide constructability analyses at major milestones during design.
- Provide an environment of seamless teamwork and cooperation.
- Audit team activities for compliance with the QMP.
- Verify conformance to design criteria, contract requirements, and other documents.
- Employ a pro-active review, comment, and disposition process to resolve each and every comment.



We understand that ultimately it will be at the discretion of the C3 to determine if our team has provided quality services. We are committed to working with the C3 staff to ensure this project receives the high quality services it deserves.



Appendix A

Resumes & Contract Exceptions

The following resumes illustrate the full qualifications of our key personnel including registrations and organization participation.

ROB DEMUELE, PE

Principal-In-Charge

Rob Demuele serves as a Principal-in-Charge, a Project Manager, and a Quality Control Manager for Huitt-Zollars, actively participating in various projects throughout the firm. He has extensive experience working on roadway/infrastructure improvement projects and will use that knowledge in his oversight of the 96th Ave. Widening project. Rob will be responsible for making sure the firm's resources are properly allocated to ensure this project will proceed efficiently, within schedule and budget, while meeting the goals and requirements of the stakeholders.

RELEVANT PROJECT EXPERIENCE

- Sandoval County & NMDOT Co-Operative Road Projects, 2005-2010, Sandoval County
- ARRA Funded – Local Lead Sandoval County Bridge Rehabilitation, Sandoval County
- New Mexico Department of Transportation On-Call Drainage New Mexico,
- County Road 13 Bridge Rehabilitation - Cuba, New Mexico
- Phase I & Phase II MS4 Permitting - New Mexico Department of Transportation
- On-Call Drainage Engineering - New Mexico Department of Transportation
- Sandia Pueblo Drainage Improvements - Pueblo of Sandia

UNIQUE QUALIFICATIONS

- Authorized to execute contracts on behalf of Huitt-Zollars
- Managed diverse teams on municipal projects with multiple goals
- Works closely with Denver staff on various roadway improvement projects

EXPERIENCE

24 Years

EDUCATION

BS, Civil Engineering - University of New Mexico

REGISTRATION

Professional Engineer: New Mexico #16014

WENDY AMANN, PE

Project Manager / SUE Lead

Wendy Amann is eager to take on this complex, multi-faceted project for the City of Commerce City. The latter part of her career has been focused on managing large projects across the firm, using resources from various offices to get the work accomplished. She has great skill in bringing a diverse group of people together through consistent and frequent communication (via emails, phone calls, and in-person meetings). Wendy has the depth of experience to know just when a task needs to be initiated in a project and how to manage all aspects of a design process in order to bring a project to completion on time and within budget. Whether it is a site development project or a roadway improvement project, she knows how to bring the stakeholders together to complete the project to the satisfaction of all involved. The City of Commerce City will benefit from the depth of project experience she will bring to this endeavor.

RELEVANT PROJECT EXPERIENCE

- Aurora Intersection Improvement - Aurora, Colorado
- 128th Avenue and Colorado Boulevard Intersection Improvements - Thornton, Colorado
- North Avenue Pedestrian Gap Closure - Fort Collins, Colorado
- Lowell Boulevard Improvements - Adams County, Colorado
- Brighton Road Improvements - Commerce City, Colorado
- Tennyson Complete and Connected Corridor - Arvada, Colorado

PROFESSIONAL ORGANIZATIONS: ACEC, SAME, NCEES

UNIQUE QUALIFICATIONS

- Organized and thorough communicator
- Familiar with Adams County processes
- Worked on the new Adams County Fleet Maintenance Project
- PIC on Lowell Blvd project in Adams Co.

EXPERIENCE

32 Years

EDUCATION

BS, Mechanical Engineering - Colorado School of Mines

REGISTRATION

Professional Engineer: Colorado #32040

GERALD “JERRY” PRUSIK

Technical Advisor

Gerald Prusik has over 40 years of transportation and municipal engineering experience working in both the public and private sector. His experience includes roadway, municipal utilities, local and interstate roadways and mountainous design experience. His work has included preparation of NEPA environmental documents, concept development, planning, cost estimating, preliminary and final design, contract documents, construction observation/administration/management, and public/agency coordination. Due to his involvement on the Tower Rd improvement project, he will bring invaluable institutional knowledge to the 96th Ave widening project. Understanding the design basis for the Tower Rd/96th Ave. intersection will enable the HZ team to improve the intersection efficiently.

RELEVANT PROJECT EXPERIENCE

- Aurora Intersection Improvement - Aurora, Colorado
- 128th Avenue and Colorado Boulevard Intersection Improvements - Thornton, Colorado
- Tower Road Widening - Commerce City, Colorado
- Lowell Boulevard Improvements - Adams County, Colorado
- Brighton Road Improvements - Commerce City, Colorado
- Tennyson Complete and Connected Corridor - Arvada, Colorado

PROFESSIONAL ORGANIZATIONS: ACEC, ASCE

UNIQUE QUALIFICATIONS

- Organized and thorough communicator
- Familiar with Adams County processes
- Worked on the new Adams County Fleet Maintenance Project
- PIC on Lowell Blvd project in Adams Co.

EXPERIENCE

40 Years

EDUCATION

BS, Civil Engineering - Metropolitan State College of Denver

REGISTRATION

Professional Engineer: Colorado #25083

SAVINA GARCIA, PE

Quality Manager

Savina Garcia works as both a quality reviewer and a project manager for multiple civil engineering projects. Her projects and skills include project management, roadway widening and realignment design, multi-modal infrastructure design, drainage design, bridge design and inspection, utility design and construction, plan preparation, cost estimating, and construction management. Garcia has been a critical member of numerous highly complex projects requiring a sensitivity to public issues, and integrating multi-modal infrastructure (multi-use trail, bicycle lanes, ADA facilities, etc.) with roadway design.

RELEVANT PROJECT EXPERIENCE

- Brighton Road Improvements - Commerce City, Colorado
- On-Call Traffic Eng. & Neighborhood Traffic Management Program - Albuquerque, New Mexico
- Southern Blvd. Reconstruction, Phase I - Rio Rancho, New Mexico
- Intersection Enhancements Conceptual Design - Albuquerque, New Mexico
- Lead & Coal Avenues Improvements Project - Albuquerque, New Mexico

UNIQUE QUALIFICATIONS

- Quality Manager on Brighton Road Improvements (Commerce City, CO)
- 20 years of transportation engineering
- Provides quality reviews for the company throughout the offices

EXPERIENCE

23 Years

EDUCATION

BS, Civil Engineering - New Mexico State University

REGISTRATION

Professional Engineer: New Mexico #16020

DAISY QUINTANA, EIT, CFM

Drainage Design

Daisy Quintana is a water resource and civil engineer-in-training. She is a Colorado native and dedicated civil engineer skilled in all phases of engineering operations. Quintana is a forward-thinking professional passionate about hydrology/hydraulic systems engineering. She is committed to designing high-quality, environmentally conscious, and cost-effective hydraulic solutions for Colorado and local communities.

RELEVANT PROJECT EXPERIENCE

- Brighton Road Improvements - Commerce City, Colorado
- Adams County Fleet Transportation Facility - Adams County, Colorado
- Tennyson Complete and Connected Corridor - Arvada, Colorado
- University and Mexico Master Drainage Plan - Denver, Colorado
- 40th Avenue Master Drainage Plan - Denver, Colorado
- Upper Goldsmith and South Outfall Ditch - Denver, Colorado
- Town of Berthoud Roadway Construction - Berthoud, Colorado

PROFESSIONAL ORGANIZATIONS: WTS

UNIQUE QUALIFICATIONS

- Familiar with State and Federal requirements
- **Certified Flood Plain Manager**
- Knowledgeable about CDOT plan format requirements

EXPERIENCE

12 Years

EDUCATION

BS, Civil Engineering, Minor in Latin American Political Economy - Colorado School of Mines

REGISTRATION

Engineer-in-Training: Colorado #64104

LOGAN KISER, PE

Roadway Design

Logan Kiser has a strong background in the design and preparation of plans and specifications on civil engineering related projects. Kiser has a considerable amount of experience managing numerous other consultants to achieve the technical objectives of a project while developing practical, cost-effective design solutions. He is extremely well-versed in drainage, roadway design, utilities, traffic control plans, and construction issues relating to urban street and drainage projects.

RELEVANT PROJECT EXPERIENCE

- Buffalo Creek Parallel Interceptor - Dallas, Texas
- City of Denison Loy Lake Road Phase I - Denison, Texas
- CU Boulder C4C Dock - Denver, Colorado
- CU Boulder Marine Ct. Drainage - Denver, Colorado
- Flora Road Reconstruction - Denison, Texas

PROFESSIONAL ORGANIZATIONS: ASCE, NSPE, ULI

UNIQUE QUALIFICATIONS

- Experience includes civil engineering for transportation and utility projects
- Understands local requirements
- Brings creative solutions to every project

EXPERIENCE

4 Years

EDUCATION

BS, Civil Engineering - Texas A&M University College

REGISTRATION

Professional Engineer:
Colorado #59755
Texas #142222

ALEJANDRA GALLEGOS, PE, PTOE

Traffic Signal and Intersection Traffic Analysis

Alejandra Gallegos has experience in traffic and transportation engineering projects. Her capabilities include traffic and planning studies, parking studies, design of ADA compliant accessible routes, traffic control, pedestrian hybrid beacon design, traffic signal design, roadway design, and signing and striping of roadways, school zones and railroad crossings. Gallegos has experience with AutoCAD, Microstation, GEOPAK, SignCAD, GuidSIGN, Synchro Traffic Signal Optimization Software, VISSIM Traffic Simulation Software, and the Highway Capacity Software.

RELEVANT PROJECT EXPERIENCE

- Brighton Road Improvements - Commerce City, Colorado
- 128th Widening and Colorado Boulevard Intersection Improvements - Thornton, Colorado
- Cotton Belt Trail Traffic Signal Improvements - Grapevine, Texas
- City of El Paso Traffic Signal Design Services - El Paso, Texas
- TIRZ 9 & TIRZ 25 Traffic Analysis - Houston, Texas
- The Village Traffic Signal Design and Modifications - The Village, Oklahoma
- Henderson Complete Street and Traffic Signal Design - Dallas, Texas

UNIQUE QUALIFICATIONS

- Has worked with the design team on several Denver Metro projects
- Understands traffic management challenges and designs a project that will function properly

EXPERIENCE

9 Years

EDUCATION

MS, Civil Engineering - University of Texas at El Paso; BS, Civil Engineering - University of Texas at El Paso

REGISTRATION

Professional Engineer: Colorado #57424;
Professional Traffic Operations Engineer:
PTOE #4220

CINDY ARTEAGA, PE

Bridge Design Review

Cindy Arteaga is a structural engineer with 4 years of experience. Her unique background as a structural engineer with a minor in mechanical engineering makes her a perfect fit for a variety of projects. She has extensive experience with a multitude of types of projects including bridges, roadways, culverts, utility infrastructure, and pedestrian sidewalks. This diverse background makes her a perfect fit for this Commerce City project.

RELEVANT PROJECT EXPERIENCE

- Arvada - Tennyson Corridor - Arvada, CO
- Brighton Road Improvements - Commerce City, Colorado
- Bridge Hydraulics on 12th and Crooked Creek - Goldsby, OK
- IH 345 Structural Analysis - Dallas, TX
- Meadow Creek Development Restland Bridge - Dallas, TX
- SH 114 Bridge Enhancements - Irving, TX
- Preston Road Corridor Intersections - Plano, TX

UNIQUE QUALIFICATIONS

- Organized and thorough communicator
- Familiar with Commerce City processes
- Designed the new Brighton Rd bridge over Fulton ditch

EXPERIENCE

7 Years

EDUCATION

BS, Civil Engineering, Southern Methodist University

REGISTRATION

Professional Engineer: Colorado #57704
Texas #134013

JIM NOLL, PE

Geotechnical Engineering

Jim Noll has experience in geotechnical, geological and materials engineering. He has performed a wide variety of investigations and engineering services for projects including transportation; drainage waterways; retail, industrial and commercial buildings; water and wastewater treatment/distribution facilities; residential development; earthen dams; and mining operations. Transportation related projects range from urban interchanges to mountainous terrain to rural aggregate surface roadways.

RELEVANT PROJECT EXPERIENCE

- Brighton Road Improvements - Commerce City, Colorado
- Lowell Boulevard Improvements - Adams County, Colorado
- Tennyson Complete and Connected Corridor - Arvada, Colorado
- 144th Avenue Improvements - Thornton, Colorado
- 144th Avenue and Colorado Blvd Intersection Improvements - Thornton, Colorado
- I-25 and 84th Avenue - Thornton, Colorado

UNIQUE QUALIFICATIONS

- Knowledgeable about Front Range paving nuances
- Extensive pavement design experience enables him to provide unique solutions to project

EXPERIENCE

40 Years

EDUCATION

BS, Civil Engineering - University of Colorado

BS, Geology - Winona State University

KEVIN RAMBERG

Environmental Studies and Permitting

Kevin Ramberg is a principal at ACI and serves as the firm's Chief Operating Officer. Ramberg's work concentrates within the federal, state, and local environmental regulations as they relate to authorization of public and private works. He has experience documenting under NEPA, the Endangered Species Act and the Clean Water Act. Ramberg has extensive experience permitting federal and state actions in Texas, New Mexico, and Colorado. His work includes infrastructure improvements including transportation, oil, gas and water transmission, and surface water management. Ramberg is permitted by the USFWS to conduct habitat evaluations and censusing surveys for various endangered species.

RELEVANT PROJECT EXPERIENCE

- Iron Horse Park, Jurisdictional Water Assessment and Section 404 Permit Application - Fort Carson, Colorado
- Commerce Place CLOMR, Endangered Species Act Assessment - Commerce City, Colorado
- Environmental Site Assessment - Boulder, Colorado
- Endangered Species Assessment for 37-Mile Pipeline - Weld County, Colorado
- Colorado West 48th Avenue Environmental Site Assessment - Denver, Colorado

UNIQUE QUALIFICATIONS

- Extensive experience permitting federal and state actions in Colorado
- Permitted by the USFWS to conduct habitat evaluations and censusing surveys for various endangered species
- Experience documenting under NEPA, the Endangered Species Act and the Clean Water Act

EXPERIENCE

21 Years

EDUCATION

BS, Biology - University of Texas at Austin

CERTIFICATION

USFWS Permitted

MARK WILCOX, ASLA

Landscape and Irrigation

Mark Wilcox has worked on numerous municipal and transportation projects all over the world. He has been involved in a variety of projects; streetscapes and community designs; planning and designing school play yards, higher education campuses, parks, public facilities, athletic fields; and resort master planning and development. Wilcox's contributions to DHM showcase his many diverse talents from managing projects to creating beautiful colorful renderings; planning and design, and understanding the technical aspects of implementing these designs. His outstanding abilities have led to DHM's success with award-winning projects across the region.

RELEVANT PROJECT EXPERIENCE

- Brighton Road Improvements - Commerce City, Colorado
- Tower Road Widening - Commerce City, Colorado
- Long Road Reconstruction - Greenwood Village, Colorado
- 104th Avenue Streetscape - Commerce City, Colorado
- 106th Avenue and Biscay Streetscape - Commerce City, Colorado
- Centennial Valley Business Park Streetscape - Louisville, Colorado
- Reunion Streetscape - Commerce City, Colorado

UNIQUE QUALIFICATIONS

- Worked with Huitt-Zollars on a variety of projects
- Experience includes a myriad of landscape design projects, specifically including roadway improvements with streetscape enhancements

EXPERIENCE

27 Years

EDUCATION

Bachelor of Landscape Architecture - Kansas State University

REGISTRATION

Professional Landscape Architect: Colorado #LA-204

LARRY RISINGER, SR/WA, RPLS

ROW Acquisition

Larry Risinger began his career as a surveyor in Texas after graduating from Stephen F. Austin University. He joined Universal and became a skilled right-of-way agent and went into leadership roles where he became the Vice President for Texas and Colorado.

RELEVANT PROJECT EXPERIENCE

- Brighton Road Improvements - Commerce City, Colorado
- Lowell Boulevard Improvements 56th Avenue to 62nd Avenue - Adams County, Colorado
- Tennyson Complete and Connected Corridor - Arvada, Colorado
- Loop 375-Broder Highway West Extension - El Paso, Texas
- SH 121 Outer Loop to North of FM 455 - Collin County, Texas
- TXDOT - I-35, US 380, and FM 981 - Various Locations, Texas
- DRTD FasTracks West Corridor - Denver, Colorado
- CDOT - US 85 and Fort Morgan - Various Locations, Colorado

UNIQUE QUALIFICATIONS

- Extensive ROW experience with respect to appraisals, negotiations, and acquisition

EXPERIENCE

39 Years

EDUCATION

BS, Geology - Stephen F. Austin State University

REGISTRATION

Colorado Real Estate Employing Broker,
License No. E01326668
Member, International Right of Way
Association Senior Designation
Texas Professional Land Surveyor, #4880

JASON HERRMAN, PE

Bridge Design

Jason Herrman is a Structural Engineer and Bridge Inspector with experience designing box culverts, small bridges, drainage structures, retaining walls and other underground structures carrying heavy loads. Jason has inspected many bridges throughout the Front Range for the Colorado Department of Transportation (CDOT) as well as the City & County of Denver (CCD). Jason is proficient with database systems such as BrMe (used by CDOT), and Fulcrum (used by CCD). As an Engineering Manager with Oldcastle Precast, Jason has developed a unique and in-depth understanding of precast concrete, concrete joints, and bridge behavior under live loads. In addition, Jason prepared report documents for the inspected bridges, and performed load ratings of concrete and steel bridges using BrR software for vehicles specified by CDOT and FHWA.

RELEVANT PROJECT EXPERIENCE

- Chambers Road Bridge over Second Creek - Commerce City, Colorado
- O'Brien Canal under Second Creek - Commerce City, Colorado
- Cast-in-Place Stormwater Structures Design - Denver, Colorado
- CDOT On-System Bridge Load Ratings - Colorado
- North Washington Street Widening - Thornton, Colorado

UNIQUE QUALIFICATIONS

- Familiar with C3 requirements
- Extensive bridge design experience

EXPERIENCE

8 Years

EDUCATION

BS, Mechanical Engineering, John Brown University
MS, Civil Engineering, University of Arkansas

REGISTRATION

Professional Engineer: Colorado #47660
FHWA-NHI-130056 Safety Inspection of In-Service Bridges

JOHN MIGLIACCIO, PE, LEED AP

Bridge Design

Mr. Migliaccio is a Bridge Engineer and project manager who has performed design of bridges, retaining walls, and other transportation structures throughout Commerce City and the Front Range. He is proficient in modeling, analysis, and design of various types of bridge structural systems. On his past projects, John has interfaced and closely coordinated with many state and municipal government agencies. He also brings invaluable experience in the construction industry as an estimator and a project engineer. John volunteers his time as the State Coordinator for the Colorado High School Bridge Building Competition. John has been a partner at San Engineering for 15 years.

RELEVANT PROJECT EXPERIENCE

- 96th Avenue Bridge of Second Creek - Commerce City, Colorado
- Chambers Road Bridge over Second Creek - Commerce City, Colorado
- O'Brien Canal under Second Creek - Commerce City, Colorado
- Second Creek Outfall at 112th Ave - Commerce City, Colorado
- Second Creek Trail - Commerce City, Colorado

UNIQUE QUALIFICATIONS

- Worked on original 96th Avenue bridge over 2nd Creek
- Understands C3 requirements

EXPERIENCE

20 Years

EDUCATION

BS, Civil Engineering, University of Colorado
MS, Civil Engineering, University of Colorado

REGISTRATION

Professional Engineer: Colorado #34333

As requested, we have the following comments and proposed changes to the standard terms and conditions within the City of Commerce City's contract:

Article I.E. entitled "Warranties" should be deleted in its entirety and replaced with the "Standard of Care" with the following language following:

E. Standard of Care. In providing services under this Agreement, the Contractor shall perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances at the same time and in the same or similar locality. Upon notice to the Contractor and by mutual agreement between the parties, the Contractor will, without additional compensation, correct those services not meeting such a standard. The Contractor makes no warranty, express or implied, as to its professional services rendered under this Agreement.

Reason for requested change above -- Although warranties may be commonplace in a constructor's contract, they have no place in a design consultant's agreement. The problem is that by definition, the word warrant means to assure the total accuracy of something and to certify that "... all work will be free from defects." The requirement for Warranties as noted lies in a construction contract, not a professional services contract. The perfect set of plans has yet to be produced and therefore professional services firms cannot and do not warrant their work. In addition, if we were to warrant something, we would be assuming a level of contractual liability well beyond the standard of care required by law. As a design professional, all we are required to do is conform to the standard of care as practiced by our peers. And that's what our professional liability insurance covers. It is important to remember that our professional liability insurance does not cover breach of contract or breach of warranty, the assumption of someone else's liability, or a promise to perform to a higher standard of care than required by law. Engineers, Architects, Surveyors and other designated professional service firms must perform in accordance with the Standard of Care as defined above. We therefore respectfully request a change in this section language.

Article IX.E. entitled "Time is of the Essence". We request that the following sentence be added at the end of the first sentence:

"Notwithstanding the foregoing, Contractor shall not be responsible for delays or damages or declared to be in default by reason of delays in performance or by reason of strikes, lockouts, accidents, acts of God, and other delays unavoidable or beyond Engineer's reasonable control, delays in approval by governmental agencies, or delays in work of other consultants performing services on behalf of the City.

Reason for requested change above -- We agree with the concept of maintaining a strict schedule to the extent possible, but the language in this clause does not account for delays caused by issues beyond our ability to control, including, but not limited to extreme weather events, etc. We therefore respectfully request this change to add these extenuating circumstance to be excused instead of any delay potentially being considered "breach of our agreement" as the current language implies.

Article IV. INDEMNITY—We request that the following paragraph in italics be added as a second paragraph in the Indemnity to provide the requirements for indemnitors providing architectural, engineering, or surveying services.

"If Consultant's obligation to defend, indemnify, and /or hold harmless arises out of Consultant's performance of architectural, engineering, or surveying services (as those terms are used under Colorado Statute 13-50.5-102., then, it is enforceable only to the extent and for an amount represented by the degree or percentage of negligence or fault attributable to the indemnity obligor and only to the extent required by the Statute, which is fully incorporated herein. The extent of an indemnity obligor's obligation to defend, indemnify, or hold harmless an indemnity obligee may be determined only after the indemnity obligor's liability or fault has been determined by adjudication, alternative dispute resolution, or otherwise resolved by mutual agreement between the indemnity obligor and obligee."



HUITT-ZOLLARS MISSION STATEMENT

Our *commitment* is to understand the needs of our clients and to meet those needs by delivering professional services with the highest level of ***quality & integrity***.

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