



# **Town Board of Trustees**

**Tuesday, October 11, 2022 at 7:00 pm**

**PLEASE SILENCE ALL CELL PHONE AND ELECTRONIC DEVICES.  
THANK YOU.**

## **1. Meeting Information**

207 Muegge Way, Bennett, CO 80102

For a live stream of the meeting use the information below:

<https://us02web.zoom.us/j/82969043900>

Meeting ID: 829 6904 3900

Passcode: 166365

One tap mobile

+13462487799

## **2. Call to Order**

Royce D. Pindell, Mayor

### **a. Roll Call**

## **3. Pledge of Allegiance**

Royce D. Pindell, Mayor

## **4. Approval of Agenda**

Royce D. Pindell, Mayor

## **5. Consent Agenda**

Royce D. Pindell, Mayor

### **a. September 27, 2022 - Regular Meeting Minutes**

#### **Attachments:**

- **September 27, 2022 - Regular Meeting Minutes** (September\_27\_\_2022\_Regular\_Meeting\_Minutes.pdf)

### **b. Arapahoe County Open Space 2022 Grant Agreement**

Resolution No. 938-22 - A Resolution Approving an Intergovernmental Agreement Regarding 2022 Grant of Arapahoe County Open Space Program Funds for Bennett Regional Park and Open Space Landscaping and Amenities II

#### **Attachments:**

- **Staff Report Arapahoe County Open Space 2022 Grant Agreement** (0\_-\_Staff\_Report\_IGA\_Grant.pdf)
- **Arapahoe County Open Space 2022 Grant Agreement Award Letter** (1\_-\_Award\_Letter\_-\_BRPOS.pdf)
- **Intergovernmental Agreement (IGA) Regarding 2022 Grant of Arapahoe County Open Space Program Funds Project Name: Bennett Regional Park and Open Space (BRPOS) Landscaping and Amenities II** (2\_-\_IGA\_BRPOS\_Amenities.pdf)
- **Resolution No. 938-22 - A Resolution Approving an Intergovernmental Agreement Regarding 2022 Grant of Arapahoe County Open Space Program Funds for Bennett Regional Park and Open Space Landscaping and Amenities II** (3\_-\_No.\_938-22\_Approving\_IGA\_with\_Arapahoe\_Open\_Space\_BRPOS\_Landscaping\_and\_Amenities\_II.pdf)

**c. Bennett School District 29J Bond Initiative 5A**

Resolution No. 939-22 - A Resolution in Support of Ballot Issue 5A, Appearing on the November 8, 2022 Ballot, Concerning the Bennett School District 29J's Bond Initiative

**Attachments:**

- **Resolution No. 939-22 - A Resolution in Support of Ballot Issue 5A, Appearing on the November 8, 2022 Ballot, Concerning the Bennett School District 29J's Bond Initiative** (Resolution\_in\_Support\_of\_Bond\_Initiative\_2022-v1\_\_clean\_.pdf)

## **Public Comments on Items Not Scheduled for Public Hearing**

The Board of Trustees welcomes you. Thank you for joining us for our Town of Bennett Board of Trustees Meeting. If you are not speaking, we ask that you please mute your microphone. For public comment please sign up on the provided sheet or in the chat box. If you are on the phone, once we get through the sign-up sheet and chat box we will call for any other comments for items not on the agenda.

Your comments will be limited to three (3) minutes. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town staff for follow-up. Thank you.

## **Regular Business**

### **6. Public Hearing**

**a. Case No. 22.11 - The Shops at Bennett Subdivision, Amendment No. 1 Final Plat**

Resolution No. 937-22 - A Resolution Recommending Approval of A Final Plat for The Shops at Bennett Subdivision, Amendment No. 1

Steve Hebert, Planning Manager

**Attachments:**



- **Public Hearing Script** (0\_-\_Public\_Hearing\_Script.PC.pdf)
- **Staff Report Case No. 22.11 - The Shops at Bennett Subdivision, Amendment No. 1 Final Plat** (1\_-\_Shops\_at\_Bennett\_Sub\_Amend\_No1\_Board\_StaffReport\_10\_11\_22v2.pdf)
- **PowerPoint Presentation Case No. 22.11 - The Shops at Bennett Subdivision, Amendment No. 1 Final Plat** (1\_Shops\_at\_Bennett\_Amnd\_1\_Board\_Presentation\_10\_11\_22.pdf)
- **Land Use Application** (2\_SAB2-Application.pdf)
- **Applicant's Letter of Intent** (3\_SAB2-Letter\_of\_Intent.pdf)
- **Proposed Final Plat** (4\_Shops\_at\_Bennett\_Amend\_No.1\_Plat\_9-15-22.pdf)
- **Traffic Impact Analysis** (5\_SAB2-traffic\_impact\_analysis.pdf)
- **Combined Referral Agency Responses** (6\_CombinedReferralComments\_Shops\_at\_Bennett\_Amend\_1.pdf)
- **Planning and Zoning Commission Resolution No. 2022-17** (7\_Resolution\_No.\_2022-17\_-\_Recommending\_Approval\_of\_a\_Final\_Plat\_for\_the\_Shops\_at\_Bennett\_Subdivision\_\_Amendment\_No.\_1.pdf)
- **Resolution No. 937-22 - A Resolution Recommending Approval of A Final Plat for The Shops at Bennett Subdivision, Amendment No. 1** (8\_Shops\_at\_BennettAmendNo.1\_FinalPlat\_reso\_937-22.pdf)
- **Suggested Motion** (suggested\_motion.pdf)

## 7. Action/Discussion Items

### a. Public-Private Partnership Lease Agreement for Animal Shelter Services

Ordinance No. 759-22 - An Ordinance Approving a Lease Agreement with Broken and Beautiful Bennett  
Rachel Summers, Deputy Town Administrator

#### Attachments:

- **Staff Report Public-Private Partnership Lease Agreement for Animal Shelter Services** (0\_-\_TownofBennett\_Staff\_Report\_Update.pdf)
- **Lease Agreement** (1\_-\_Long\_Term\_Lease\_Agreement\_with\_Gina\_\_10-3-22\_clean\_.pdf)
- **Ordinance No. 759-22 - An Ordinance Approving a Lease Agreement with Broken and Beautiful Bennett** (2\_-\_Ordinance\_No.\_759-22\_Animal\_Shelter\_Lease.ord.pdf)
- **Suggested Motion** (3\_-\_suggested\_motion.pdf)

### b. Adams County Intergovernmental Agreement (IGA) Animal Shelter/Adoption Center Services

Resolution No. 940-22 - A Resolution Approving and Intergovernmental Agreement with the County of Adams for Animal Shelter/Adoption Center Services

Trish Stiles, Town Administrator

#### Attachments:

- **Staff Report Adams County Intergovernmental Agreement (IGA) Animal Shelter/Adoption Center Services** (0\_-\_Staff\_Report\_ADCO\_Animal\_IGA\_Oct\_2022.pdf)
- **2023-2024 Riverdale Animal Shelter Cost of Care Analysis** (2023-24\_Cost\_of\_Care\_Analysis\_Bennett-RAS.pdf)

- **Exhibit B: Annual Flat Rate Fee Schedule** (Exhibit\_B\_2023\_Bennett\_Annual\_Flat-rate\_Fee\_Schedule.pdf)
- **Adams County Intergovernmental Agreement (IGA) Animal Shelter/Adoption Center Services** (3\_-\_CLEAN\_COPY\_COPY\_Adams\_County-RAS\_and\_Bennett\_2023\_IGA\_Draft\_1.pdf)
- **Resolution No. 940-22 - A Resolution Approving and Intergovernmental Agreement with the County of Adams for Animal Shelter/Adoption Center Services** (4-\_Draft\_Resolution\_Adams\_County\_Animal\_Management\_Services\_2022\_IGA\_\_clean\_.pdf)
- **Suggested Motion** (5-\_suggested\_motion.pdf)

**c. Bennett Regional Park and Open Space Fishing Pond Shelter Amenities**

Robin Price, Public Works Director

**Attachments:**

- **Staff Report Bennett Regional Park and Open Space Fishing Pond Shelter Amenities** (0\_-\_TownofBennett\_Staff\_Report\_Bennett\_Regional\_Park\_and\_Open\_Space\_Shelter\_Improvements.pdf)
- **Kuhn Construction, Inc. Proposal** (1\_-\_Kuhn\_Construction\_Inc.\_Proposal.pdf)
- **Anson Excavating Proposal** (2\_-\_Anson\_Excavating\_Proposal.pdf)
- **Altitude Recreation Proposal Shelter #1** (3\_-\_BENNETT\_FISHING\_POND\_SHELTERS\_\_1.pdf)
- **Altitude Recreation Proposal Shelter #2** (4\_-\_BENNETT\_FISHING\_POND\_SHELTERS\_\_2.pdf)
- **Altitude Recreation Example of Shelter** (5\_-\_Altitude\_Recreation\_Example\_of\_Shelter.pdf)
- **Suggested Motion** (6\_-\_suggested\_motion.pdf)

**d. Morton Electric - Change Order MP-79 - 001**

Daymon K. Johnson, Capital Projects Director

**Attachments:**

- **Staff Report Morton Electric - Change Order MP-79-001** (0\_-\_Staff\_Report\_-\_Change\_Order\_MP-79\_-\_001\_-\_DJ\_-\_10.6.22\_THRedline.pdf)
- **Original Access Permit and Permit Application dated 8/16/2021** (1\_-\_State\_Highway\_Access\_Permit\_Final\_CDOT\_-\_Executed\_-\_4.25.22.pdf)
- **Notice to Proceed from CDOT dated 6/16/22** (2\_-\_CDOT\_NTP\_-\_6-16-22.pdf)
- **Change Order - MP-79-001** (Change\_Order\_001\_-\_Asphalt\_Increase\_-\_CDO\_T\_delays\_-\_10.5.22.pdf)
- **Suggested Motion** (4\_-\_suggested\_motion.pdf)

**e. Fair Campaign Practices Act**

Melinda Culley, Town Attorney

**f. Town of Bennett Proclamation**

Royce D. Pindell, Mayor

**Attachments:**

- **Town of Bennett Proclamation** (Proclamation.pdf)

**8. Town Administrator Report**

Trish Stiles, Town Administrator

**Attachments:**

- **Town Administrator Title Change** (Town\_Administrator\_Title\_Change.pdf)

**9. Trustee Comments and Committee Reports**

Mayor and Trustees

**10. Executive Session**

- a. For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); regarding an amendment to the IGA with the Bennett Park and Recreation District**

**Attachments:**

- **Executive Session Script** (Bennett\_Exec\_Session\_Script.pdf)

- b. Return to Open Meeting**

- c. Report from Executive Session**

**11. Adjournment**

Individuals with disabilities who need auxiliary aids in attending the meeting may request assistance by contacting the Town Hall at 207 Muegge Way, Bennett, CO 80102-7806, (303) 644-3249. Please give notice at least 48 hours in advance of the meeting to allow for enough time in making the necessary arrangements.

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Contact: Christina Hart (chart@bennett.co.us 1303-644-3249 X1001) | Agenda published on 10/07/2022 at 7:39 AM



# **Town Board of Trustees**

## **Minutes**

**Tuesday, September 27, 2022 at 7:00 pm**

**PLEASE SILENCE ALL CELL PHONE AND ELECTRONIC DEVICES.  
THANK YOU.**

### **1. Meeting Information**

207 Muegge Way, Bennett, CO 80102

### **2. Call to Order**

Royce D. Pindell, Mayor

#### **a. Roll Call**

##### **Minutes:**

##### **Present:**

Royce D. Pindell, Mayor  
Darvin Harrell, Mayor Pro Tem  
Kevin Barden, Trustee  
Steve Dambroski, Trustee  
Whitney Oakley, Trustee  
Denice Smith, Trustee  
Donna Sus, Trustee

##### **Staff Present:**

Trish Stiles, Town Administrator  
Rachel Summers, Deputy Town Administrator  
Taeler Houlberg, Administrative Services Director  
Danette Ruvalcaba, Town Treasurer and Director of Finance  
Alison Belcher, Communications and IT Director  
Adam Meis, IT and Communications Manager  
Steve King, Special Projects Coordinator  
Melinda Culley, Town Attorney  
Christina Hart, Town Clerk

##### **Public Present:**

Kathy Smiley  
Ricky Stroh

### 3. Pledge of Allegiance

Royce D. Pindell, Mayor

#### Minutes:

The Pledge of Allegiance was led by Royce D. Pindell, Mayor.

### 4. Approval of Agenda

Royce D. Pindell, Mayor

#### Minutes:

**MAYOR PRO TEM HARRELL MOVED, TRUSTEE DAMBROSKI SECONDED** to approve the agenda as presented. The voting was as follows:

Ayes: Dambroski, Harrell, Oakley, Pindell, Smith, Sus, Barden

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

### 5. Consent Agenda

Royce D. Pindell, Mayor

#### Minutes:

**TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED** to approve the consent agenda as presented. The voting was as follows:

Ayes: Harrell, Oakley, Pindell, Smith, Sus, Barden, Dambroski

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:** Approval of August 23, 2022 Regular Meeting Minutes **2. Action:** Approval of Resolution No. 935-22 **3. Action:** Approval of Resolution No. 934-22 **4. Action:** Approval of Resolution No. 936-22

#### **PUBLIC COMMENTS NO ON THE AGENDA**

Rich Stroh, 179 Dahlia Street, commented about the Dynamic Braking signs.

#### **a. August 23, 2022 - Regular Meeting Minutes**

#### **b. 2021 Town of Bennett Audit**

Resolution No. 935-22 - A Resolution Accepting the 2021 Audit for the Town of Bennett

#### **c. Resolution No. 934-22 - A Resolution Supporting the Grant Application for the Energy and Mineral Impact Assistance Program Application from the Department of Local Affairs for the Town of Bennett Custer Street Sanitary Sewer Bypass**

#### **d. Resolution No. 936-22 - A Resolution Supporting the Grant Application for a Recreational Trails Grant Program from Colorado Parks and Wildlife for the Construction of a Multi-Model Trail Located Along the East Side of Highway 79 from East Colfax/Highway 36 to Kiowa Creek Open Space**

### **Public Comments on Items Not Scheduled for Public Hearing**

The Board of Trustees welcomes you. Thank you for joining us for our Town of Bennett Board of Trustees Meeting. If you are not speaking, we ask that you please mute your microphone. For public comment please sign up on the provided sheet or in the chat box. If you are on the phone, once we get through the sign-up sheet and chat box we

will call for any other comments for items not on the agenda.

Your comments will be limited to three (3) minutes. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town staff for follow-up. Thank you.

## **Regular Business**

### **6. Public Hearing**

#### **a. Local Government Opt Out of Colorado Family and Medical Leave Insurance**

Resolution No. 933-22 - A Resolution Declaring the Town of Bennett's Decision to Decline all Participation in the Colorado Paid Family and Medical Leave Insurance (FAMLI) Program

##### **Minutes:**

Royce D. Pindell, Mayor, opened the public hearing on the Colorado Paid Family and Medical Leave Insurance Program.

The public hearing was opened at 7:11 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on September 2, 2022.

Taeler Houlberg, Administrative Services Director, reported to the Trustees the Family Medical Leave Insurance Program was approved by Colorado voters in November 2020. The program ensures Colorado workers have access to paid leave during certain life circumstances.

##### **PUBLIC COMMENTS**

No public comments were presented.

The public hearing was closed at 7:32 p.m.

**TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to approve Resolution No. 933-22 - A resolution declaring the Town of Bennett's decision to decline all participation in the Colorado Paid Family and Medical Leave Insurance Program. The voting was as follows:

Ayes: Oakley, Pindell, Smith, Sus, Barden, Dambroski, Harrell

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

### **7. Action/Discussion Items**

#### **a. Kinetic Wind Sculpture Solicitation**

##### **Minutes:**

Steve King, Special Projects Coordinator, presented the kinetic wind sculpture solicitation to the Board.

**TRUSTEE OAKLEY MOVED, TRUSTEE DAMBROSKI SECONDED** to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with James Peterson's Art and Contraptions in an amount not to exceed \$100,000 for the creation of a kinetic wind sculpture. The voting was as follows:

Ayes: Pindell, Smith, Sus, Barden, Dambroski, Harrell, Oakley

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

#### **b. Childhood Cancer Proclamation**

##### **Minutes:**

Royce D. Pindell, Mayor, presented the Childhood Cancer Proclamation.

#### **c. Comfort Inn & Suites PIRA Amendment**

##### **Minutes:**

Royce D. Pindell, Mayor, presented the Comfort Inn and Suites PIRA amendment to the Trustees.

**TRUSTEE SUS MOVED, TRUSTEE DAMBROSKI SECONDED** to approve the extension of the PIRA amendment and extend the PIRA between the Comfort Inn and the Town of Bennett an additional seven days to July 7, 2022, as requested by Bruce Rahmani. The voting was as follows:

Ayes: Smith, Sus, Dambroski, Pindell

Nays: Barden, Harrell, Oakley

Royce D. Pindell, Mayor, declared the motion carried 4 to 3.

### **8. Town Administrator Report**

##### **Minutes:**

- Shout out to Staff, Board of Trustees and the community for a successful Bennett Days despite the weather.
- An updated Smartsheet link has been provided with the weekly update. Staff encourages the Board to review it. A Bennett Days link is provided for feedback about Bennett Days.
- A documentary about Colfax Avenue is in production. The team will be visiting Bennett on October 4th to highlight the Veterans Memorial.
- Ms. Stiles is asking the Board to consider her title to be changed and updated from Town Administrator to Town Manager.
- Love's ground breaking for the additional trucking parking is scheduled for September 28th at 11:30 a.m.
- Adams County Subregional Forum is scheduled for October 6th.
- Rachel Hample is on medical leave. Lynette White will serve as her backup.

- NOMCOM (North Municipal Complex) possible temporary certificate of occupancy could be issued by October 6th.
- The Town will begin recognizing Veteran's Day as a holiday beginning in 2022.
- Wishes Steve King the best of luck as he begins a new chapter.

## 9. Trustee Comments and Committee Reports

Mayor and Trustees

### Minutes:

#### **Donna Sus, Trustee, reported on the following:**

- Could trash receptacles be installed around the Trupp Park soccer fields?

#### **Kevin Barden, Trustee, reported on the following:**

- Trupp Park has sustained damage to the turf.

#### **Whitney Oakley, Trustee, reported on the following:**

- Shout out to Steve King for his work regarding the kinetic wind sculpture.
- Kudos to Town staff for all of their hard work on Bennett Days.

#### **Steve Dambroski, Trustee, reported on the following:**

- Who carries the insurance on the bull riding during Bennett Days? Melinda Culley, Town Attorney reported the rodeo organizer is required to carry the liability insurance naming the Town of Bennett as additional insured. The Town is indemnified.

#### **Denice Smith, Trustee, reported on the following:**

- Dynamic Braking signs have been installed on west Colfax, however, CDOT removed the speed limit signs.

#### **Royce D. Pindell, Mayor, reported on the following:**

- Thanked Staff for all of their hard work during Bennett Days.

## 10. Executive Session

- For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); Animal Shelter Partnership**

### Minutes:

**TRUSTEE OAKLEY MOVED, TRUSTEE BARDEN SECONDED** to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); Animal Shelter Partnership.

Voting was as follows:

Ayes: Sus, Barden, Dambroski, Harrell, Oakley, Pindell, Smith

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.



The Board went into executive session at 8:45 p.m.

**b. Return to Open Meeting**

**Minutes:**

The Board came out of executive session at 9:00 p.m.

Royce D. Pindell, Mayor, announced that the Board has been in executive session and the following persons participated via hybrid in that session: Trustee Oakley, Trustee Barden, Trustee Dambroski, Trustee Sus, Trustee Smith, Mayor Pro Tem Harrell, Mayor Pindell, Trish Stiles. Rachel Summers, Melinda Culley and Christina Hart. Royce D. Pindell, Mayor, asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concern be stated for the record.

No concerns were presented.

**c. Report from Executive Session**

**Minutes:**

Staff was provided direction to move forward with negotiations.

**11. Action/Discussion Items**

**a. Animal Shelter Partnership**

**Minutes:**

No action was taken.

**12. Adjournment**

**Minutes:**

**TRUSTEE DAMBROSKI MOVED, MAYOR PRO TEM HARRELL SECONDED** to adjourn the meeting. The meeting was adjourned at 9:03 p.m. Voting was as follows:

Ayes: Dambroski, Harrell, Oakley, Pindell, Smith, Sus, Barden

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**Minutes Approved:**

Royce D. Pindell, Mayor

Christina Hart, Town Clerk

meeting to allow for enough time in making the necessary arrangements.

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Contact: Christina Hart (chart@bennett.co.us 1303-644-3249 X1001) | Minutes published on  
10/05/2022 at 10:31 AM

# STAFF REPORT



welcome neighbors.

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TO: Mayor and Town of Bennett Board of Trustees  
FROM: Danette Ruvalcaba, Finance Director  
DATE: October 11, 2022  
SUBJECT: Arapahoe County Open Space 2022 Grant Agreement

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## Background

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Since 2005, Arapahoe County Open Spaces has distributed more than \$48 million in competitive grants to communities across the county. These funds have supported nearly 250 park, trail, and open space projects, including:

- New park and trail construction
- Playground and athletic field/court renovations
- Park amenities, such as restrooms and picnic shelters
- Land acquisition for parks and trailheads
- Improved trail crossings at roads and waterways
- Wayfinding and educational signage
- Safety and accessibility improvements
- Stream and habitat restoration
- Planning, design and engineering for park and trail projects

Town Staff submitted an application to the program in the amount of \$15,000 to assist the Town in adding trash cans and shade and bench amenities along the trail at the Bennett Regional Park and Open Space. The grant was awarded in July of 2022.

## Staff Recommendation

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Town Staff recommends the Board of Trustees adopt Resolution 938-22 approving the Intergovernmental Agreement between the Town of Bennett and Arapahoe County Open Space for the 2022 grant for Bennett Regional Park and Open Space Landscaping and Amenities II

## Attachments

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1. Arapahoe County Open Spaces Award Letter
2. Intergovernmental Agreement
3. Resolution No. 938-22



July 26, 2022

Steve King  
Town of Bennett  
207 Muegge Way  
Bennett, CO 80102

Dear Steve,

Arapahoe County Open Spaces is pleased to inform you that your recent grant application for Bennett Regional Park and Open Space Landscaping and Amenities II has been approved for funding in the amount of \$15,000.

All grant awards are subject to the execution of an Intergovernmental Agreement (IGA) between the County and grantee. Please return the following documents via email to [sbottoms@arapahoegov.com](mailto:sbottoms@arapahoegov.com). Alternatively, you may mail original documents to my attention at Arapahoe County Open Spaces, 6934 S. Lima Street, Suite A, Centennial, CO 80112.

- A **signed, dated, and attested** copy of the IGA
- A completed ACH Funds Transfer form

Please notify me if any information in the IGA needs to be corrected. IGAs must be executed by all parties within 60 days of award notification. Please note that the effective date of the IGA is the date of the grantee's signature.

A digital copy of the fully executed IGA will be returned to you for your records.

Congratulations on your grant award! Please don't hesitate to reach out if you have questions.

Sincerely,

Sandy Bottoms  
Grants Program Administrator  
303-921-5041  
[sbottoms@arapahoegov.com](mailto:sbottoms@arapahoegov.com)

**INTERGOVERNMENTAL AGREEMENT REGARDING  
2022 GRANT OF ARAPAHOE COUNTY OPEN SPACE PROGRAM FUNDS  
PROJECT NAME: BENNETT REGIONAL PARK AND OPEN SPACE LANDSCAPING  
AND AMENITIES II**

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This Intergovernmental Agreement (“Agreement”) is made and entered into by and between **THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO** (“County”), and the **TOWN OF BENNETT**, a municipality and political subdivision of the State of Colorado (“Grantee”) (collectively “Parties” and individually a “Party”).

**RECITALS**

- A. On November 2, 2021, the voters of the County permanently reauthorized, until repeal, a countywide sales and use tax to be deposited in the County Open Space Fund and used for specified open space purposes as set forth in County Resolution No. 21-263 (“Open Space Resolution”).
- B. The Open Space Resolution authorizes the County to award discretionary grants from its Open Space Fund to municipalities and special districts, as more fully set forth in the Open Space Resolution.
- C. On July 26, 2022, the County approved by resolution the Grantee’s grant proposal for the Bennett Regional Park and Open Space Landscaping and Amenities II (“Grant Project”), which is attached as Exhibit A, subject to the execution of an intergovernmental agreement.
- D. This Agreement is authorized by Article XIV, Section 18 of the Colorado Constitution and C.R.S. § 29-1-203.

**AGREEMENT**

NOW, THEREFORE, the County and the Grantee agree as follows:

- 1. Amount of Grant. The County awards Grantee an amount not to exceed \$15,000 (“Grant Funds”) for the Grant Project from the County Open Space Fund.
- 2. Use of Grant Funds. The Grantee agrees that it shall only use the Grant Funds for the Grant Project as described in Exhibit A.
- 3. Disbursement of Grant Funds. Within 45 days of the Effective Date, defined below, the County shall pay the Grant Funds to the Grantee via ACH transfer.
- 4. Time for Use of Grant Funds. The Grantee agrees that the Grant Project must begin within 60 days of the grant award notification. The Grantee agrees that the Grant Project will be

completed and the Grant Funds will be expended no later than two years from the Effective Date, unless the County agrees in writing to a longer period of time. The Grantee understands and agrees that, if the Grant Project cannot be completed within the two-year period or by the end of the agreed-upon extension, the County may require that the Grant Funds be refunded to the County Open Space Fund, be re-distributed to another agency, and/or be used for another viable and timely project.

5. Interest on Grant Funds. The Grantee further agrees that, after receipt of the Grant Funds, the Grantee will use any interest earned on the Grant Funds only for the Grant Project.
6. Administration of Grant Project. The Grantee shall be responsible for the direct supervision and administration of the Grant Project. The County shall not be liable or responsible for any cost overruns on the Grant Project, nor shall the County have any duty or obligation to provide any additional funding for the Grant Project if the Grant Project cannot be completed with the awarded Grant Funds. Grantee also agrees to comply with all local, state, and federal requirements while completing the Grant Project unless specifically waived.
7. Grant Project Site Visits. Upon 24 hours' written notice to the Grantee, the Grantee agrees to allow the County to make site visits before, during, at the completion of, and/or after the Grant Project.
8. Acknowledgement of County by Grantee. The Grantee agrees to acknowledge the County as a contributor to the Grant Project in all publications, on-site construction signage, news releases, and other publicity issued by the Grantee related to the Grant Project and agrees to allow the County to do the same. If any events are planned in regard to the Grant Project, the County shall be acknowledged as a contributor in the invitation to such events. Grantee shall cooperate with the County in preparing public information pieces, providing photos of the Grant Project from time to time, and providing access to the Grant Project for publicity purposes. Event information, event materials, and press release information related to the Grant Project must be sent to the County Grants Program Administrator for review and filing.
9. Required Sign at Grant Project Site. The County agrees to provide a standard sign for the Grant Project. Grantee agrees to erect and permanently maintain at least one County sign in a publicly visible area in recognition of the grant from the Arapahoe County Open Space Program. If the Grantee wishes to use its own sign and design, the Grantee must submit the sign location, design, and wording to the County Grants Program Administrator for approval prior to manufacture and/or installation of such sign. Such sign shall be erected prior to the completion of the Grant Project or its public opening, whichever is earlier.
10. Report Requirements. On or before January 31 and July 31 annually, the Grantee agrees to provide the County with Grant Project Progress Reports that conform to the format provided by the County. Each Grant Project Progress Report shall include supporting financial documentation as requested in the form provided. Upon completion of the Grant Project, the Grantee also agrees to submit to the County a Final Report that conforms to the format provided by the County; a final spreadsheet comparing the original budget to

actual expenses that certifies Grant Funds used in compliance with the Open Space Resolution; supporting financial documentation as requested in the County report form; and high-resolution photographs of the progress and finished results of the Grant Project. The Final Report shall be submitted within three months of Grant Project completion unless the County agrees in writing to a longer period of time. The County shall be allowed to use information and images from these reports in publications, public information updates, and on the County's website.

11. Failure to Submit Required Reports. Upon written notice from the County's Open Space Grants Program Administrator informing the Grantee that it has failed to submit any required status report and/or final report, the Grantee shall submit such reports to the County's Open Space Grants Program Administrator within 30 days, and, if it fails to do so, the Grantee shall be deemed to be in violation of this Agreement.
12. Record-Keeping Requirements. The Grantee shall maintain a complete set of books and records documenting its use of the Grant Funds and its supervision and administration of the Grant Project. The County or any of its duly authorized representatives shall have reasonable access to any books, documents, papers, and records of the Grantee that are pertinent to the Grant Project for the purpose of making an audit, examination, or excerpts. The Grantee shall keep all books, documents, papers, and records pertinent to the Grant Project for a minimum of three years from the Grant Project completion date. The Grantee agrees to report to the County any unexpended Grant Funds and consult with the County concerning proper accounting for unexpended Grant Funds.
13. Changes to Grant Project. The Grantee agrees and understands that its Grant Project, once it has been approved by the County, may not be changed without the County's prior written approval. Proposed changes must be formally requested using the applicable Grant Project Modification Form provided by the County. Changes may not begin until the County has issued a written approval, which may also require the execution of an amendment to this Agreement.
14. Maintenance. Grantee agrees to assume responsibility for continuous, long-term maintenance and public safety of open space lands, trails, recreation facilities, amenities, signage, and other projects funded by the Grant Funds.
15. Failure to Comply and Reimbursement of Grant Funds. The Grantee understands and agrees that the County may require the Grantee to reimburse the County if any portion of the Grant Funds is not used in accordance with its approved grant proposal and this Agreement. Failure to comply with this Agreement shall result in default, and the Grantee shall be ineligible for any future grants until the violation is remedied or after such other time period as determined by the County in its sole discretion.
16. Remedies. The rights and remedies of the County as set forth in this Agreement shall not be exclusive and are in addition to any other rights or remedies provided by law.

17. No Waiver of Rights. A waiver by either Party of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either Party.
18. Relationship of the Parties. The Grantee shall perform all duties and obligations under this Agreement as an independent contractor and shall not be deemed by virtue of this Agreement to have entered into any partnership, joint venture, employer/employee, or other relationship with the County.
19. No Third-Party Beneficiaries. Nothing in this Agreement shall give or allow any claim or right of action whatsoever by any third party, including, but not limited to, any agents or contractors of the Grantee.
20. Severability. The invalidity or unenforceability of any portion or previous version of this Agreement shall not affect the validity or enforceability of any other portion or provision. Any invalid or unenforceable portion or provision shall be deemed severed from this Agreement and, in such event, the Parties shall negotiate in good faith to replace such invalidated provision in order to carry out the intent of the Parties in entering into this Agreement.
21. Written Amendment Required. This Agreement may be amended, modified, or changed, in whole or in part, only by written agreement duly authorized and executed by the Parties.
22. Venue. Venue for any legal action arising out of this Agreement shall be in Arapahoe County District Court, pursuant to the appropriate rules of civil procedure.
23. Notices. Notices under this Agreement shall be sent to:  
  
COUNTY: Board of County Commissioners of Arapahoe County  
5334 South Prince Street  
Littleton, CO 80120-1136  
  
and  
  
Arapahoe County Attorney  
5334 South Prince Street  
Littleton, CO 80120-1136  
  
and  
  
Arapahoe County Open Spaces Grants Program Administrator  
6934 S. Lima St., Unit A  
Centennial, CO 80112  
  
GRANTEE: Town of Bennett  
207 Muegge Way  
Bennett, CO 80102
24. Applicable Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Colorado.



25. Counterparts. This Agreement may be executed in multiple counterparts, each of which will be deemed to be an original and all of which taken together will constitute one and the same agreement.
26. Incorporation of Exhibits. Unless otherwise stated in this Agreement, any exhibits, applications, resolutions, or other documents referenced in this Agreement shall be incorporated by reference into this Agreement for all purposes.
27. Section Headings. The headings for any section of this Agreement are only for the convenience and reference of the Parties and are not intended in any way to define, limit, or describe the scope or intent of this Agreement.
28. Assignment. The rights, or any parts of this Agreement, granted to the Parties in this Agreement may be assigned only with the prior written consent of the non-assigning Party.
29. Extent of Agreement. This Agreement constitutes the entire agreement of the Parties related to the Grant Project. The Parties agree that there have been no representations made regarding the subject matter of this Agreement other than those, if any, contained in this Agreement, and the various promises and covenants contained in this Agreement are mutually agreed upon and are in consideration of one another.
30. Signatures. The signatories to this Agreement represent that they are fully authorized to execute this Agreement and bind their respective entities.
31. Effective Date. This Agreement will become effective on the date of the Grantee's signature ("Effective Date").

*Signature pages follow*

IN WITNESS WHEREOF, the County and the Grantee have executed this Agreement as of the Effective Date.

ATTEST:

TOWN OF BENNETT

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:  
Date: \_\_\_\_\_

COUNTY OF ARAPAHOE  
STATE OF COLORADO

By: \_\_\_\_\_  
Shannon Carter, Director, Open Spaces  
Pursuant to Resolution No. 22-049

## EXHIBIT A

# Bennett Regional Park and Open Space Landscaping and Amenities II

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## *2022 Standard and Small Grant Application*

### ***Town of Bennett***

---

Mr, Steve L. King  
207 Muegge Way  
Bennett, CO 80102

sking@bennett.co.us  
O: 303-644-3249 x1029

### ***Mr, Steve L. King***

---

207 Muegge Way  
Bennett, Colorado 80102

sking@bennett.co.us  
O: 303-644-3249 x1029

# Application Form

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## *Application Summary*

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### Primary Contact Information\*

Please provide information for the primary contact for this project in the following format.

Agency:

Name:

Title:

Telephone:

Email:

Town of Bennett

Steve King

Special Project Coordinator

303-644-3249

sking@bennett.co.us

### Grant Category\*

Select One:

- **Standard Grant:** \$100,001 - \$500,000, requiring a minimum of 25% total project cost cash match
- **Small Grant:** \$1,000 - \$100,000, requiring a minimum of 10% total project cost cash match

Small Grant

### Project Type\*

Select One:

- **Trail Project:** Trail/trailhead construction or improvement, including stream/road crossings and trailhead amenities (such as parking or shelters)
- **Site Improvement Project:** New construction, improvement, repair, or replacement of outdoor recreation facilities or amenities (such as playgrounds, shelters, sports fields, restrooms, or interior trail connections)
- **Environmental/Cultural Education Project:** Eligible projects include outreach materials (such as printed materials, video, or displays), installations (such as signage), or associated outdoor amenities (such as shelters or native landscaping)
- **Acquisition Project:** Eligible projects include fee simple acquisition of land for public open space, parks, or trails; or acquisition of a trail or conservation easement. *Additional application materials are required.*
- **Other Project:** Other allowable projects include stream/habitat restoration, natural re-vegetation, and water quality improvement

Trail Project

**Project Title\***

Bennett Regional Park and Open Space Landscaping and Amenities II

**Project Address\***

600 Antelope Drive West, Bennett, CO 80102

**Project Location\***

Select a Jurisdiction or Unincorporated Arapahoe County:

Bennett

**GPS Coordinates (Latitude in Decimal Degrees)\***

Example: Dove Valley Regional Park

Latitude: 39.577303

39.702112

**GPS Coordinates (Longitude in Decimal Degrees)\***

Example: Dove Valley Regional Park

Longitude: -104.828850

104.410202

**Grant Request Amount\***

\$15,000.00

**Cash Match Amount\***

\$5,000.00

**Total Project Amount\***

Total project amount includes grant request and cash match only. Please do not include in-kind match.

\$20,000.00

**Cash Match Percentage\***

Calculate cash match as % of total project cost.

## Project Partners

List partner agencies if applicable.

N/A

## Executive Summary\*

Highlight key points of your proposal, such as project description, goals, need, partnerships, deliverables, etc.

Bennett Regional Park and Open Space is the result of an Arapahoe County Joint Project with the Town of Bennett which involved the acquisition of approximately 200 acres (3 parcels) of the defunct former Antelope Hills Golf Course. In 2017 the Town with grant funds from Arapahoe County Open Space and a State of Colorado Trails grant constructed an 8 foot wide soft surface trail approximately two miles long running through the open space. A second Arapahoe County Open Space Grant allowed for the installation of a 34'x34' Pavilion at the trail head of the park. To enhance the usability of the trail and to preserve the natural surrounding of the open space, the Town proposes that the trail head and surrounding areas be landscaped and that amenities such as picnic benches, trail benches, trash cans and additional fencing be added to the additional 4 miles of trails added since receiving the previous grant back in 2018. This trail also ties into our fishing pond that we are constructing.

## Minimum Qualifications and Eligibility

### Question 1\*

**Is the applicant in good standing with Arapahoe County Open Spaces? Please list your agency's ongoing Arapahoe County Open Spaces grant projects.**

Yes, the Town of Bennett is currently in good standing with the Arapahoe County Open Space Grant Program. Our current open project is the fishing pond at the Bennett Regional Park and Open Space. The Town has also received previous grants that include

- Bennett Regional Park and Open Space Phase I Grant \$800,000 Project \$1,575,000
- Bennett Regional Park and Open Space Phase II Grant \$133,000 Project \$133,000
- Trail Master Plan Grant \$12,000 Project \$24,000
- Trail Linkage Study Grant \$5000 Project \$10,000
- Connection Trail Engineering Grant \$36,000 Project \$72,000

Just to name a few of the grants over the past seven years.

### Question 2\*

**How does this project align with the Arapahoe County Open Space Master Plan, Arapahoe County Bicycle and Pedestrian Master Plan, an agency master plan, or other approved planning documents?**

During the 2009, Parks, Trails, and Open Space Master Plan, the Town of Bennett identified the expansion and accessibility of its existing trail system as a top priority. The initial goal at the time was to create a regional park that included trails, fishing pond and preservation of the natural habitat. Much of this initial

vision have come to fruition but added improvements are necessary to maximize the areas fullest potential. With that said, this project aligns with the initial plan and the Town's commitment to open space was reiterated in the 2021 Comprehensive Master Plan.

Additionally, this project has the potential to enhance the user experience for residents that access the Arapahoe County Kiowa Creek North Open Space and the Kiowa Creek Valley as they are in close proximity to the Bennett Regional Park and the project will create greater continuity across the area parks.

### Question 3\*

**Describe how this project addresses specific objectives in the Arapahoe County Open Space Resolution #21-263.** *The resolution is available on the Open Space website.*

*Please note that this resolution replaces the previous Open Space Resolutions #030381/110637.*

This project aligns with Arapahoe County Open Space Resolution #21-263 as it improves an open space, picnic area, multi-use trail and the maintenance of open spaces. Additionally, the project aligns with for of the five objectives the Arapahoe County Open Space 2021 Master plan 1: Provide Equitable Access to Nature; 2: Maintain Ecosystem Health and Resilience; 3: Support a Sustainable System through Programming, Operations and Maintenance; 4: Align Plans and Policies to Maximize the Impact of Open Spaces.

### Certification and Authorized Signature Form\*

Please attach completed Certification and Authorized Signature Form as a PDF document. Form must be signed by highest authority in agency or authorized individual. *Required forms are available on the Open Space website.*

Please name your file as follows: *Applicant\_SignatureForm.pdf*

Certification\_and\_Authorized\_Signature\_Form\_BRPOS\_Trail\_Project.docx.pdf

## Project Timeline

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### Project Timeline Form\*

Please attach completed Project Timeline Form as a PDF document. *Required forms are available on the Open Space website.*

Please name your file as follows: *Applicant\_TimelineForm.pdf*

BRPOS Amenties Phase II Timeline Form.pdf



## Project Budget

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### Budget Narrative\*

Provide a clear and concise budget narrative. Include details about expenses in each budget category, justification for any unusual line items, and an explanation of how you arrived at these estimates. Include amount and sources of matching funds.

The major components of the project budget:

Benches \$7,800

Trash Cans 6,000

Dog Stations \$750

Sitting Boulders \$5,450

Matching funds will be applied proportionately (25%) to each of the major components.

### Budget Forms\*

Please attach completed Summary Budget Form and Detailed Expense Budget Form as a single PDF document. *Required forms are available on the Open Space website.*

Please name your file as follows: *Applicant\_BudgetForms.pdf*

BRPOS Amentities Phase II Project Budget.pdf

## Project Narrative

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### Question 1\*

Describe the project goals, scope, expected results, and deliverables. Describe project elements, including useful life. Discuss the current condition of the project site and what improvements are proposed. Discuss how this project improves access to the outdoors, connectivity, and/or educational opportunities.

Bennett Regional Park and Open Space contains 193 acres which is managed by the Town of Bennett. Prior to taking ownership, the Property was a privately owned 18 hole golf course named "Antelope Hills". The property is presently part of the Arapahoe County Open Space Program. In 2015, the Town began developing the area for recreational purposes. The Property supports Recreation, Relatively Natural Habitat and Open Space conservation values. In particular, the Property will provide public access to open space and for outdoor recreation, and trail connections from the Antelope Hills Community to the Kiowa Creek North Open Space and surrounding rural areas for the use and enjoyment of the general public.

Since taking ownership of the property in April of 2013, a significant amount of progress has been made to transform the space in a way that preserves the Central Short Grass Prairie habitat, animal life, and insect species common in the region, while advancing the recreational opportunities at the site. Today, there is a robust network of asphalt trails, and considerable progress has been made in constructing a lower and higher pond that includes park benches, trail head, and trashcans sprinkled along the trail system.

## Question 2\*

**Describe the community/neighborhood and user groups the project will serve. Discuss the type of users (children, families, seniors, sports leagues, etc.), and estimate the number of users that will benefit annually. How did you arrive at this estimate?**

*Include up to five community support letters in the Attachments section.*

The Bennett Regional Park and Open Space represents an important conservation opportunity. While Relatively Natural Habitat is supported by this easement, Recreation and Preservation of Open Space are the most significant conservation values in this project. As indicated in the Comprehensive Plan, "the Town of Bennett, Colorado is uniquely positioned to capture the next wave of growth within the Denver metropolitan area. Bennett's close proximity to Denver International Airport, the Front Range Airport, I-70, E-470, and the Union Pacific Railroad are all factors which will have a direct impact on the future growth of the Town. Projected growth between 2010 and 2035 is significant requiring 1,382 acres of housing, office space, retail and industrial development. Proximity to the Denver metropolitan area makes Arapahoe County the third most densely populated county in the State. This conservation project is consistent with public programs as the Property is adjacent to the 265 acre Kiowa Creek North Open Space to the northwest and over the 15,000 acre Bijou Basin Open Space to the southeast. Once developed, the entire Property will be used to provide a wide array of recreational opportunities as indicated on our 2021 Comprehensive Master Plan.

The Town estimates twenty people a day use for the park at present. It is assumed that recreational use will increase as phases continue to be completed.

## Question 3\*

**Discuss the need and urgency for this project. Was the project prioritized in a master plan or other planning document? Is this part of a multiphased project? What opportunities will be lost if this project is not funded now?**

The Town of Bennett Comprehensive Plan (2021) states that a core value or guiding principal in Town growth is to "offer access to open space, trails and parks to provide more opportunities for walking, biking, recreation, and contact with nature, the ongoing improvements to the Bennett Regional Park and Open Space aligns with all of these goals.

The benches and trash cans are critical to the functionality of the trail as we have recently extended the trail by 4 miles and they are currently without the amenities added with the funding from the 2018 Arapahoe County Open Space grant. The inability to add these basic amenities has the potential to discourage residents from visiting the park or result in poor environmental impact in the event of increased litter which can also harm local wildlife.

## Question 4\*

**Summarize any planning completed prior to submitting this grant proposal. Is design and engineering complete? Does the project necessitate a zoning change? List any permits or approvals that need to be obtained (county or city planning, stormwater, federal 404 permit, etc.) and their status.**

*If applicable, include eligible planning costs in the match section of the Detailed Expense Budget Form (costs must be incurred within 90 days of application submission and pre-approved by grants program staff) and include proof of any such expense in the Attachments section.*

The landscaping has already been added and will not require any further engineering or permitting. Additionally the benches and trashcans previously installed will continue for the additional 4 miles of trail to maintain continuity through out the open space.

### Question 5\*

**Describe how the project will be completed within the required two year timeframe. Discuss the agency's capacity to complete the project, including project management, resources, and experience implementing similar projects.**

Bennett's Public Work Director, Robin Price has over 20 years of experience in landscaping installation, maintenance and design. Her experience in managing the area, affords the Town the necessary expertise and technical ability to successfully implement and complete this project in the proposed timeline once awarded.

The Town of Bennett has successfully completed several park renovation and trail installation, which demonstrates the Town's knack for managing these types of projects.

### Question 6\*

**Summarize any efforts to obtain public input, disseminate information to the public, develop partnerships, and garner community support for this project. Evidence of a transparent public process will be required. List the stakeholders that are involved. Discuss any known or anticipated opposition to this project and how this will be addressed.**

*If applicable, include letters, petitions, or other documents evidencing opposition in the Attachments section.*

The Town of Bennett incorporates a robust set of public engagement through each calendar that affords residents, business owners, property owners and regional partners to provide valuable insights and feedback for our various planning and strategy efforts. Most recently, the Town of Bennett, engaged locally stakeholders as part of the 2021 Comprehensive Plan during the summer and early fall of 2021. This project directly aligns with these plans and plays a critical role in helping us advance our documented objectives for public space and recreation.

### Question 7\*

**How much of your planned cash match is secured? If applicable, what are your plans for securing additional funds? Describe cash and in-kind match partnerships established for this project.**

*Include partner support letters in the Attachments section and include cash match from partners on the Budget Forms. Grant recipients are responsible for project cost overruns.*

The cash match for this project was adopted by the Town Board in the 2022 Budget in December of 2021. The Town does not intend to seek any additional partnership for this phase of the project.

### Question 8\*

**Describe any scenic, historic, or cultural values associated with the project site. Will they be preserved or restored? Discuss specific natural resources at the site (habitat, water, wildlife, vegetation, etc.) and impacts to these resources as a result of this project. If applicable, discuss environmental sustainability benefits of this project (such as energy or water conservation, water quality improvement, etc.).**

The Property is located with the Central Short Grass Prairie Ecoregion in an area with uplands once dominated by short grass prairie. Due to previous land-uses a majority of the Property has transitioned from short-grass prairie to invasive perennial grasslands. The Property supports 151.3 acre as of Invasive Perennial Grasslands and 38.2 acres of WGP Short-grass Prairie. Other landcover types included Developed Medium-High Intensity and Open Water. Ranging in elevation from 4,776 feet to 6,217 feet, Arapahoe County provides wildlife with an extremely diverse range of habitat. There are 278 bird, 52 mammal, seven amphibian, and 21 reptile species that can be found throughout the County. Although improvements to benefit public recreation have been made, a large portion of the Property remains in its transitional vegetative state.

Wildlife species that can be expected to utilize Bennett Regional Park and Open Space include mule deer, whitetail deer, pronghorn, coyote, jack rabbit, and cottontail rabbit. The region is also home to several hundred species of migratory and resident birds including declining short-grass birds such as Long-billed Curlew, Lark Bunting, Grasshopper Sparrow, Cassin's Sparrow and McCown's Longspur. The open water habitat will support non-breeding waterfowl. According to Colorado Parks and Wildlife the Property is located within the overall range for pronghorn and mule deer. Winter range and a Winter Concentration Area for mule deer (WCA) is located approximately 1/2 mile to the west. Significant habitat on-site will be increased upon conversion of invasive perennial grasslands to western short-grass prairie.

### Question 9\*

**Discuss ownership and legal access at the proposed project site. Detail any third-party rights, easements, or other encumbrances that exist.**

*Provide supporting documentation showing ownership, legal access, and/or permission from landowner in the Attachments section.*

The Town currently owns the project site and has full legal access. No third-party rights, easements or other encumbrances are existent in the plans for landscaping or amenities.

### Question 10\*

**Describe long-term plans for maintaining the project. Who will be responsible for maintenance? Estimate annual costs to maintain the project site, and explain how maintaining the site will affect your agency's budget.**

The Town of Bennett's parks maintenance operations will be done by the Town's Public Works Department under the supervision of the Bennett Parks and Grounds Supervision. Currently, the Public Works Department is responsible for maintaining the area along with the rest of the Town's parks, trails and Bennett Cemetery. The Bennett Public Works Department has vast expertise in landscaping, park maintenance and irrigation.

### Question 11\*

**Describe how this project will address inclusivity per Americans with Disabilities Act guidelines.**

The current trail and amenities are ADA accessible. A high priority has been placed on ensuring all future additions are ADA compliant and afford people across the full spectrum of ability to access and engage with the open space.

### Question 12\*

**If successful in obtaining this grant, how will the agency use this project to inform citizens about the value of the Arapahoe County Open Space Sales and Use Tax? Discuss plans for public outreach, signage, celebration, dedication, etc.**

Arapahoe County is prominently displayed on the trail head erected at the Bennett Regional Park and Open Space to honor the support provided through the Arapahoe County Open Space Grant program. Additionally, the Town will continue to conduct press releases in the I-70 Scout publication for any awards received associated with grants provided by through the open space program.

## Attachments

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### Attachment 1: Evidence of Support from Highest Authority\*

Please attach evidence of support from the agency's highest authority (official letter or resolution) as a PDF document. At a minimum, this document must include: project title, amount of grant funds requested, statement that matching funds are secured and/or efforts to secure funds are underway (include the amount of matching funds committed), and certification that the project will be open to the public or serve a public purpose upon completion. *A sample resolution is available on the Open Space website.*

Please name your file as follows: *Applicant\_SupportHighestAuthority.pdf*

Applicant\_SupportHighestAuthority\_BRPOS\_Trail\_Project.docx.pdf

### Attachment 2: Evidence of Community Support\*

Please attach up to 5 letters of support from users, working groups, community members, volunteers, schools, etc. as a single PDF document. Letters should be specific to the project and dated within the last 6 months.

Please name your file as follows: *Applicant\_CommunitySupport.pdf*

BRPOS Letter of Support 2.pdf

### Attachment 3: Documentation of Opposition\*

Please attach documentation of opposition to the project (such as letters, petitions, articles, etc.) as a single PDF document. If there is no known opposition, please attach a page stating that this section is not applicable.

Please name your file as follows: *Applicant\_Opposition.pdf*

Applicant\_Opposition BRPOS Amenties Phase II.pdf

### Attachment 4: Evidence of Commitment from Project Partners\*

Please attach evidence of commitment from project partners (such as partner support letters, commitment to provide cash/in-kind match, or maintenance agreements) as a single PDF document. There is no maximum allowable number of partner support letters. If there are no partners for this project, please attach a page stating that this section is not applicable.

Please name your file as follows: *Applicant\_PartnerCommitments.pdf*

Applicant\_PartnerCommitments BRPOS Amenties Phase II.pdf

### Attachment 5: Primary Project Photo\*

Please attach one high resolution photo in JPG format. Please choose the photo that provides the best overall representation of your project. This photo will be used for presentations and/or publications.

Please name your file as follows: *Applicant\_PrimaryPhoto.jpg*  
Photo#1.jpg

### Attachment 6: Photos\*

Please attach photos of existing conditions at the project site (including captions) as a single PDF document. Include conceptual drawings if applicable.

Please name your file as follows: *Applicant\_Photos.pdf*  
BRPOS Amenties Phase II Photos.pdf

### Attachment 7: Maps\*

Please attach a site map and a vicinity map as a single PDF document.

Please name your file as follows: *Applicant\_Maps.pdf*  
Applicant\_Maps.pdf

### Attachment 8: Site Visit Form\*

Please attach a completed site visit form as a PDF document. *Required forms are available on the Open Space website.*

Please name your file as follows: *Applicant\_SiteVisitForm.pdf*  
BRPOS\_Site\_Visit\_Form\_.docx.pdf

### Attachment 9: Evidence of Property Ownership/Access\*

Please attach evidence of property ownership/legal access (legal documentation, ArapaMAP, etc.) as a PDF document.

Please name your file as follows: *Applicant\_EvidenceofOwnership.pdf*  
Applicant\_EvidenceofOwnership.pdf

### Attachment 10: Other Attachments

Please attach additional supporting documentation (news articles, cost estimates, etc.) as a single PDF document.

Please name your file as follows: *Applicant\_OtherAttachments.pdf*

## *Confirmation*

---

Please click the "I Agree" button below to certify that your application is complete and ready to submit. Once submitted, applications are final and cannot be returned.\*

I agree

## File Attachment Summary

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### *Applicant File Uploads*

- Certification\_and\_Authorized\_Signature\_Form\_BRPOS\_Trail\_Project.docx.pdf
- BRPOS Amenties Phase II Timeline Form.pdf
- BRPOS Amenties Phase II Project Budget.pdf
- Applicant\_SupportHighestAuthority\_BRPOS\_Trail\_Project.docx.pdf
- BRPOS Letter of Support 2.pdf
- Applicant\_Opposition BRPOS Amenties Phase II.pdf
- Applicant\_PartnerCommitments BRPOS Amenties Phase II.pdf
- Photo#1.jpg
- BRPOS Amenties Phase II Photos.pdf
- Applicant\_Maps.pdf
- BRPOS\_Site\_Visit\_Form\_.docx.pdf
- Applicant\_EvidenceofOwnership.pdf



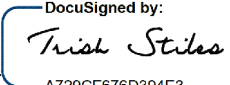


## Certification and Authorized Signature Form

*Please use this form for the Arapahoe County Open Spaces grant application.*

By signing this form, I certify that:

- The information included in this application is true to the best of my knowledge.
- If funded, the applicant commits to completing the proposed project.
- If funded, the applicant accepts responsibility for any cost overruns necessary to complete the project.
- If funded, the completed project will be open to the public or will otherwise serve a public purpose.
- If funded, the applicant agrees to maintain the completed project site or to continue its maintenance agreement with a partner agency as outlined in the application.
- I am authorized to sign on behalf of the applicant.

DocuSigned by:  
  
A729CF676D394E3...  
Authorized signature (highest authority in agency or authorized individual)

4/14/22  
Date

Trish Stiles, Town Administrator

Printed Name and Title

BRPOS Amenities Phase II  
Grant Project or Joint Project Name



### 2022 Open Space Grants - Project Timeline Form

Use the sample timeline below as a guide to complete your proposed project timeline. Rows or columns may be added as necessary to include any milestones specific to your project. Timeline must be detailed, realistic, and coincide with details provided in the narrative portion of the grant application. Timeline must conclude within two years of project start date.

Task	Sep 2022	Oct 2022	Nov 2022	Dec 2022
Irrigation Installation				
Amenities Installation				
Plant Material Installation				
Fencing				

# Summary Budget Form - STANDARD Grants (25% minimum cash match)

Source of Funds	Date Funds Secured	Grant Request	Cash Match	Total Project Funds
Arapahoe County Open Spaces Grant	8/10/2022	\$15,000		\$15,000
Applicant Cash Match			\$5,000	\$5,000
(Specify) Partner Cash Match/Other Funding Source				\$0
(Specify) Partner Cash Match/Other Funding Source				\$0
(Specify) Partner Cash Match/Other Funding Source				\$0
Totals		\$15,000	\$5,000	\$20,000

MATCH REQUIREMENTS			
Total Project Cost:	\$20,000.00		
Cash Match % Required:	25%		
Required Cash Match Amount:	\$5,000.00		
Project Cash Match Budgeted:	\$5,000.00		
Minimum Met? Y or N			

Applicant: Town of Bennett

Project Title: BRPOS Amenities Phase II

\* Please do not include in-kind match on the Budget Forms. Describe in-kind match in the budget narrative and project narrative if applicable.

<b>DETAILED EXPENSE WORKSHEET</b>						
<b>Budget Category</b>	<b>Line Item Detail Description</b>	<b>ACOS Grant</b>	<b>Grantee Cash Match</b>	<b>Partner Cash Match</b>	<b>TOTAL</b>	
	1 Benches	\$5,850.00	\$1,950.00		\$7,800.00	
	2 Trash Cans	\$4,500.00	\$1,500.00		\$6,000.00	
	3 Dog Stations	\$562.50	\$187.50		\$750.00	
	4 Sitting Boulders	\$4,087.50	\$1,362.50		\$5,450.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
					\$0.00	
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<b>TOTAL \$</b>		<b>\$15,000.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>\$20,000.00</b>	

Applicant: Town of Bennett Project Title: BRPOS Amenities Phase II Date: 4/14/2022

*welcome neighbors.*

**OFFICIAL LETTER SUPPORTING THE GRANT APPLICATION FOR OPEN SPACE GRANTS FROM ARAPAHOE COUNTY OPEN SPACE FOR PARK AMENITIES AT BENNETT REGIONAL PARK AND OPEN SPACE.**

**WHEREAS**, the Town of Bennett has set priorities in its 2009 Parks, Trails and Open Space Master Plan and the 2021 Comprehensive Plan Update to develop new facilities which are complementary to the Town's existing parks, trails and open space system and to improve access to recreational facilities through the development of pedestrian pathways and trails, and

**WHEREAS**, the Town of Bennett wishes to enhance the 200+ acres of the Bennett Regional Park and Open Space with landscaping material, park amenities and weed mitigation and

**WHEREAS**, the Town of Bennett is requesting \$15,000 from Arapahoe County Open Space for such park updates, and

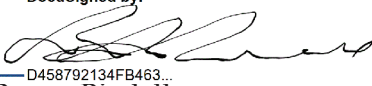
**WHEREAS**, the Board of Trustees of the Town of Bennett acknowledges that the grant applications include matching funds in the amount of \$5,000 which Board of Trustees is solely responsible to provide if a grant is awarded, and

**WHEREAS**, the Town of Bennett has secured those matching funds and authorizes the expenditure of funds necessary to meet the terms and obligations of any Grant awarded, and

**WHEREAS**, the Town of Bennett has appropriated funds with our Parks Department and authorizes the expenditure of funds necessary to meet the requirements to implement the master plan.

If the grant is awarded, the Board of Trustees of the Town of Bennett hereby authorizes the Town Administrator to sign the grant agreement and grant reports with Arapahoe County.

Sincerely,

DocuSigned by:  
  
D458792134FB463...  
Royce Pindell  
Mayor

Arapahoe County Open Spaces

6934 S. Lima St.

Centennial, CO 80112

Ricky Martinez

267 Dahlia St.

Bennett, CO 80102

Dear Grant Committee,

This letter is to provide my strong support and endorsement for the Bennett Regional Park and Open Space, trail improvements and amenities project proposed by the Town of Bennett. The park and the proposed improvements will help to promote positive, healthy and active outdoor lifestyle for our local youth, parents, and families.

The Town has made a concerted effort to improve the park by expanding the trail, adding trailheads and trash cans and picnic tables, but additional opportunities to improve the parks amenities remain. The Town continues to grow and I can see the interest and use of the park increasing over the next couple of years. This project will help ensure the park can meet the added demand for open space in the Town of Bennett.

I hope that you will award this project so that the Bennett Regional Park and Open Space can continue to be a great place to walk, ride bikes and enjoy the natural habitat.

Sincerely,

DocuSigned by:  
*Ricky Martinez*  
46B600A61AC8421...

Ricky Martinez



*welcome neighbors.*

Town of Bennett  
207 Muegge Way  
Bennett, CO 80102

There are no known opposition to the proposed project to improve the amenities at the Bennett Regional Park and Open Space.

Sincerely,

Steve King  
Special Project Coordinator  
Town of Bennett



*welcome neighbors.*

Town of Bennett  
207 Muegge Way  
Bennett, CO 80102

There are no partners for this project and this section is not applicable.

Sincerely,

Steve King  
Special Project Coordinator  
Town of Bennett





















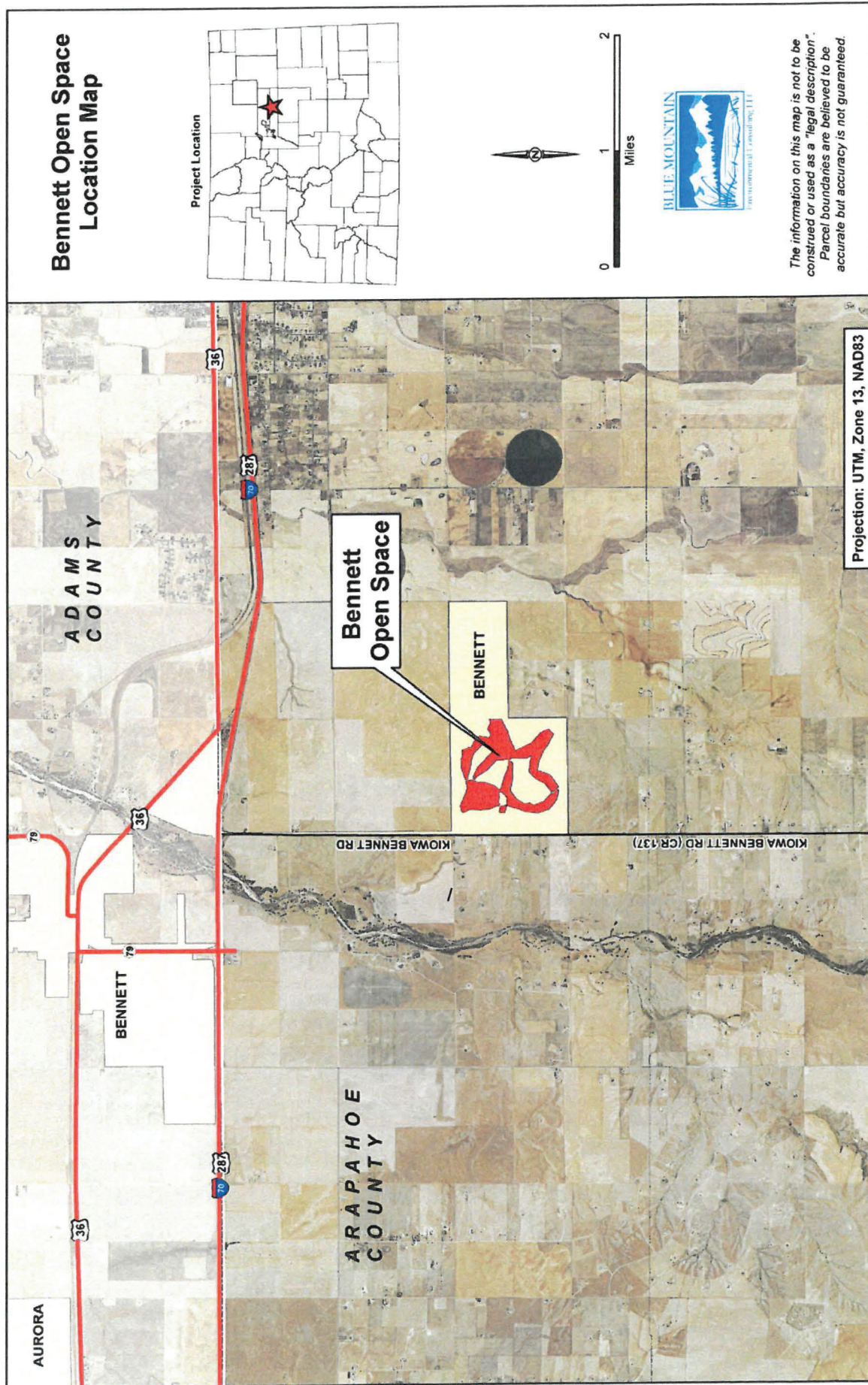






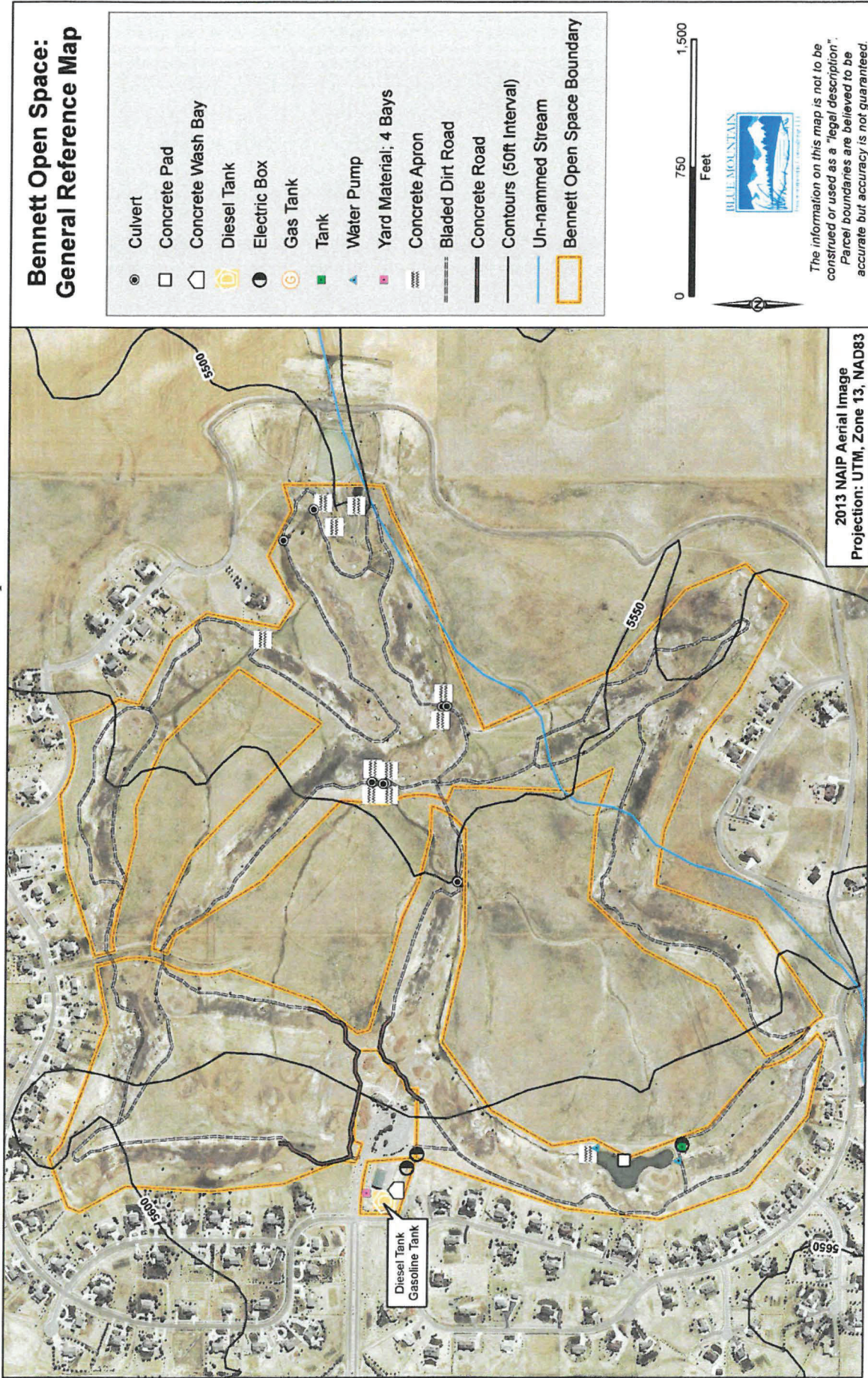


# Location Map



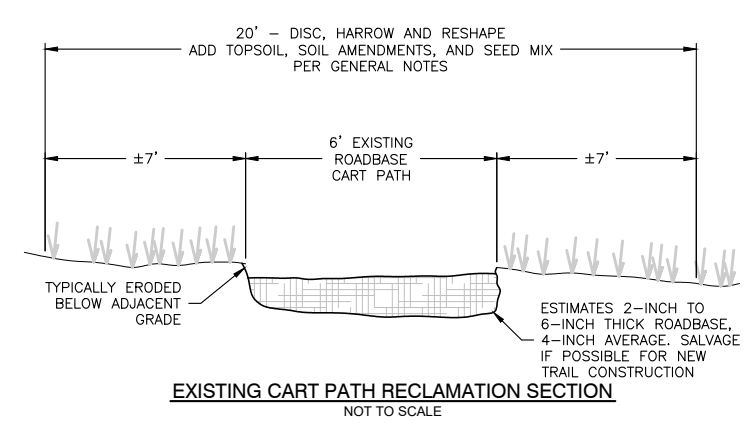
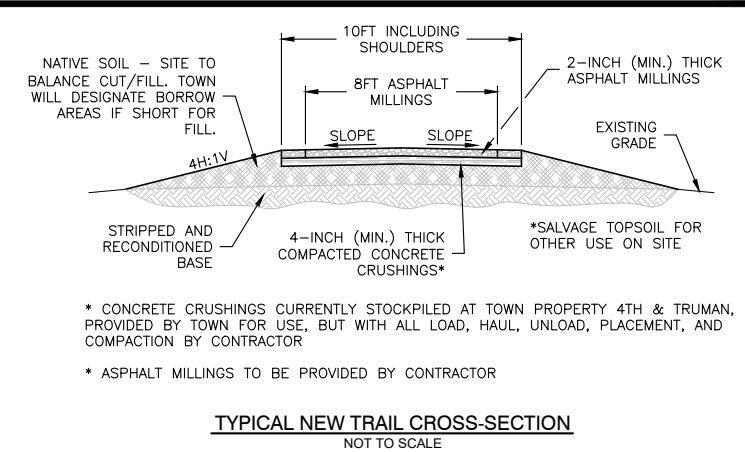
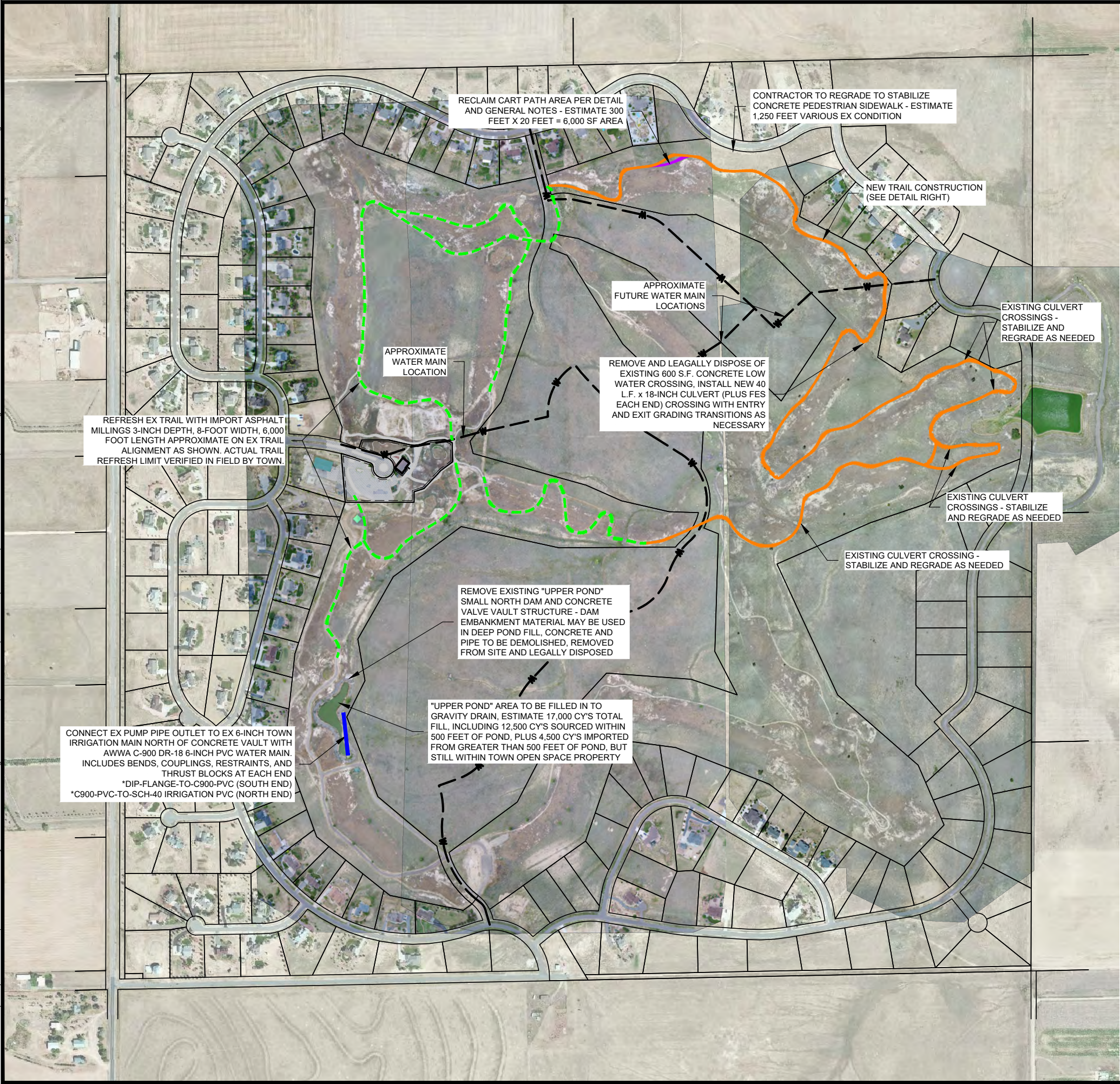


General Reference Map

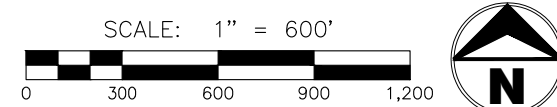




Plot Date: 06/21/21-3:57pm, Plotted by:mtkid, Drawing Path: N:\TERRAMAX\Bennett\BRPOS\BRPOS Trail P2\Drawing Name:BRPOS Trail Phase 2 Site Plan exhibit.dwg



- LEGEND:**
- PHASE II TRAIL
  - EXISTING TRAIL TO BE UPGRADE
  - EXISTING TRAIL TO BE REFRESHED



**TERRAMAX, INC.**  
CONSULTING ♦ ENGINEERING

4220 GOLF VISTA DRIVE  
LOVELAND, COLORADO 80537  
DANGIROUX@TERRAMAX.US  
(303) 929-3194

**TOWN OF BENNETT, COLORADO**  
**AHGC / BRPOS PROPERTY**  
**PROJECT SITE PLAN AND**  
**TYPICAL SECTIONS**

Project No.	728
Date	21/JUN/21
By	LD
Scale	As Noted
Sheet	Page 5
<b>1</b>	<b>2</b>





# ARAPAHOE COUNTY OPEN SPACES

## 2022 Open Space Grants - Site Visit Form

**Town of Bennett**

**Small Grant**

**Applicant**

**Grant Category**

**BRPOS Amenities Phase II**

**Title of Grant Project**

DocuSigned by:

*Steve King*

EF14E1C247424A3...

[sking@bennett.co.us](mailto:sking@bennett.co.us) (303)644-3249 ext. 1029

**Site Visit Representative Name**

**Site Visit Representative Email and Cell Phone #**

*cell # will be used to contact you on site visit day if necessary (e.g., running late, weather complications, etc.)*

**1. Please provide the project address or the closest major intersection.**

Kiowa Bennett Road and Antelope Hill Dr.

**2. Specify a meeting location at the project site.**

BRPOS Trailhead

**3. Provide other helpful information, for example parking instructions, availability of restrooms on site or nearby, necessary walking from parking to site, or other clarification. Driving directions from the ACOS office (6934 S. Lima St., Centennial) are not required, but may be included if the site is difficult to find.**

Reception #: D3058459, 05/10/2013 at  
09:08:47 AM, 1 OF 11, SWD, Rec Fee  
\$61.00 Doc Fee \$118.36  
Arapahoe County CO Matt Crane, Clerk &  
Recorder

### SPECIAL WARRANTY DEED

**THIS DEED**, made this 9th day of May, 2013, between **HIGH PLAINS BANK**, whose address is 235 S. Ash Street, Bennett, Colorado, 80102, Grantor, and the **TOWN OF BENNETT**, whose address is 355 Fourth Street, Bennett, Colorado, 80102, Grantee:

**WITNESSETH**, that the Grantor, for and in consideration of the sum of One Million One Hundred and Eighty-Three Thousand Five Hundred and Fifty Dollars and No/100ths (\$1,183,550.00) U.S. Dollars, in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, and conveyed, and by these presents does grant, bargain, sell, convey, and confirm, unto the Grantee, its successors and assigns forever, all the real property, together with improvements, if any, situate, lying, and being in the County of Arapahoe, State of Colorado, described as follows:

**SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF,**

**TOGETHER** with all and singular the hereditaments, easements and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all the estate, right, title, interest, claim, and demand whatsoever of the Grantor, either in law or equity, of, in, and to the above bargained premises, with the hereditaments, easements and appurtenances; and together with all oil, gas, and other minerals owned by Grantor and appurtenant thereto; all utility and irrigation system improvements; and all other improvements, structures and fixtures thereon.

**TO HAVE AND TO HOLD** the said premises above bargained and described with the appurtenances, unto the Grantee, its successors and assigns forever. And the Grantor, for itself, its successors and assigns, does covenant, grant, bargain, and agree to and with the Grantee, its successors and assigns, that at the time of the ensealing and delivery of these presents, Grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and authority to grant, bargain, sell, and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, tenancies, prior or preemptive rights of purchase, rights of first purchase, options or similar rights, or other encumbrances and restrictions of whatever kind or nature soever, except and subject to those matters set forth on attached Exhibit B, attached hereto and made a part hereof.

The Grantor shall and will warrant and forever defend the above-bargained premises in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person or persons lawfully claiming under Grantor the whole or any part thereof.

H0355146

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

HIGH PLAINS BANK

By: [Signature]  
Title: President / CEO

**Acknowledgment**

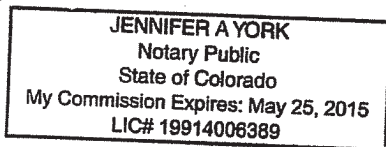
STATE OF COLORADO                    )  
  )ss  
COUNTY OF Denver                )

The foregoing instrument was acknowledged before me this 9th day of May, 2013, by Jim Peters, as President / CEO of High Plains Bank.

Witness my hand and official seal.

My commission expires on: 5/25/2015

(SEAL)



[Signature]  
Notary Public

**EXHIBIT A**  
**ATTACHED LEGAL DESCRIPTION**

PARCEL 1 (WEST GOLF COURSE TRACT):

A TRACT OF LAND LOCATED IN SECTION 14, TOWNSHIP 4 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, ARAPAHOE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 14 AND CONSIDERING THE WEST LINE OF THE NORTHWEST 1/4 TO BEAR SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID WEST LINE OF THE NORTHWEST 1/4 A DISTANCE OF 2075.51 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 40.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF THE KIOWA-BENNETT ROAD;  
THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 973.38 FEET TO THE POINT OF BEGINNING OF THE WEST GOLF COURSE TRACT;

THENCE ALONG THE BOUNDARY OF SAID WEST GOLF COURSE TRACT THE FOLLOWING 43 COURSES:

THENCE SOUTH 86 DEGREES 14 MINUTES 13 SECONDS EAST A DISTANCE OF 175.00 FEET;  
THENCE SOUTH 79 DEGREES 19 MINUTES 25 SECONDS EAST A DISTANCE OF 124.15 FEET;  
THENCE NORTH 09 DEGREES 20 MINUTES 06 SECONDS EAST A DISTANCE OF 73.98 FEET;  
THENCE NORTH 22 DEGREES 36 MINUTES 27 SECONDS WEST A DISTANCE OF 356.39 FEET;  
THENCE NORTH 06 DEGREES 20 MINUTES 25 SECONDS WEST A DISTANCE OF 425.60 FEET;  
THENCE NORTH 02 DEGREES 50 MINUTES 03 SECONDS EAST A DISTANCE OF 505.62 FEET;  
THENCE NORTH 29 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 308.87 FEET;  
THENCE NORTH 22 DEGREES 14 MINUTES 56 SECONDS EAST A DISTANCE OF 71.31 FEET;  
THENCE NORTH 69 DEGREES 05 MINUTES 10 SECONDS EAST A DISTANCE OF 299.75 FEET;  
THENCE SOUTH 50 DEGREES 07 MINUTES 23 SECONDS EAST A DISTANCE OF 102.94 FEET;  
THENCE SOUTH 70 DEGREES 07 MINUTES 37 SECONDS EAST A DISTANCE OF 756.02 FEET;  
THENCE NORTH 78 DEGREES 09 MINUTES 29 SECONDS EAST A DISTANCE OF 336.40 FEET;  
THENCE SOUTH 14 DEGREES 29 MINUTES 23 SECONDS EAST A DISTANCE OF 60.00 FEET;  
THENCE CONTINUING SOUTH 14 DEGREES 29 MINUTES 23 SECONDS EAST A DISTANCE OF 91.07 FEET TO A POINT OF CURVE;  
THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 288.17 FEET, SAID CURVE HAS A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF 41 DEGREES 16 MINUTES 36 SECONDS TO A POINT OF REVERSE CURVE;



THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 369.02 FEET, SAID CURVE HAS A RADIUS OF 460.00 FEET AND A CENTRAL ANGLE OF 45 DEGREES 57 MINUTES 50 SECONDS;  
 THENCE SOUTH 19 DEGREES 35 MINUTES 50 SECONDS WEST A DISTANCE OF 545.61 FEET;  
 THENCE SOUTH 38 DEGREES 24 MINUTES 46 SECONDS WEST A DISTANCE OF 289.71 FEET;  
 THENCE SOUTH 14 DEGREES 13 MINUTES 33 SECONDS EAST A DISTANCE OF 73.25 FEET;  
 THENCE SOUTH 74 DEGREES 24 MINUTES 12 SECONDS EAST A DISTANCE OF 676.93 FEET;  
 THENCE SOUTH 66 DEGREES 17 MINUTES 50 SECONDS EAST A DISTANCE OF 223.89 FEET;  
 THENCE SOUTH 77 DEGREES 05 MINUTES 48 SECONDS EAST A DISTANCE OF 282.12 FEET;  
 THENCE SOUTH 88 DEGREES 18 MINUTES 55 SECONDS EAST A DISTANCE OF 169.77 FEET TO A POINT ON A CURVE;  
 THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 180.14 FEET, SAID CURVE HAS A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 34 DEGREES 24 MINUTES 12 SECONDS AND A CHORD THAT BEARS SOUTH 30 DEGREES 09 MINUTES 54 SECONDS WEST A DISTANCE OF 177.44 FEET TO A POINT OF REVERSE CURVE;  
 THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 62.50 FEET, SAID CURVE HAS A RADIUS OF 450.00 FEET AND A CENTRAL ANGLE OF 07 DEGREES 57 MINUTES 27 SECONDS;  
 THENCE SOUTH 89 DEGREES 33 MINUTES 21 SECONDS WEST A DISTANCE OF 672.65 FEET;  
 THENCE NORTH 77 DEGREES 48 MINUTES 55 SECONDS WEST A DISTANCE OF 578.02 FEET;  
 THENCE SOUTH 53 DEGREES 30 MINUTES 22 SECONDS WEST A DISTANCE OF 487.61 FEET;  
 THENCE SOUTH 29 DEGREES 39 MINUTES 33 SECONDS WEST A DISTANCE OF 414.28 FEET;  
 THENCE SOUTH 09 DEGREES 55 MINUTES 34 SECONDS EAST A DISTANCE OF 243.65 FEET;  
 THENCE SOUTH 26 DEGREES 33 MINUTES 54 SECONDS WEST A DISTANCE OF 234.79 FEET;  
 THENCE SOUTH 21 DEGREES 22 MINUTES 14 SECONDS EAST A DISTANCE OF 493.96 FEET;  
 THENCE SOUTH 50 DEGREES 06 MINUTES 38 SECONDS EAST A DISTANCE OF 444.15 FEET TO A POINT ON A CURVE;  
 THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 400.05 FEET. SAID CURVE HAS A RADIUS OF 545.00 FEET, A CENTRAL ANGLE OF 42 DEGREES 03 MINUTES 27 SECONDS AND A CHORD THAT BEARS SOUTH 31 DEGREES 18 MINUTES 41 SECONDS EAST A DISTANCE OF 391.13 FEET;  
 THENCE SOUTH 53 DEGREES 32 MINUTES 02 SECONDS WEST A DISTANCE OF 62.25 FEET;  
 THENCE NORTH 78 DEGREES 32 MINUTES 03 SECONDS WEST A DISTANCE OF 432.63 FEET;  
 THENCE NORTH 51 DEGREES 22 MINUTES 24 SECONDS WEST A DISTANCE OF 541.46 FEET;  
 THENCE NORTH 20 DEGREES 04 MINUTES 59 SECONDS WEST A DISTANCE OF 538.76 FEET;  
 THENCE NORTH 06 DEGREES 01 MINUTES 11 SECONDS EAST A DISTANCE OF 553.05 FEET;  
 THENCE NORTH 18 DEGREES 19 MINUTES 02 SECONDS EAST A DISTANCE OF 922.76 FEET;  
 THENCE NORTH 73 DEGREES 17 MINUTES 46 SECONDS WEST A DISTANCE OF 356.87 FEET TO A POINT OF CURVE;  
 THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 83.76



FEET, SAID CURVE HAS A RADIUS OF 230.00 FEET AND A CENTRAL ANGLE OF 20 DEGREES 51 MINUTES 53 SECONDS;  
THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING, AND OUTLOT H, ANTELOPE HILLS FILING NO. 1, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPTING THEREFROM THAT PORTION OF LAND PLATTED UNDER THE NAME OF ANTELOPE HILLS, FILING NO. 4 FINAL PLAT RECORDED 5110, 2013 AT RECEPTION NO. 03058347

TOGETHER WITH,

LOT 1 AND PARCEL A, ANTELOPE HILLS, FILING NO. 4 FINAL PLAT, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL 2: (EAST GOLF COURSE TRACT)

A TRACT OF LAND LOCATED IN SECTION 14, TOWNSHIP 4 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, ARAPAHOE COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 14 AND CONSIDERING THE WEST LINE OF THE NORTHWEST 1/4 TO BEAR SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;  
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID WEST LINE OF THE NORTHWEST 1/4 A DISTANCE OF 2075.51 FEET;  
THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 40.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF THE KIOWA-BENNETT ROAD;  
THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 973.38 FEET;  
THENCE SOUTH 86 DEGREES 14 MINUTES 13 SECONDS EAST A DISTANCE OF 175.00 FEET;  
THENCE SOUTH 79 DEGREES 19 MINUTES 25 SECONDS EAST A DISTANCE OF 124.15 FEET;  
THENCE NORTH 09 DEGREES 20 MINUTES 06 SECONDS EAST A DISTANCE OF 73.98 FEET;  
THENCE NORTH 22 DEGREES 36 MINUTES 27 SECONDS WEST A DISTANCE OF 356.39 FEET;  
THENCE NORTH 06 DEGREES 20 MINUTES 25 SECONDS WEST A DISTANCE OF 425.60 FEET;  
THENCE NORTH 02 DEGREES 50 MINUTES 03 SECONDS EAST A DISTANCE OF 505.62 FEET;  
THENCE NORTH 29 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 308.87 FEET;  
THENCE NORTH 22 DEGREES 14 MINUTES 56 SECONDS EAST A DISTANCE OF 71.31 FEET;  
THENCE NORTH 69 DEGREES 05 MINUTES 10 SECONDS EAST A DISTANCE OF 299.75 FEET;  
THENCE SOUTH 50 DEGREES 07 MINUTES 23 SECONDS EAST A DISTANCE OF 102.94 FEET;  
THENCE SOUTH 70 DEGREES 07 MINUTES 37 SECONDS EAST A DISTANCE OF 756.02 FEET;  
THENCE NORTH 78 DEGREES 09 MINUTES 29 SECONDS EAST A DISTANCE OF 336.40 FEET;  
THENCE SOUTH 14 DEGREES 29 MINUTES 23 SECONDS EAST A DISTANCE OF 60.00 FEET;  
THENCE NORTH 75 DEGREES 30 MINUTES 37 SECONDS EAST A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING OF THE EAST GOLF COURSE TRACT;  
THENCE ALONG THE BOUNDARY OF SAID EAST GOLF COURSE TRACT THE FOLLOWING 57 COURSES:

THENCE NORTH 14 DEGREES 29 MINUTES 23 SECONDS WEST A DISTANCE OF 55.30 FEET;  
 THENCE NORTH 71 DEGREES 22 MINUTES 20 SECONDS EAST A DISTANCE OF 526.58 FEET;  
 THENCE NORTH 84 DEGREES 03 MINUTES 01 SECONDS EAST A DISTANCE OF 435.55 FEET TO A POINT ON A CURVE;  
 THENCE SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 435.79 FEET, SAID CURVE HAS A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 55 DEGREES 29 MINUTES 13 SECONDS AND A CHORD THAT BEARS SOUTH 83 DEGREES 30 MINUTES 29 SECONDS EAST A DISTANCE OF 418.96 FEET;  
 THENCE SOUTH 21 DEGREES 15 MINUTES 06 SECONDS EAST A DISTANCE OF 190.42 FEET;  
 THENCE SOUTH 34 DEGREES 33 MINUTES 16 SECONDS EAST A DISTANCE OF 128.71 FEET;  
 THENCE SOUTH 12 DEGREES 47 MINUTES 00 SECONDS WEST A DISTANCE OF 122.03 FEET;  
 THENCE SOUTH 62 DEGREES 54 MINUTES 23 SECONDS EAST A DISTANCE OF 425.00 FEET;  
 THENCE SOUTH 38 DEGREES 12 MINUTES 37 SECONDS EAST A DISTANCE OF 250.00 FEET;  
 THENCE SOUTH 10 DEGREES 50 MINUTES 25 SECONDS WEST A DISTANCE OF 430.69 FEET;  
 THENCE SOUTH 57 DEGREES 05 MINUTES 41 SECONDS EAST A DISTANCE OF 161.99 FEET;  
 THENCE NORTH 61 DEGREES 30 MINUTES 16 SECONDS EAST A DISTANCE OF 318.60 FEET;  
 THENCE SOUTH 63 DEGREES 41 MINUTES 42 SECONDS EAST A DISTANCE OF 295.61 FEET;  
 THENCE NORTH 72 DEGREES 24 MINUTES 32 SECONDS EAST A DISTANCE OF 158.26 FEET;  
 THENCE SOUTH 00 DEGREES 04 MINUTES 16 SECONDS WEST A DISTANCE OF 460.83 FEET TO A POINT OF CURVE;  
 THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 106.51 FEET, SAID CURVE HAS A RADIUS OF 750 FEET AND A CENTRAL ANGLE OF 08 DEGREES 08 MINUTES 11 SECONDS;  
 THENCE SOUTH 68 DEGREES 49 MINUTES 49 SECONDS WEST A DISTANCE OF 169.06 FEET;  
 THENCE SOUTH 62 DEGREES 49 MINUTES 39 SECONDS WEST A DISTANCE OF 438.52 FEET;  
 THENCE SOUTH 71 DEGREES 09 MINUTES 51 SECONDS WEST A DISTANCE OF 337.25 FEET;  
 THENCE SOUTH 66 DEGREES 07 MINUTES 26 SECONDS WEST A DISTANCE OF 587.59 FEET;  
 THENCE SOUTH 24 DEGREES 57 MINUTES 04 SECONDS EAST A DISTANCE OF 833.63 FEET;  
 THENCE SOUTH 48 DEGREES 56 MINUTES 43 SECONDS EAST A DISTANCE OF 616.64 FEET;  
 THENCE SOUTH 23 DEGREES 29 MINUTES 55 SECONDS EAST A DISTANCE OF 376.20 FEET;  
 THENCE SOUTH 43 DEGREES 46 MINUTES 52 SECONDS WEST A DISTANCE OF 332.42 FEET;  
 THENCE NORTH 62 DEGREES 06 MINUTES 10 SECONDS WEST A DISTANCE OF 577.06 FEET;  
 THENCE NORTH 52 DEGREES 47 MINUTES 31 SECONDS WEST A DISTANCE OF 339.01 FEET;  
 THENCE NORTH 68 DEGREES 44 MINUTES 58 SECONDS WEST A DISTANCE OF 579.40 FEET;  
 THENCE NORTH 82 DEGREES 20 MINUTES 48 SECONDS WEST A DISTANCE OF 322.88 FEET;  
 THENCE SOUTH 18 DEGREES 56 MINUTES 05 SECONDS WEST A DISTANCE OF 616.35 FEET;  
 THENCE SOUTH 54 DEGREES 30 MINUTES 12 SECONDS WEST A DISTANCE OF 680.34 FEET TO A POINT OF CURVE;  
 THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 103.02 FEET, SAID CURVE HAS A RADIUS OF 235.00 FEET AND A CENTRAL ANGLE OF 25 DEGREES 07 MINUTES 01 SECONDS TO A POINT OF REVERSE CURVE;  
 THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 306.98 FEET, SAID CURVE HAS A RADIUS OF 485.00 FEET AND A CENTRAL ANGLE OF 36 DEGREES 15 MINUTES 54 SECONDS;  
 THENCE NORTH 53 DEGREES 28 MINUTES 16 SECONDS EAST A DISTANCE OF 490.32 FEET;  
 THENCE NORTH 27 DEGREES 22 MINUTES 06 SECONDS EAST A DISTANCE OF 478.57 FEET;  
 THENCE NORTH 42 DEGREES 40 MINUTES 20 SECONDS EAST A DISTANCE OF 435.23 FEET;  
 THENCE SOUTH 85 DEGREES 53 MINUTES 52 SECONDS EAST A DISTANCE OF 489.25 FEET;  
 THENCE SOUTH 71 DEGREES 22 MINUTES 20 SECONDS EAST A DISTANCE OF 281.76 FEET;



THENCE NORTH 27 DEGREES 28 MINUTES 28 SECONDS WEST A DISTANCE OF 281.78 FEET;  
 THENCE NORTH 01 DEGREES 41 MINUTES 05 SECONDS EAST A DISTANCE OF 680.29 FEET;  
 THENCE NORTH 68 DEGREES 33 MINUTES 08 SECONDS WEST A DISTANCE OF 89.68 FEET TO A  
 POINT ON A CURVE;  
 THENCE NORTHERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 359.06 FEET,  
 SAID CURVE HAS A RADIUS OF 360.00 FEET, A CENTRAL ANGLE OF 57 DEGREES 08  
 MINUTES 47 SECONDS AND A CHORD THAT BEARS NORTH 02 DEGREES 48 MINUTES 10  
 SECONDS WEST A DISTANCE OF 344.36 FEET;  
 THENCE NORTH 03 DEGREES 18 MINUTES 07 SECONDS EAST A DISTANCE OF 265.70 FEET;  
 THENCE NORTH 45 DEGREES 55 MINUTES 59 SECONDS WEST A DISTANCE OF 651.33  
 FEET;  
 THENCE NORTH 32 DEGREES 09 MINUTES 58 SECONDS WEST A DISTANCE OF 604.84 FEET;  
 THENCE NORTH 68 DEGREES 47 MINUTES 54 SECONDS WEST A DISTANCE OF 108.73 FEET TO  
 A POINT OF CURVE;  
 THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 87.06  
 FEET, SAID CURVE HAS A RADIUS OF 460.00 FEET AND A CENTRAL ANGLE OF 10 DEGREES  
 50 MINUTES 37 SECONDS;  
 THENCE SOUTH 79 DEGREES 38 MINUTES 31 SECONDS EAST A DISTANCE OF 144.11  
 FEET;  
 THENCE SOUTH 65 DEGREES 53 MINUTES 19 SECONDS EAST A DISTANCE OF 427.71  
 FEET;  
 THENCE SOUTH 45 DEGREES 45 MINUTES 02 SECONDS EAST A DISTANCE OF 1092.52  
 FEET;  
 THENCE NORTH 33 DEGREES 19 MINUTES 47 SECONDS EAST A DISTANCE OF 573.29  
 FEET;  
 THENCE NORTH 44 DEGREES 44 MINUTES 05 SECONDS WEST A DISTANCE OF 610.95  
 FEET;  
 THENCE NORTH 66 DEGREES 31 MINUTES 20 SECONDS WEST A DISTANCE OF 410.00  
 FEET;  
 THENCE SOUTH 88 DEGREES 27 MINUTES 52 SECONDS WEST A DISTANCE OF 162.00  
 FEET;  
 THENCE NORTH 77 DEGREES 38 MINUTES 34 SECONDS WEST A DISTANCE OF 572.44 FEET TO  
 A POINT OF CURVE;  
 THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 107.77 FEET, SAID  
 CURVE HAS A RADIUS OF 230.00 FEET AND A CENTRAL ANGLE OF 26 DEGREES 50 MINUTES  
 49 SECONDS TO A POINT OF TANGENT;  
 THENCE SOUTH 75 DEGREES 30 MINUTES 37 SECONDS WEST A DISTANCE OF 10.77  
 FEET;  
 THENCE NORTH 14 DEGREES 29 MINUTES 23 SECONDS WEST A DISTANCE OF 61.07 FEET TO  
 THE POINT OF BEGINNING.

Also Known as: 600 Antelope Drive West,, Bennett, CO 80102

**Exhibit B**  
**Permitted Title Exceptions**

1. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (c) water rights, claims of title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
2. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2013, and subsequent years.
3. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: December 10, 1912

Recording No: Book 58 at Page 525

4. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: March 21, 1944

Recording No: Book 497 at Page 47

5. Reservations, exceptions and provisions contained in the patent from the United States of America, and in the acts authorizing the issuance thereof.

Recording Date: February 27, 1945

Recording No: Book 514 at Page 365.

6. Severance of Mineral Rights to a part of the subject property by Treasurers Deed recorded May 11, 1956 in Book 966 at Page 450 and Book 966 at Page 451.

Note: Said Mineral Rights were conveyed to Juanita L. Smith Trust in Deed recorded February 12, 1999 at Reception No. A9025966.

7. Mineral Rights as conveyed from The Smith/Peary Trust recorded June 17, 2004 at Reception No. B4109912 and August 3, 2004 at Reception No. B4137322.

8. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Mountain States Telephone and Telegraph Company

Purpose: Communications System

Recording Date: June 7, 1960

Recording No: Book 1193 at Page 433.

9. Any tax, lien, fee, or assessment by reason of inclusion of subject property into The Bennett Fire Protection District, as evidenced by instrument recorded October 2, 1962 in Book 1376 at Page 111.

10. Any Tax, Lien, Fee, or Assessment by reason of inclusion of subject property in the North Kiowa-Bijou Ground Water Management District as evidenced by instrument recorded April 27, 1967 in Book 1706 at Page 167.
11. An oil and gas lease interest as evidenced by Affidavit of Claim of Ownership in Oil and Gas Leases recorded May 19, 1970 in Book 1865 at Page 203.
12. An oil and gas lease for the term therein provided with certain covenants, conditions and provisions, together with easements, if any, as set forth therein, and any and all assignments thereof or interests therein.

Recording Date: July 6, 1994

Recording No: Book 7620 at Page 495

13. The effect of Ordinance No. 377, an ordinance annexing certain unincorporated land, to the Town Of Bennett, Colorado, recorded September 7, 1999 in Book 5882 at Page 38. (County of Adams)
14. The effect of Ordinance No. 378, an ordinance annexing certain unincorporated land, to the Town Of Bennett, Colorado, recorded September 7, 1999 in Book 5882 at Page 47. (County of Adams)
15. The effect of Ordinance No. 377, an ordinance annexing certain unincorporated land, to the Town Of Bennett, Colorado, recorded September 10, 1999 at Reception No. A9148383.
16. The effect of Ordinance No. 377, an ordinance annexing certain unincorporated land, to the Town Of Bennett, Colorado, recorded September 10, 1999 at Reception No. A9148384.
17. Terms, conditions, provisions, agreements and obligations contained in the Amendment to Annexation Agreement for Antelope Hills as set forth below:

Recording Date: July 6, 1999

Recording No.: Reception No. A9110688

18. Terms, conditions, provisions, agreements and obligations contained in the Subdivision Development Agreement as set forth below:

Recording Date: June 19, 2000

Recording No.: Reception No. B0073441

Note: First Amendment recorded July 24, 2001 at Reception No. B1119658, and Second Amendment recorded January 17, 2002 at Reception No. B2011686.

19. Terms, conditions, provisions, agreements, easements and obligations contained in the Grant of Easement as set forth below:

Recording Date: January 15, 2002

Recording No.: Reception No. B2009961.



20. Terms, conditions, provisions, agreements and obligations contained in the Agreement Regarding Annexation Agreement as set forth below:

Recording Date: April 27, 2005

Recording No.: Reception No. B5059703.

21. Terms, conditions, provisions, agreements and obligations contained in the Agreement Regarding Lot Subsidy and Other Matters as set forth below:

Recording Date: November 20, 2006

Recording No.: Reception No. B6164599.

22. The effect of letter recorded June 10, 2007 at Reception No. B7004460.

23. The effect of Colorado Ground Water Commission Findings and Order recorded June 26, 2010 at Reception No. D0008871.

24. An oil and gas lease for the term therein provided with certain covenants, conditions and provisions, together with easements, if any, as set forth therein, and any and all assignments thereof or interests therein.

Recording Date: May 25, 2010

Recording No: Reception No. D0049859.

Note: Amendment to Oil and Gas Lease recorded August 23, 2010 at Reception No. D0081682.

Note: Assignment of Oil and Gas Leases recorded December 2, 2011 at Reception No. D1118949.

25. An oil and gas lease for the term therein provided with certain covenants, conditions and provisions, together with easements, if any, as set forth therein, and any and all assignments thereof or interests therein.

Recording Date: May 25, 2010

Recording No: Reception No. D0049861

Note: Assignment of Oil and Gas Leases recorded December 2, 2011 at Reception No. D1118949.

26. Terms, conditions, provisions, agreements and obligations contained in the Annexation Agreement as set forth below:

Recording Date: July 6, 1999

Recording No.: Reception No. A8064021

27. Terms, conditions, provisions, agreements and obligations contained in the Development Agreement Antelope Hills Subdivision as set forth below:

Recording Date: June 19, 2000

Recording No.: Reception No. B0073442.

28. Easements, conditions, covenants, restrictions, reservations and notes as set forth on the recorded plat of Antelope Hills Filing No. 1, recorded June 19, 2000 at Reception No. B0073445.

Note: Surveyors Affidavit recorded August 5, 2002 at Reception No. 2141296.

29. Easements as set forth on the plat of Antelope Hills, Filing No. 4 Final Plat recorded 5/10, 2013 at Reception No. D3058347

30. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Ralph T. Haddad  
Purpose: non exclusive easement and right of way  
Recording Date: October 24, 2000  
Recording No: Reception No. B0137418.

31. Terms, conditions, provisions, agreements and obligations contained in the Amended and Restated Second Amendment to Annexation Agreement for Antelope Hills as set forth below:

Recording Date: 5/10, 2013  
Recording No.: Reception No. D3058315

32. Terms, conditions, provisions, agreements and obligations contained in the Outline Development Plan for High Plains PD Zone District as set forth below:

Recording Date: 5/10, 2013  
Recording No.: Reception No. D3058348

33. Terms, conditions, provisions, agreements and obligations contained in the Release Agreement by and between the Town of Bennett, a municipal corporation and High Plains Banks as set forth below:

Recording Date: \_\_\_\_\_, 2013  
Recording No.: Reception No. \_\_\_\_\_.

## **RESOLUTION NO. 938-22**

### **A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT REGARDING 2022 GRANT OF ARAPAHOE COUNTY OPEN SPACE PROGRAM FUNDS FOR BENNETT REGIONAL PARK AND OPEN SPACE LANDSCAPING AND AMENITIES II**

**WHEREAS**, the Town has been selected to receive funds from the Arapahoe County Open Space Fund in the amount of \$15,000 for the Bennett Regional Park and Open Space Landscaping and Amenities II; and

**WHEREAS**, there has been proposed for the project an Intergovernmental Agreement (the “Agreement”) between the Town and the Board of County Commissioners of the County of Arapahoe for the funding of the Town’s project; and

**WHEREAS**, the Town is authorized by law to enter into the Agreement and the Board of Trustees finds and determines that execution of the Agreement is in the best interest of the Town and its citizens.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BENNETT, COLORADO:**

**Section 1.** The Board of Trustees hereby approves that certain Intergovernmental Agreement (the “Agreement”) between the Town of Bennett and the Board of County Commissioners of the County of Arapahoe for funding of the Town’s Bennett Regional Park and Open Space Landscaping and Amenities II. A true copy of the Agreement is attached hereto and incorporated herein by this reference.

**Section 2.** The Mayor is hereby authorized to execute the Agreement on behalf of the Town, except that the Mayor is hereby further authorized to negotiate and approve such revisions to the Agreement as the Mayor determines are necessary or desirable for the protection of the Agreement, so long as the essential terms and conditions of the Agreement are not altered.

**Section 3.** The Mayor, Town Administrator, Town Clerk, and Town staff are hereby authorized to execute all documents and do all other things necessary on behalf of the Town to effectuate funding of the project under the Agreement, to provide for completion of work under the project, and to perform the obligations of the Town under the Agreement, including but not limited to execution of all certifications, forms, memoranda of understanding, and other documents required in connection with the Agreement and project.

**INTRODUCED, ADOPTED AND RESOLVED THIS 11<sup>th</sup> DAY OF OCTOBER 2022**



TOWN OF BENNETT, COLORADO

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Royce D. Pindell, Mayor

ATTEST:

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Christina Hart, Town Clerk

**RESOLUTION NO. 939-22**

**A RESOLUTION IN SUPPORT OF BALLOT ISSUE 5A, APPEARING ON THE NOVEMBER 8, 2022 BALLOT, CONCERNING THE BENNETT SCHOOL DISTRICT 29J'S BOND INITIATIVE**

**WHEREAS**, the Board of Education of the Bennett School District No. 29J ("District") at its regular meeting on August 18, 2022, determined that the interest of the District and the public interest or necessity demands the issuance of voter-approved debt, in conformity with the ballot issue to be proposed in the November 8, 2022, election;

**WHEREAS**, the District has experienced an increase in student enrollment, which has caused overcrowding in the District's current facilities;

**WHEREAS**, the safety and security of District students and traffic mitigation are a priority for the Town;

**WHEREAS**, the proposed bond initiative would enable the District to develop a school site currently owned by the District as a new high school facility, which would alleviate current overcrowding and would address traffic mitigation efforts in the Town;

**WHEREAS**, the District's construction of improvements as described in the bond initiative may result in increased job opportunities for residents of the Town of Bennett;

**WHEREAS**, the proposed bond initiative includes support for the District's Career and Technical programming, which could accelerate the advancement of employment opportunities for residents of the Town and support the growth of the Town's business community; and

**WHEREAS**, the Board of Trustees of the Town of Bennett values the enhancement of the District's educational facilities and programming as it would directly benefit the residents of the Town of Bennett.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BENNETT, COLORADO:**

**Section 1.** The Board of Trustees of the Town of Bennett does hereby express its support for Bennett School District No. 29J's bond initiative and urges voters to vote in favor of Ballot Issue 5A at the November 8, 2022 election.

**INTRODUCED, ADOPTED AND RESOLVED THIS 11<sup>th</sup> DAY OF OCTOBER 2022.**

TOWN OF BENNETT, COLORADO

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Royce D. Pindell, Mayor

ATTEST:

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Christina Hart, Town Clerk

## QUASI-JUDICIAL PUBLIC HEARING SCRIPT

### BOARD OF TRUSTEES

**MAYOR:** I will now open the public hearing on the following applications: Case No. 22.11  
– The Shops at Bennett Subdivision, Amendment No. 1 Final Plat.

The purpose of the hearing is to provide a public forum for all interested parties who wish to comment on an application before the Board of Trustees. If you wish to speak please write your name and address in the chat box and you will be called on.

The Procedure for the public hearing will be as follows:

**FIRST**, there will be a presentation by the Town staff.

**NEXT**, we will have a presentation by the applicant.

After these two presentations we will allow people who signed up to speak for up to 3 minutes each. Please **DO NOT REPEAT** points made by others. It is fine to say, "I agree with the previous speaker's comments". Please direct your comments to the Board, not the applicant or Town staff.

After receiving public comments, we will allow the applicant an opportunity to respond.

**NEXT**, the Board may ask questions of anyone who testified.

I will then close the public hearing and no further testimony or other evidence will be received. The Board will discuss the matter and may take some kind of action.

Public hearings are recorded for the public record. All testimony must be presented, after you give your full name and address.

**MAYOR:** Do we have proper notification?

[Town Clerk to confirm on record notice has been provided]

Do any Trustees have any disclosures?

[Trustees to disclose conflicts of interests, ex parte contacts, etc.]

Town staff, please introduce the applicant and provide your staff report.

[Staff presentation]

Will the applicant or the applicant's representative present the application?

[Applicant presentation]

Do any of the Trustees have questions of the applicant or Town staff?

[Question and Answer]

**MAYOR:** I will now open the public comment portion of the public hearing. For those wishing to speak, please clearly state your name and address for the record.

Has anyone signed up to speak at this public hearing?

[If more than one person has signed in, call them in order.]

Is there any interested party in the audience that has not signed up but who wishes to speak regarding the application?

[Additional public comment]

If there is no more public comment, I will now close the public comment portion of the public hearing.

**MAYOR:** Does the applicant wish to respond to any of the comments?

[Opportunity for applicant to provide any rebuttal evidence]

**MAYOR:** Before we turn to Trustee questions and deliberation, I want to state that the documents included within the record for this public hearing include all application materials submitted by the applicant; all materials included in the Trustee packets; any PowerPoint or other presentations given tonight; all written referral and public comments received regarding the application; the public comment sign-up sheet; the public posting log and photographs of the notice, and the Town's subdivision and zoning ordinances and other applicable regulations. Does anyone have any objection to inclusion of these items in the record?

**MAYOR:** I will now close the public hearing and the Trustees will deliberate on the evidence presented. During deliberations, Trustees may ask questions of Town staff, but no further public comment or other testimony or evidence will be received.

Who would like to begin?

Who is next?

Any other questions or comments

If anyone believes the applicable criteria have not been met, then please explain why so we have those reasons for the record.

**MAYOR:** We have a draft resolution in front of us and I would entertain a motion.  
May we have a Roll-Call vote?  
Motion carries/fails.

# STAFF REPORT



welcome neighbors.

TO: Mayor and Town of Bennett Board of Trustees

From: Steve Hebert, Planning Manager

DATE: October 11, 2022

SUBJECT: Case No. 22.11 – The Shops at Bennett Subdivision, Amendment No. 1 Final Plat

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Applicant: Shops at Civic Center, LLC (Forrest Charlesworth)

Location: Near the Southwest Corner of Centennial Drive and 1st Street/CO Highway 79 and Northwest Corner of Bennett Avenue and 1st Street (See Vicinity Map)

Purpose: Final Plat to Subdivide 4.17 Acres Currently Zoned C- General Commercial

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## Background

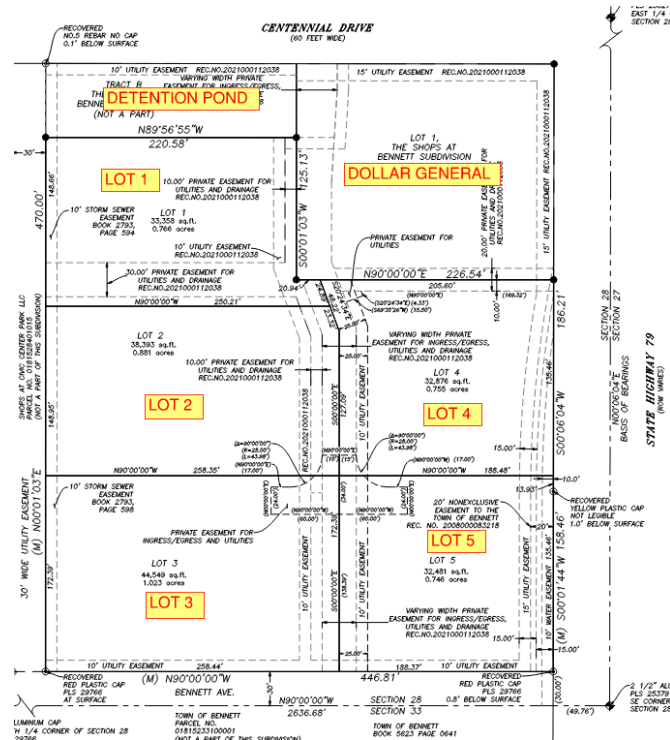
Case No. 22.11 is an application to amend the Shops at Bennett Subdivision Final Plat to further subdivide Tract A. The original Shops at Bennett Subdivision created Lot 1, which is now the Dollar General property. The original plat also created Tract A and Tract B. Tract A is 4.17 acres and was reserved for future subdivision. Tract B is now the detention pond, which serves the Shops at Bennett. The property is near the southwest corner of Centennial Drive and 1st Street/CO Highway 79, immediately south and west of Dollar General. See the vicinity map below.



The Shops at Bennett project lies just north of the Bennett Town Hall, the Veteran's Memorial, the Adams County Shared Services building and the Bennett Recreation Center.

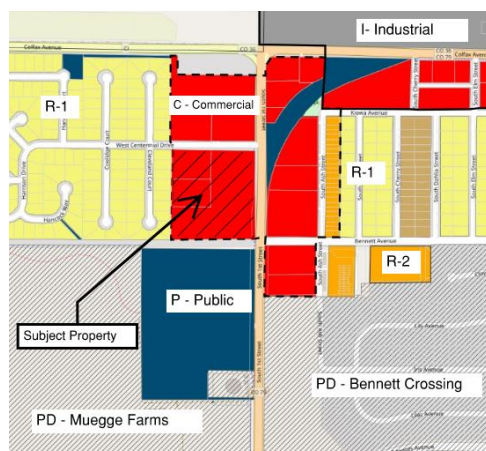
## Proposed Subdivision Plat

The illustration below shows the proposed lot layout creating five new lots for future commercial development. Access to the five lots will be via an internal private drive off Centennial Drive north of the subdivision. There will not be any vehicular access to Bennett Avenue. See the traffic discussion below for more details.



## Zoning and Land Use Regulations

The subject property is currently zoned C - General Commercial District. The map below shows the zoning of the property and the surrounding area, including a mix of residential, commercial, planned development and public zone districts.





The table below summarizes the zoning and land use on properties immediately adjacent to the subject property.

Direction	Adjacent Zone District	Land Use
North	C- General Commercial District	Dollar General, Bank and Vacant Lot
East	C- General Commercial District	Dollar General, Bank, Church, U.S. Post Office
South	P – Public District	Town Hall, County Shared Services Building, Veteran’s Memorial
West	R-1 - Low Density Residential District	Residential –Centennial Subdivision

The property also lies within the Main Street Downtown overlay district. The eventual site plan will be reviewed for compliance with the Main Street elements of the Bennett Development Design Guidelines.

### Public Services and Utilities

The subject property is served by the following:

#### Water

Water will be provided by the Town of Bennett. Extension of the Town’s water system is proposed as part of this development.

#### Sanitary Sewer

Sanitary sewer will be provided by the Town of Bennett. Extension of the sanitary sewer system is proposed as part of this development.

#### Stormwater Management

Stormwater will be collected and conveyed in accordance with Town standards to prevent any on-site or off-site flooding. The existing detention pond constructed as part of the Dollar General project will accommodate the stormwater from this subdivision.

#### Access and Traffic

Vehicular access will be provided to the commercial subdivision by a private internal drive that connects with Centennial Drive to the north. There is no vehicular access via Bennett Avenue, consistent with the Colorado Department of Transportation’s (CDOT) request. As part of the original Shops at Bennett Subdivision Final Plat, the Town required the property owner to dedicate additional right-of-way (ROW) along the east side of the property along CO Highway 79 consistent with a future 100-foot highway ROW profile for that section of the highway.

The applicant submitted a traffic impact analysis (TIA) prepared by LSC Transportation Consultants, Inc. One key element of a traffic impact analysis is the concept of Level of Service (LOS). The State of Colorado Highway Access code describes LOS as *“a measure describing the operational conditions within a stream of traffic. The measure uses factors including speed, travel time, ability to maneuver, traffic interruptions, safety, waiting time periods (delay), and driver comfort and convenience.”* LOS ranges from A to F, including LOS E, and correlates to the level of congestion or amount of delay, as described above.

1. All movements operate at an acceptable LOS C or better through 2042 without the new development.
2. All movements operate at an acceptable LOS C or better through 2042 with the new development, except for the eastbound left (EBL) turn from Centennial Drive north to CO Highway 79, which operates at LOS D in the PM peak hour in 2024. LOS D is also considered an acceptable LOS.
  - This includes the site access intersection on Centennial Drive. The analysis shows LOS A and less than 1 queued vehicle in the PM peak hour.
3. Once CO Highway 79 is realigned and traffic along this segment of the highway is reduced, that turning movement returns to a LOS C, which is similar to existing conditions.
4. LOS D delay ranges from 25 seconds to 35 seconds per vehicle and is described as tolerable delay or congestion. Drivers may wait a little longer to find gaps in the traffic flow. This amount of delay generally does not result in drivers feeling frustrated, leading to unsafe driving maneuvers.
5. For the Shops at Bennett, delay for the EBL in the PM peak hour was reported at 27.1 second/vehicle which is on the lower end of the LOS D range of delay.

The diagram illustrates a proposed safety improvement project at the intersection of S 1st St and Central Dr. Key features include:

- Pavement Markings:** Existing ROW (Typ), Crosswalk Pavement Marking (2x10's Typ), Preformed Thermoplastic Yield Line (24"x36") (Typ).
- Signage:** SI-1 (36"x36"), W16-7P L&R (24"x12") (Install Back to Back), R1-5 (L) (36"x36"), R1-5 (R) (36"x36"), SI-1 (36"x36"), W16-7P L&R (24"x12") (Install Back to Back), OM3-L (12"x36") Install at 2' Mounting Height.
- Dimensions:** R=20', R=19', R=8', 12', 18', 11', 6', 10'.
- Action Items:** REMOVE EXISTING CROSSWALK STRIPING, REMOVE EXISTING GUARDRAIL, RIGHT LANE MUST TURN RIGHT, RIGHT LANE MUST TURN RIGHT, EXISTING TO REMAIN.

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Regarding pedestrian access internal to the Shops at Bennett, the Town is requiring an access easement be provided that will accommodate pedestrian access along the internal drive and then extend to the south property line. At the time of site plan review, the Town will require a sidewalk improvement south to the Veteran's Memorial and Town Hall and also east along the Bennett Avenue alignment to connect with the regional trail along the west side of the highway. This will provide safe and convenient pedestrian and bike access to the Shops at Bennett.

#### Fire and Rescue

Bennett-Watkins Fire Rescue will provide fire protection service. The development will be subject to the International Fire Code (IFC). An easement for a "hammerhead" turnaround will be dedicated on the final plat to assure adequate turnarounds for emergency vehicles.

#### Gas, Electricity and Telecommunications

Natural gas will be provided by Colorado Natural Gas, electricity by CORE Electric Cooperative and telecommunications by Eastern Slope Technologies (ESRTA) or Comcast. Appropriate easements for these providers are identified on the final plat.

#### Subdivision Agreement Required

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A subdivision agreement (SA) that identifies and guarantees public improvements, including but not limited to streets, sidewalks/trails, water, sanitary sewer and storm water management is required prior to the issuance of an infrastructure permit. A note to that effect will be added to the final plat.

#### Public Land Dedication Requirements

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Per Section 16-5-510 of Bennett Municipal Code, at the time of subdivision, the subdivider shall dedicate to the Town and improve to the Town's specifications usable tracts of land that are free from liens or encumbrances, for park land and public facilities. This land may be used for public parks, trails, open space, public facilities or recreational purposes. The public land dedication requirement shall be equal to ten percent (10%) of the total land area contained within the subdivision regardless of zoning classification.

Because the Town would derive greater benefit at the time from a cash-in-lieu payment than from the provision of land, such cash-in-lieu will be determined in a future Subdivision Agreement (SA).

#### Staff Analysis and Findings

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Per Section 16-4-380 of the Bennett Municipal Code, the Town shall use the following criteria to evaluate the applicant's final plat application:

- A. The final plat incorporates recommended changes, modifications and conditions attached to the sketch plan unless otherwise approved by the Planning Commission.

**Staff Finding: The sketch plan process has been waived because of the previous review of the original Shops at Bennett Subdivision.**

- B. All applicable technical standards in accordance with this Chapter and adopted Town documents have been met.

1. To establish appropriate standards for subdivision design that will:
  - a. Encourage the development of sound, economical and stable neighborhoods and healthy living environments, in conformance with the goals and policies of the Comprehensive Plan.
  - b. Provide lots of adequate size, configuration and design for the purpose for which they are intended to be used.
  - c. Promote superior design and design flexibility.
  - d. Preserve the significant natural features and environmental quality of the Town.
  - e. Guide the physical development of the Town in ways that complement the Town's character and culture.
  - f. Promote a cohesive sense of community among new and current residents, precluding neighborhood design or restrictions that in any way isolate any neighborhood from the rest of the community.
  - g. Provide complete and accurate public land records.

**Staff Finding: The proposed subdivision will accommodate new development that meets the standards of good subdivision design.**

2. To establish standards for utilities and other public services that will:
  - a. Provide an efficient, adequate and economical supply of utilities and services to land proposed for development without adverse effects to property that is currently served.
  - b. Ensure that adequate stormwater drainage, sewage disposal, water supply and other utilities, services and improvements needed as a consequence of the subdivision of the land are provided.
  - c. Provide for the reasonable extension of utilities and services to other lands that may be developed in the future.
  - d. Provide the equitable distribution of the cost of new and expanded public services needed to support new land development.

**Staff Finding: The proposed subdivision will accommodate extension of utilities and public services to serve the property. The applicant will be required to pay for the project's fair share of undergrounding the overhead CORE electric line along the east side of the property.**

3. To ensure the provision of adequate and safe traffic circulation that will:
  - a. Minimize traffic hazards through appropriate street design, providing safe and convenient vehicular and pedestrian traffic circulation systems.
  - b. Provide adequate vehicular access to abutting properties.
  - c. Provide streets of adequate capacity and appropriate design and function.

**Staff Finding: Centennial Avenue and S. 1<sup>st</sup> Street/CO Highway 79 provides adequate and appropriate access to the property. See discussion on traffic above.**

4. To ensure adequate public facilities that will:

- a. Provide for the recreational, cultural, educational and other public facility needs of the community.
- b. Facilitate effective law enforcement and fire protection.

**Staff Finding: Adequate public facilities are available to the property.**

5. To contribute to the proper development of the community in accordance with the goals and policies of the Comprehensive Plan as it may be updated from time to time.

**Staff Finding: The proposed plat is consistent with the principles in the 2021 Town of Bennett Comprehensive Plan including:**

**A comprehensive, safe and efficient transportation system that provides for all forms of travel, including vehicular, bicycle, pedestrian and public transit.**

- Develop neighborhoods that have a mix of land uses and densities with easy access to parks and open space, schools, cultural facilities, places of worship, shopping and employment.
- Contiguous land development pattern that promotes connected infrastructure and services in line with the capital asset inventory master planning documents.
- Both land and infrastructure development decisions will be predictable and provide equitable cost-sharing in line with the Town's master plans.

#### C. Compliance with Zoning Regulations

**Staff Finding: The final plat is consistent with the C- General Commercial zoning district. Future development will be subject to the lot standards of the zoning regulations, including but not limited to building setbacks, building height, parking, landscaping and lighting.**

### Public Comment

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Notice of the October 11, 2022 Board of Trustees meeting was published in the Eastern Colorado News, posted on the subject property and sent to all property owners within 300 feet of the property. A resident of the Centennial neighborhood attended the Planning and Zoning Commission and received clarification on the utility easement just west of the proposed subdivision. He had no objections to the application.

### Planning and Zoning Commission Recommendation

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On September 19, 2022, the Planning and Zoning Commission recommended approval of the Shops at Bennett Subdivision, Amendment No. 1 Final Plat. See attached Resolution No. 2022-17.

### Staff Recommendation

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Staff finds the proposed final plat is in compliance with the Subdivision Regulations in Chapter 16, Article IV of the Bennett Municipal Code. Staff also finds the plat has been processed according to Section 16-4-360 and meets the approval criteria in 16-4-380. Based upon these findings, Staff recommends the Board of Trustees adopt Resolution No. 937-22, approving Subdivision, Amendment No. 1 Final Plat, with the following conditions:

1. Approval of a subdivision agreement (SA) that identifies and guarantees public improvements, including but not limited to streets, sidewalks/trails, water, sanitary sewer, storm water management and undergrounding utilities prior to the issuance of an infrastructure permit.
2. Before recording the final plat, the applicant shall:
  - a. Update plat notes related to easements; maintenance and required site plan review;
  - b. Make other minor modifications as directed by Town Staff, the Town Engineer and Town Attorney.

## Attachments

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1. Staff PowerPoint Presentation (PDF)
2. Land Use Application
3. Applicant's Letter of Intent
4. Proposed Final Plat
5. Traffic Impact Analysis
6. Combined Referral Agency Responses
7. Planning and Zoning Commission Resolution No. 2022-17
8. Resolution No. 937-22

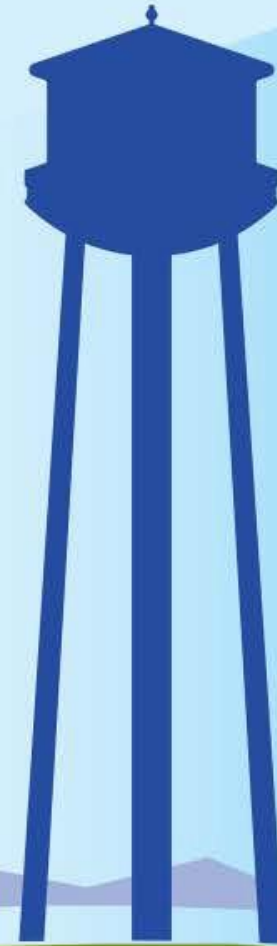


# Case No. 22.11 Shops at Bennett Subdivision, Amendment No. 1 Final Plat

Town of Bennett Board of Trustees

October 11, 2022

Steve Hebert, Planning Manager

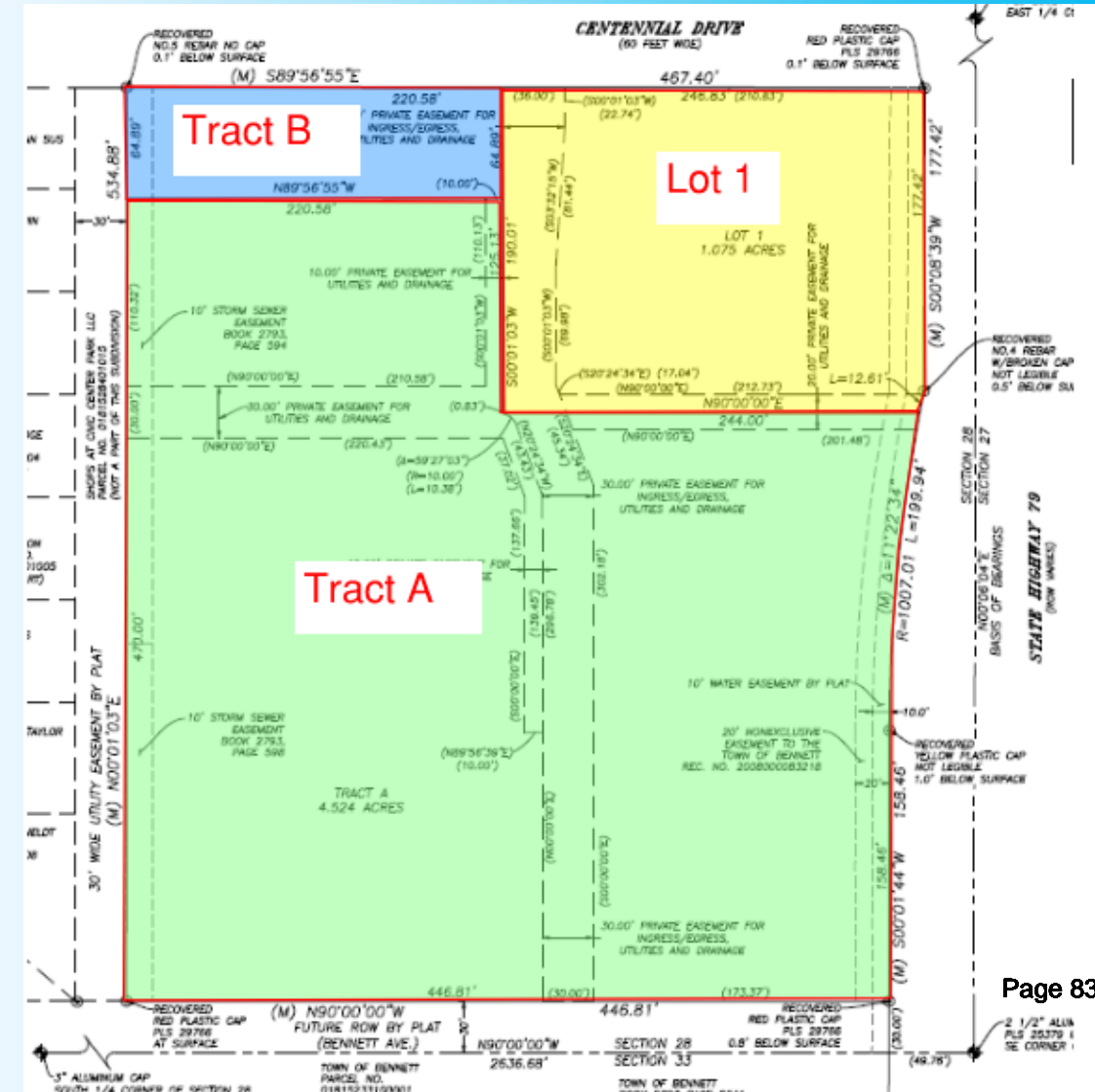


# Shops at Bennett Subdivision Vicinity Map



# Original Shops at Bennett Subdivision

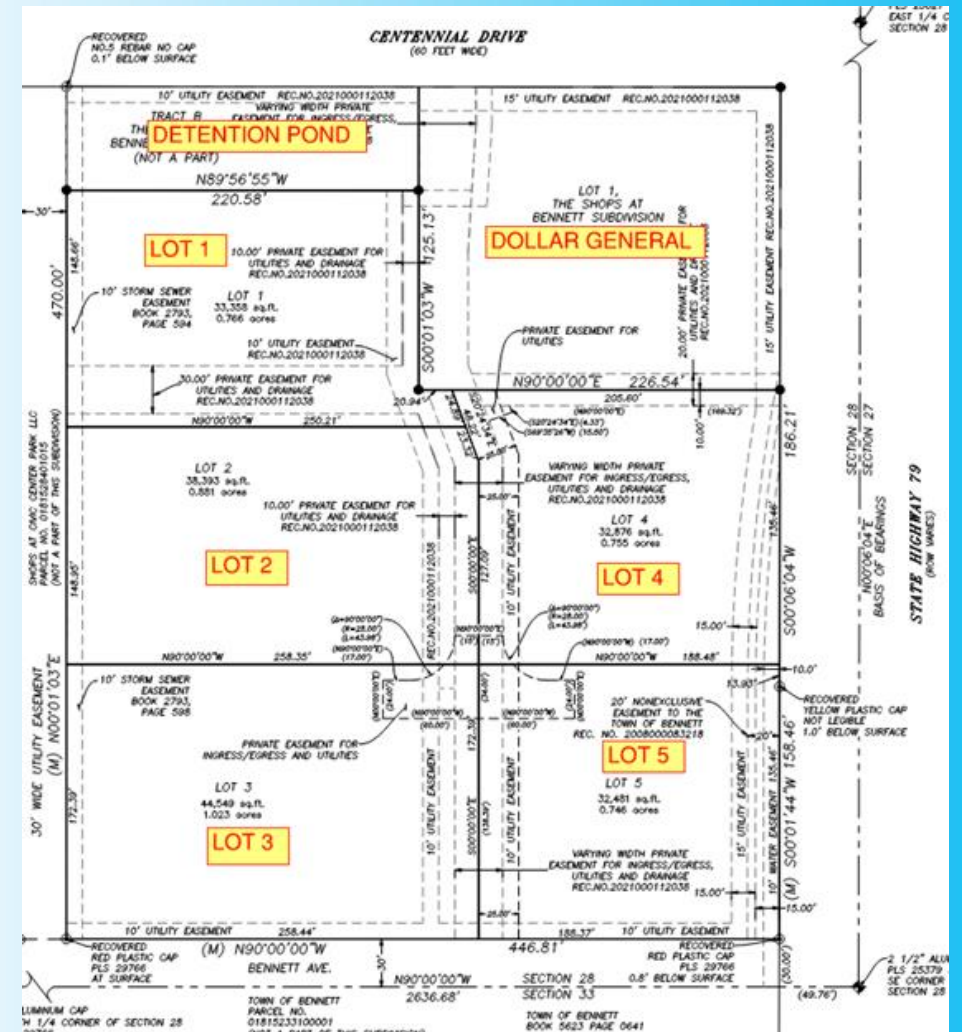
- Approved in August 2021
- 5.9 acres
- Zoned C – General Commercial District
- Created one buildable lot (Lot1), now Dollar General
- Created Tract A for future commercial subdivision
- Tract B for detention pond





# Shops at Bennett Subdivision, Amendment No. 1

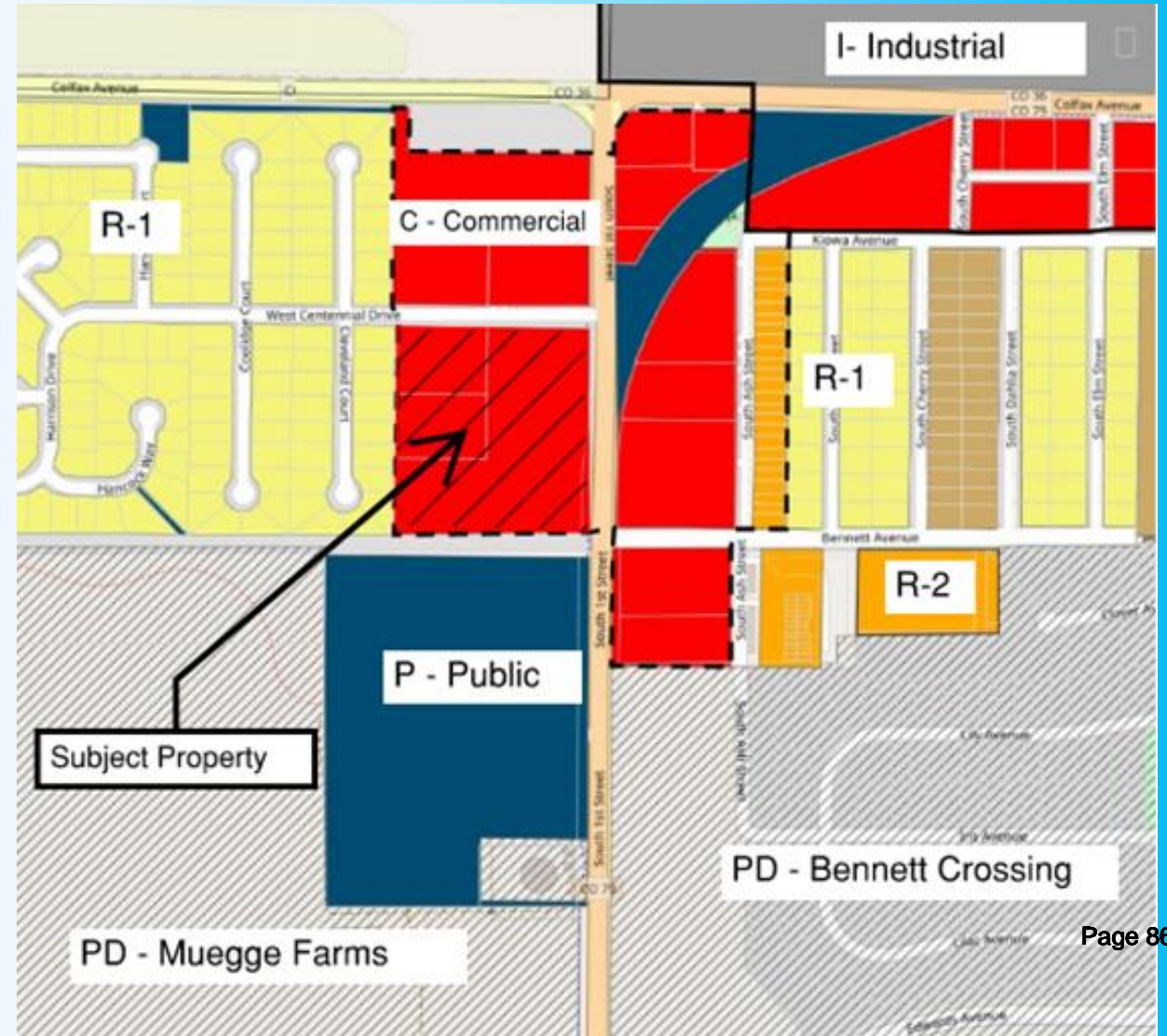
- 4.17 acres
- Zoned C – General Commercial District
- Access via Centennial Dr., no direct access to 1<sup>st</sup> St./CO Highway 79
- Creates five commercial lots
- Various access and utility easements dedicated via plat





# Zoning

- Current zoning is C - General Commercial District
- Within the Main Street Downtown overlay district, with additional design guidelines applied at time of site plan





# Surrounding Zoning and Land Use

Direction	Adjacent Zone District	Land Use
North	C- General Commercial District	Dollar General, Bank and Vacant Lot
East	C- General Commercial District	Dollar General, Bank, Church, U.S. Post Office
South	P – Public District	Town Hall, County Shared Services Building, Veteran's Memorial
West	R-1 - Low Density Residential District	Residential –Centennial Subdivision

# Access and Traffic

## Concept of Level of Service (LOS)

**Table 1. Level of Service Criteria for Signalized Intersections**

Level of Service	Average Control Delay (sec/veh)	General Description (Signalized Intersections)
A	$\leq 10$	Free Flow
B	>10 - 20	Stable Flow (slight delays)
C	>20 - 35	Stable flow (acceptable delays)
D	>35 - 55	Approaching unstable flow (tolerable delay, occasionally wait through more than one signal cycle before proceeding)
E	>55 - 80	Unstable flow (intolerable delay)
F	>80	Forced flow (jammed)

# Access and Traffic

**Table 2. Level of Service Criteria for Unsignalized Intersections**

Level of Service	Average Control Delay (sec/veh)
A	0 - 10
B	>10 - 15
C	>15 - 25
D	>25 - 35
E	>35 - 50
F	>50

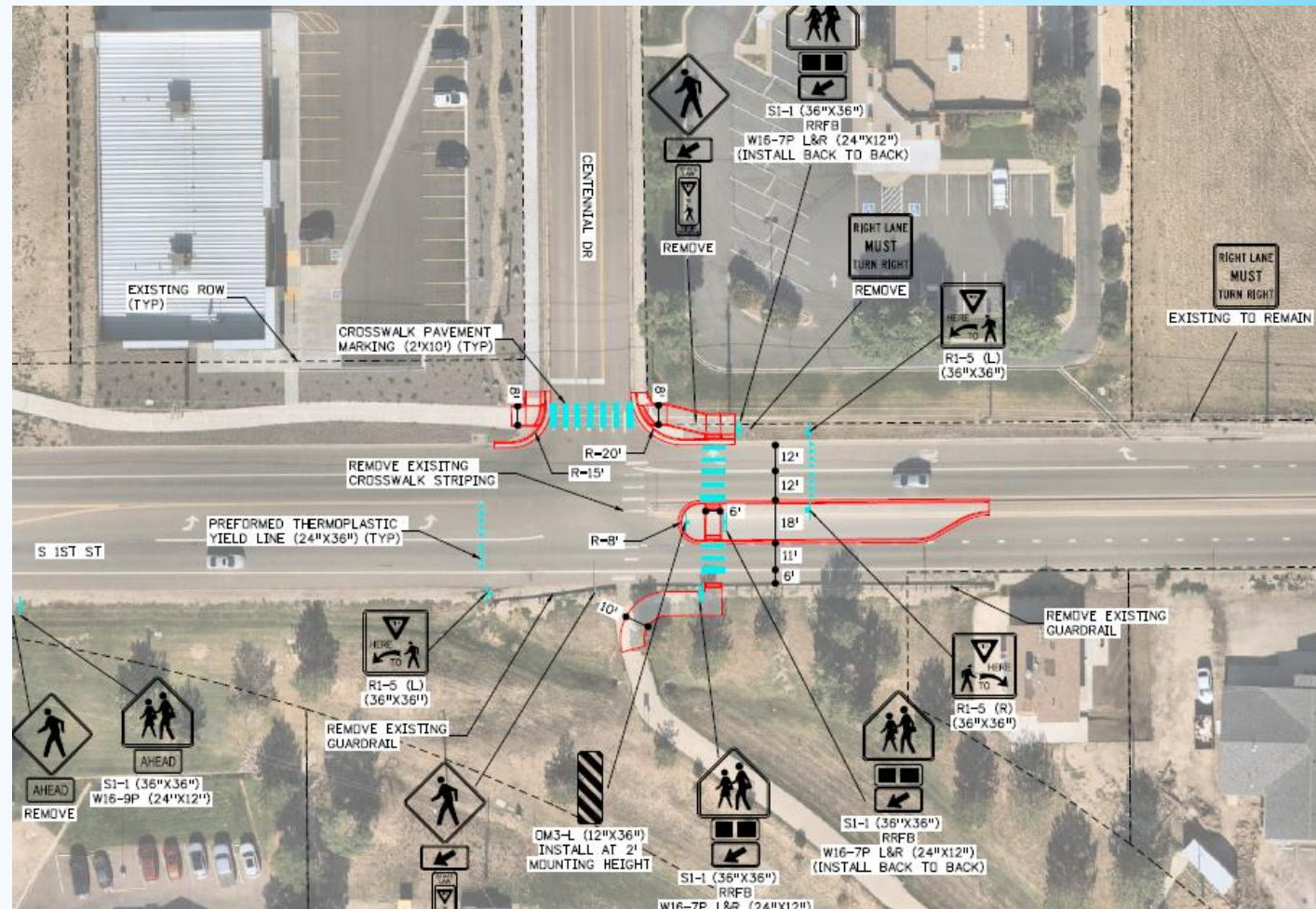
## Access and Traffic

1. Applicant's Traffic Impact Analysis assessed Level of Service (LOS)
2. All movements operate at an acceptable LOS (C or better) through 2042 with the exception of the eastbound left (EBL) turn from Centennial Drive north to CO Highway 79 which operates at LOS D in the PM peak hour in 2024. LOS D is considered acceptable LOS.
3. Once CO Highway 79 is realigned and traffic along this segment of the highway is reduced, that turning movement returns to a LOS C.

## Access and Traffic, Continued

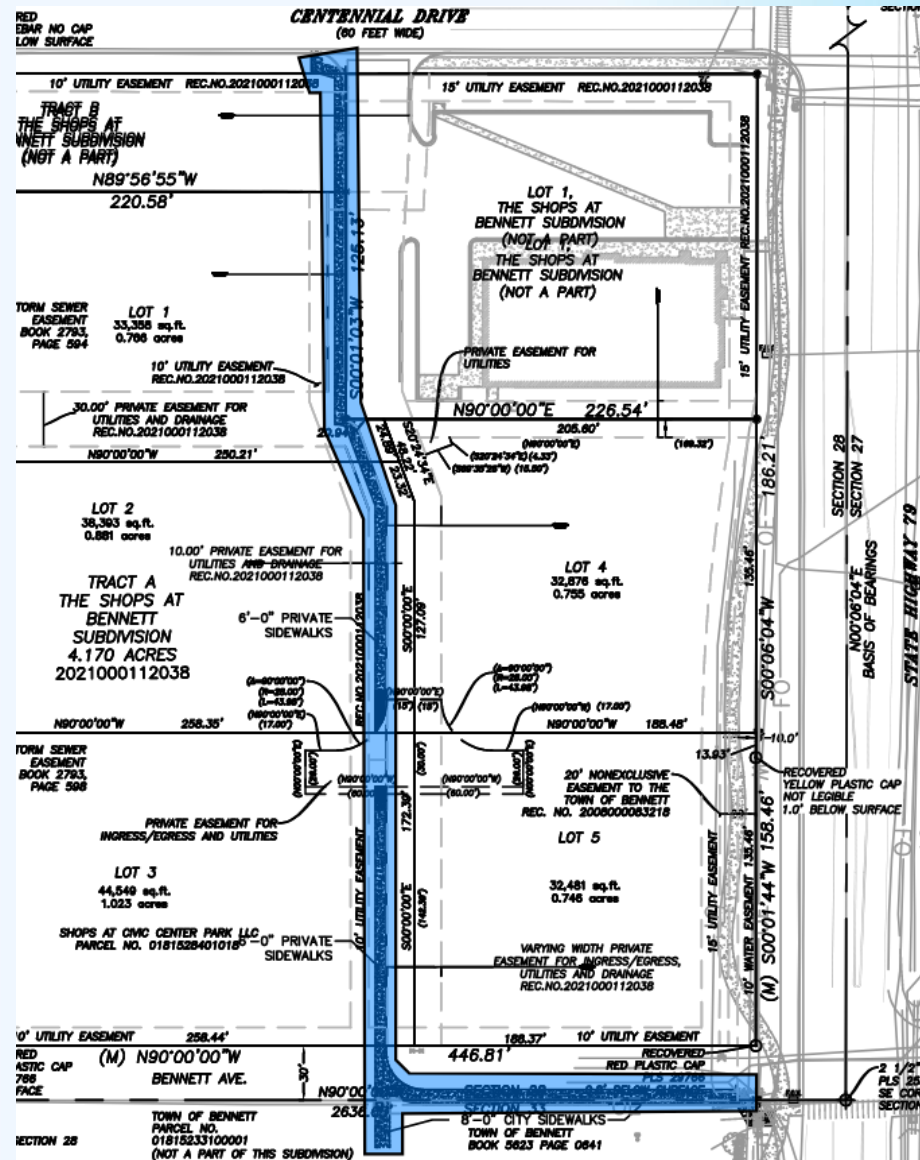
4. Proposed improvements at Centennial Dr. and S. 1<sup>st</sup> St./CO Hwy 79 will enhance safety for pedestrians. (See the following slide)
5. The developer will be required to submit cash-in-lieu, to be reserved for future widening of S. 1<sup>st</sup> St./CO Hwy 79 along the east property line of the subdivision.

# Future Pedestrian Improvements at Centennial Dr. and S. 1<sup>st</sup> St./CO Hwy 79





# Internal Pedestrian Connections



# Staff Findings on Case No. 22.11

Per Section 16-4-380 of the Bennett Municipal Code, the Town shall use the following criteria to evaluate the applicant's final plat application:

- No sketch plan required.
- All applicable technical standards in accordance with this Chapter and adopted Town documents will be met.
- The proposed lots will accommodate new development that meets the standards of good subdivision design.
- The proposed plat will accommodate extension of utilities and public services to serve future commercial development.
- No public facilities are anticipated as part of this subdivision. However, there will be a public land dedication requirement or cash-in-lieu.
- All development will meet the standards set forth in the C – General Commercial District and Main Street Overlay District.

# Planning and Zoning Commission Recommendation

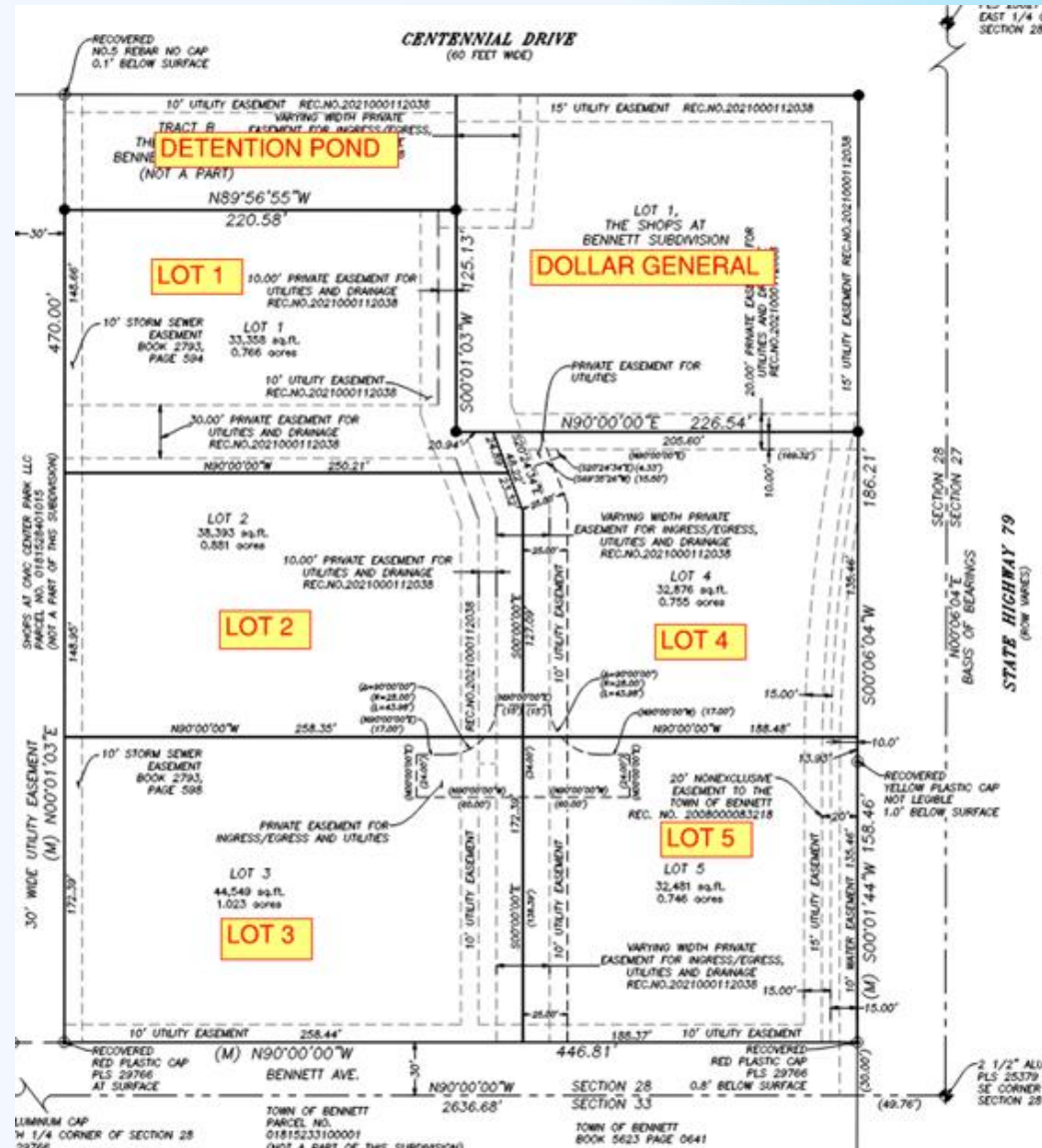
On Monday, September 19, 2022, the Planning and Zoning Commission reviewed Case No. 22.11 and recommended the Board of Trustees approve the Shops at Bennett Subdivision, Amendment No. 1 Final Plat.

## Staff Recommendation

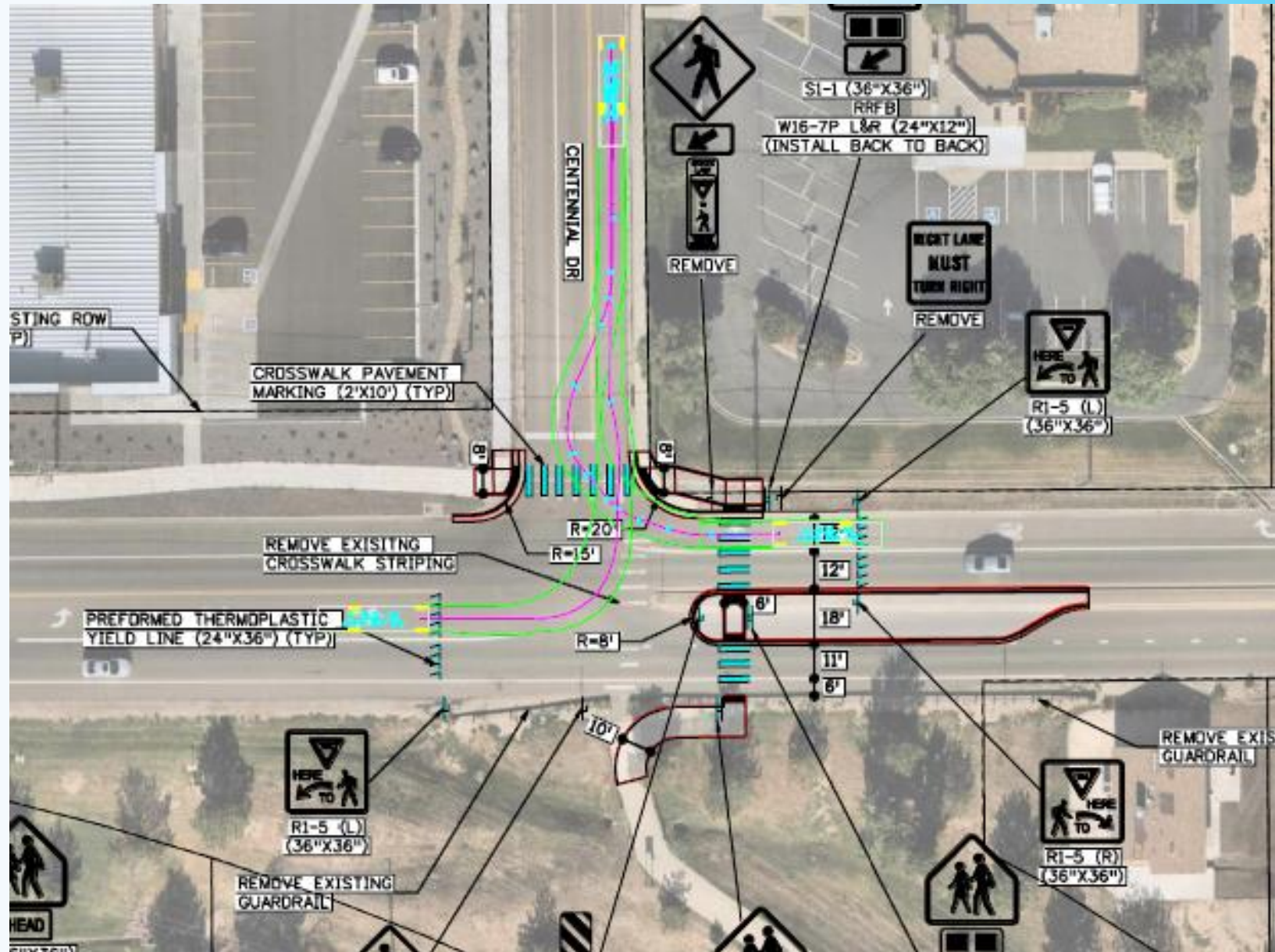
Staff recommends the Board of Trustees approve Resolution No. 937-22 approving the Shops at Bennett Subdivision, Amendment No. 1 Final Plat, with the following conditions:

1. Approval of a subdivision agreement (SA) that identifies and guarantees public improvements, including but not limited to streets, sidewalks/trails, water, sanitary sewer, storm water management and undergrounding utilities prior to the issuance of an infrastructure permit.
2. Before recording the final plat, the applicant shall:
  - a. Update plat notes related to easements; maintenance and required site plan review;
  - b. Make other minor modifications as directed by Town Staff, the Town Engineer and Town Attorney

# Questions and Comments?







## Town of Bennett Land Use Application Form

*TO BE COMPLETED BY APPLICANT*

<b>Application Type:</b>	<input type="checkbox"/> Annexation	<input type="checkbox"/> FDP	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Variance
	<input type="checkbox"/> Zoning/Rezoning	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Sign Permit
	<input type="checkbox"/> ODP	<input type="checkbox"/> Sketch Plan	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Other _____

**Primary Contact Name:** LISA PETERSON

**Name of Firm:** HAMMERS CONSTRUCTION, INC.

**Address:** 1411 Woodsey Hts.

**City:** COLORADO SPRINGS **State:** CO **Zip:** 80915 **Phone:** 719-570-1599

**Email:** lpeterson@hammersconstruction.com

**Owner Name:** SHOPS AT CIVIC CENTER LLC

**Address:** 965 S. 1st St. Unit 6F

**City:** BENNETT **State:** CO **Zip:** 80102-8750 **Phone:**

**Email:**

**Mineral Estate Holder/Lease:** ANSCHUTZ FARMS CORPORATION

**Name of Firm:**

**Address:**

**City:** **State:** **Zip:** **Phone:**

**Parcel#:** 01815-2840-1011, 01815-2840-1013  
01815-2840-1014, 01815-2840-1015 **Subdivision Name:** THE CENTENNIAL ADD

**Site Address:** S 1ST & CENTENNIAL DRNE

**Nearest Major Intersection:** SW CORNER OF S 1ST & CENTENNIAL DRIVE

**Legal Description:** CENTENNIAL ADD THE DESC: OUTLOT B EXC NLY 325/94 FT OF WLY 235/88 FT

**Current Zoning:** GENERAL COMMERCIAL DISTRICT **Proposed # lots/units:** 5 LOTS / 1 TRACT

**Total Acreage:** 4.170 **Gross Floor Area:** N/A

**Proposed Gross Densities (du/ac):**

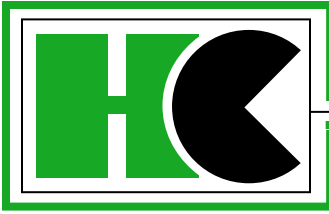
**Additional Notes:**

All Submittal Requirements must accompany this application. All applicable fees must be paid at the time of application. Any extraordinary cost incurred by the Town of Bennett in reviewing and processing this application is the responsibility of the applicant.

An executed cost agreement must be attached to this application pursuant to Sec. 16-1-325 of the Bennett Municipal Code.

*I understand this is an application only, it must be approved by the Town, and any required building permits must be obtained before the property can be used in accordance with the request. I hereby acknowledge all of the above information is correct.*

**Applicant's Signature:**  **Date:** 2-16-22



Steve Hammers, President  
shammers@hammersconstruction.com

# HAMMERS CONSTRUCTION, INC.

1411 Woolsey Heights • Colorado Springs, Colorado 80915-5400  
(719) 570-1599 • FAX (719) 570-7008 • [www.hammersconstruction.com](http://www.hammersconstruction.com)

• SPECIALIZING IN DESIGN / BUILD •

## Letter of Intent

Final Plat

### Owner Information

Shop at Civic Center LLC

965 S 1<sup>st</sup> St. Unit 6F

Bennett, CO 80102-8750

Project Name: Shops at Bennett

### Owner Representatives

Hammers Construction, Inc.

Joe Butler – Project Manager

Lisa Peterson – Design (Applicant)

1411 Woolsey Heights

Colorado Springs, CO 80915

(719) 570-1599

### Site:

S. 1<sup>st</sup> and Centennial Drive

Bennett, CO 80102-8750

Lot Size: 4.170 Acres

Zoned: General Commercial District

Parcel numbers: 01815-2840-1011, 01815-2840-1013, 01815-2840-1014

### Description

Request approval to plat five Lots and one Tract. We are proposing to install a portion of the roadway & utility infrastructure at this time. The five lots will be developed for future retail or like uses. Tract A will be reserved for the continuation of Bennett Ave.

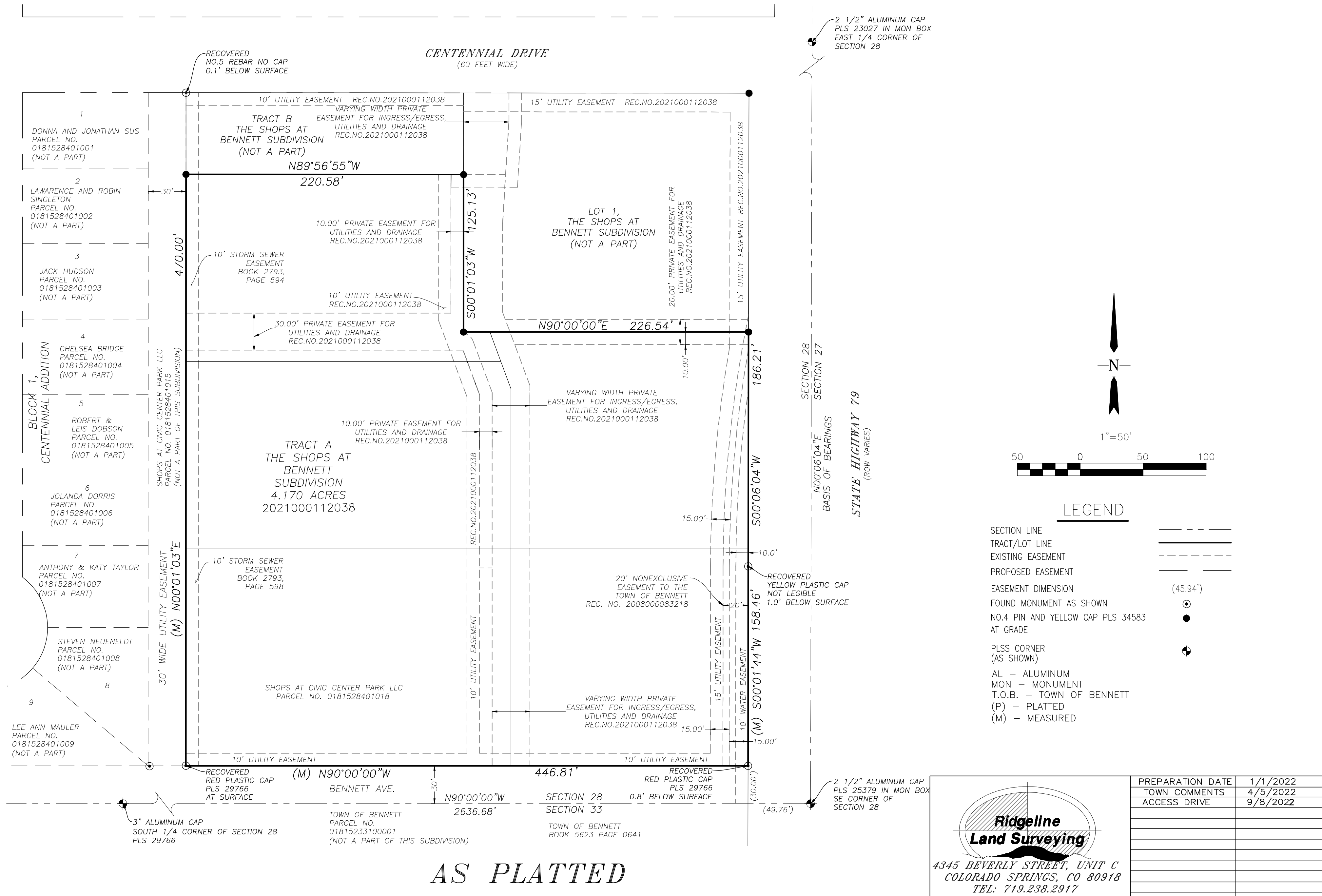
### Justification

This land is currently vacant. The proposed Lots will be developed for more retail space or like uses, which is an approved use within this zone district.





A REPLAT OF TRACT A, THE SHOPS AT BENNETT SUBDIVISION,  
A PART OF THE SE 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 63 WEST  
OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF BENNETT,  
COUNTY OF ADAMS, STATE OF COLORADO  
SHEET 2 OF 3





# THE SHOPS AT BENNETT SUBDIVISION, AMENDMENT NO.1

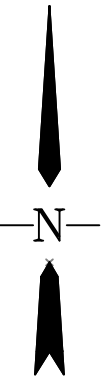
A REPLAT OF TRACT A, THE SHOPS AT BENNETT SUBDIVISION,  
A PART OF THE SE 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 63 WEST  
OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF BENNETT,  
COUNTY OF ADAMS, STATE OF COLORADO  
SHEET 3 OF 3

LAND USE TABLE

GROSS ACREAGE	4.170
NUMBER OF LOTS / ACREAGE	5/4.170
NET ACREAGE FOR PUBLIC STREETS	0
NET ACREAGE FOR PRIVATE USE	4.170

TRACT OWNERSHIP AND MAINTENANCE

TRACT/LOT	PROPOSED USE	OWNERSHIP	MAINTENANCE
LOT 1-5	FUTURE DEVELOPMENT	SHOPS AT CIVIC CENTER PARK LLC	OWNER OR ASSIGNS



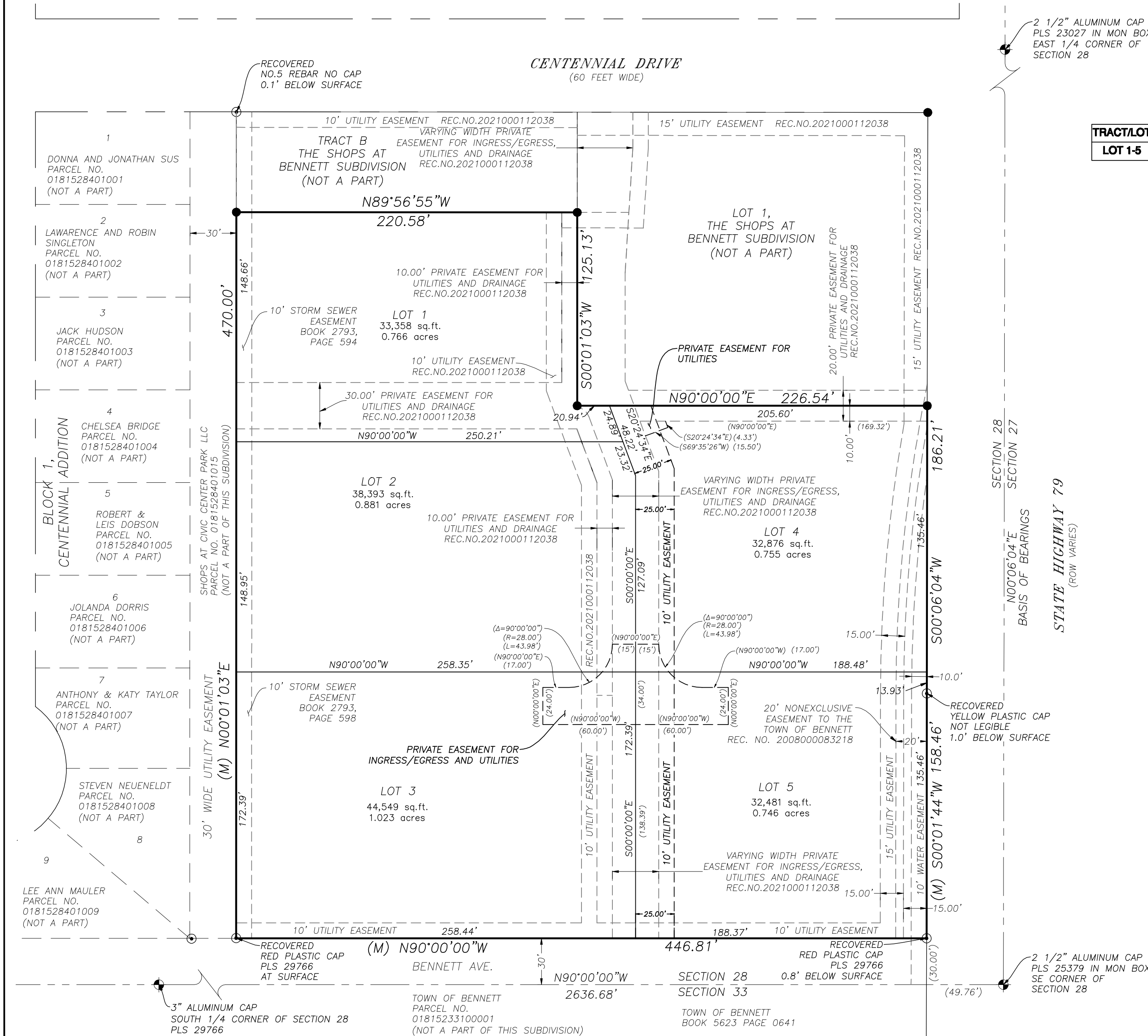
1"=50'



## LEGEND

SECTION LINE	---
TRACT/LOT LINE	---
EXISTING EASEMENT	---
PROPOSED EASEMENT	---
EASEMENT DIMENSION	(45.94')
FOUND MONUMENT AS SHOWN	⊙
NO.4 PIN AND YELLOW CAP PLS 34583	●
AT GRADE	—
PLSS CORNER (AS SHOWN)	⊕
AL - ALUMINUM	
MON - MONUMENT	
T.O.B. - TOWN OF BENNETT	
(P) - PLATTED	
(M) - MEASURED	

 4345 BEVERLY STREET, UNIT C COLORADO SPRINGS, CO 80918 TEL: 719.238.2917	PREPARATION DATE	1/1/2022
	TOWN COMMENTS	4/5/2022
	ACCESS DRIVE	9/8/2022



AS REPLATTED



September 9, 2022

Mr. Joe Butler  
Hammers Construction  
1411 Woolsey Heights  
Colorado Springs, CO 80915

Re: Shops at Bennett Square  
Bennett, CO  
LSC #211180

Dear Mr. Butler:

In response to your request, LSC Transportation Consultants, Inc. has prepared this updated Traffic Impact Analysis for the proposed Shops at Bennett Square development to address Town comments. As shown on Figure 1, the site is located west of 1<sup>st</sup> Street (SH 79) and south of Centennial Drive in Bennett, Colorado.

## **REPORT CONTENTS**

The report contains the following: the existing roadway and traffic conditions in the vicinity of the site including the lane geometries, traffic controls, posted speed limits, etc.; the existing weekday peak-hour traffic volumes; the existing daily traffic volumes in the area; an adjustment of the existing traffic for the ongoing pandemic; the typical weekday site-generated traffic volume projections for the site; the assignment of the projected traffic volumes to the area roadways; the projected short-term and long-term background and resulting total traffic volumes on the area roadways; the site's projected traffic impacts; and any recommended roadway improvements to mitigate the site's traffic impacts.

## **LAND USE AND ACCESS**

The site is proposed to include a variety store with about 9,450 square feet, about 14,400 square feet of strip retail; a tire store with about 6,547 square feet; a medical office building with about 5,000 square feet; and a veterinary clinic with about 4,176 feet. Full movement access is proposed to Centennial Drive as shown in the conceptual site plan in Figure 2.

## **ROADWAY AND TRAFFIC CONDITIONS**

### **Area Roadways**

The major roadways in the site's vicinity are shown on Figure 1 and are described below.

- **1<sup>st</sup> Street (SH 79)** is a north-south, two-lane state highway east of the site. It is classified by CDOT as NR-B (non-rural highway). The CDOT straight line diagram is attached. The intersections with E. Colfax Avenue (US 36), Centennial Drive, and Bennett Avenue are stop-sign controlled. The posted speed limit in the vicinity of the site is 35 mph but transitions to 45 mph just to the south. The existing SH 79 alignment is expected to be shifted to the east by 2042 per the preferred realignment from the *SH 79 and Kiowa-Bennett Corridor PEL Study* by CDOT.
- **Centennial Drive** is an east-west, two-lane local roadway north of the site. The intersection with 1<sup>st</sup> Street (SH 79) is stop-sign controlled. The posted speed limit in the vicinity of the site is 25 mph.
- **Bennett Avenue** is an east-west, two-lane local roadway east of the site. The intersection with 1<sup>st</sup> Street (SH 79) is stop-sign controlled.

### Existing Traffic Conditions

Figure 3a shows the existing lane geometries, traffic controls, posted speed limits, and traffic volumes in the site's vicinity on a typical weekday. The weekday peak-hour traffic volumes and daily traffic counts are from the attached traffic counts conducted by Counter Measures in June, 2021.

### Adjustment for the Ongoing Pandemic

Figure 3b shows the existing traffic volumes adjusted for the ongoing pandemic. The traffic volumes at the 1<sup>st</sup> Street (SH 79)/Bennett Avenue intersection are based on Figure 3b of the 2020 *Worthman Acres TIA* by LSC with the through traffic volumes grown for one year at 3.7 percent based on the CDOT 20-year factor of 2.07. The side road volumes assumed little or no growth. The east/west volumes at the 1<sup>st</sup> Street (SH 79)/E. Colfax Avenue intersection are based on the higher of the traffic counts in Figure 3a and the 2017 traffic count from Figure 3 of the 2019 *Muegge Farms TIA* by LSC grown for four years at an annual growth rate of three percent. The volumes to/from the south were balanced with the other two intersections. These volumes are consistent with Figure 3b of the 2021 *Dollar General TIA* by LSC.

### 2024 and 2042 Background Traffic

Figure 4 shows the estimated 2024 background traffic which assumes three years of growth at 3.7 percent on SH 79 based on the CDOT 20-year factor of 2.07. It also assumes three years of growth at a rate of 3.0 percent on US 36. Bennett Avenue assumes additional trips from a portion of the 300 Bennett and Worthman Acres buildout.

Figure 5 shows the estimated 2042 background traffic which assumes 18 years of growth at an annual rate of 3.0 percent on US 36 and buildout of the 300 Bennett and Worthman Acres developments. The volumes on the east leg on Intersection #3 are consistent with those in the 2020 *Worthman Acres TIA* by LSC (Figure 9). It also assumes the volumes to/from the east leg of Intersection #1 are consistent with the volumes in the 2020 *Worthman Acres TIA* by LSC (Figure 9).

Figures 4 and 5 also show the estimated 2024 and 2042 background traffic control and lane geometry, respectively.

### **Existing, 2024, and 2042 Background Levels of Service**

Level of service (LOS) is a quantitative measure of the level of congestion or delay at an intersection. Level of service is indicated on a scale from “A” to “F.” LOS A is indicative of little congestion or delay and LOS F is indicative of a high level of congestion or delay. Attached are specific level of service definitions for unsignalized intersections.

The intersections in Figures 3b, 4, and 5 were analyzed to determine the existing, 2024, and 2042 background levels of service using Synchro. Table 1 shows the level of service analysis results. The level of service reports are attached.

- 1. 1<sup>st</sup> Street (SH 79)/E. Colfax Avenue (US 36):** All movements at this unsignalized intersection currently operate at LOS “C” or better during both morning and afternoon peak-hours and are expected to do so through 2042.
- 2. 1<sup>st</sup> Street (SH 79)/Centennial Drive:** All movements at this unsignalized intersection currently operate at LOS “C” or better during both morning and afternoon peak-hours and are expected to do so through 2042.
- 3. 1<sup>st</sup> Street (SH 79)/Bennett Avenue:** All movements at this unsignalized intersection currently operate at LOS “C” or better during both morning and afternoon peak-hours and are expected to do so through 2042.
- 4. Centennial Drive/Site Access/Bank Access:** All movements at this unsignalized intersection currently operate at LOS “A” during both morning and afternoon peak-hours and are expected to do so through 2042.

### **TRIP GENERATION**

Table 2 shows the estimated average weekday, morning peak-hour, and afternoon peak-hour trip generation for the proposed site based on the rates from *Trip Generation, 11<sup>th</sup> Edition, 2021* by the Institute of Transportation Engineers (ITE).

The site is projected to generate about 1,837 vehicle-trips on the average weekday, with about half entering and half exiting during a 24-hour period. During the morning peak-hour, which generally occurs for one hour between 6:30 and 8:30 a.m., about 69 vehicles would enter and about 41 vehicles would exit the site. During the afternoon peak-hour, which generally occurs for one hour between 4:00 and 6:00 p.m., about 103 vehicles would enter and about 116 vehicles would exit. These estimates include passby trips as shown in Table 2.

### **TRIP DISTRIBUTION**

Figure 6 shows the estimated directional distribution of the site-generated traffic volumes on the area roadways. The estimates were based on the location of the site with respect to the regional population, employment, and activity centers; and the site’s proposed land use.

## TRIP ASSIGNMENT

Figure 7a shows the estimated primary site-generated traffic volumes based on the directional distribution percentages (from Figure 6) and the trip generation estimate (from Table 2).

Figure 7b shows the estimated passby site-generated traffic volumes.

## 2024 AND 2042 TOTAL TRAFFIC

Figure 8 shows the estimated 2024 total traffic which is the sum of the 2024 background traffic volumes (from Figure 4) and the site-generated traffic volumes (from Figures 7a and 7b). Figure 8 also shows the recommended 2024 lane geometry and traffic control.

Figure 9 shows the estimated 2042 total traffic which is the sum of the 2042 background traffic volumes (from Figure 5) and the site-generated traffic volumes (from Figures 7a and 7b). Figure 9 also shows the recommended 2042 lane geometry and traffic control.

The conceptual improvements along 1<sup>st</sup> Street (SH 79) are shown in Figure 10.

## PROJECTED LEVELS OF SERVICE

Level of service (LOS) is a quantitative measure of the level of congestion or delay at an intersection. Level of service is indicated on a scale from “A” to “F.” LOS A is indicative of little congestion or delay and LOS F is indicative of a high level of congestion or delay. Attached are specific level of service definitions for unsignalized intersections.

The intersections in Figures 8 and 9 were analyzed to determine the 2024 and 2042 total levels of service. Table 1 shows the level of service analysis results. The level of service reports are attached.

1. **1<sup>st</sup> Street (SH 79)/Colfax Avenue (US 36):** All movements at this unsignalized intersection are expected to operate at LOS “C” or better during both morning and afternoon peak-hours through 2042.
2. **1<sup>st</sup> Street (SH 79)/Centennial Drive:** All movements at this unsignalized intersection are expected to operate at LOS “D” or better during both morning and afternoon peak-hours through 2042.
3. **1<sup>st</sup> Street (SH 79)/Bennett Avenue:** All movements at this unsignalized intersection are expected to operate at LOS “C” or better during both morning and afternoon peak-hours through 2042.
4. **Centennial Drive/Site Access/Bank Access:** All movements at this unsignalized intersection are expected to operate at LOS “B” or better during both morning and afternoon peak-hours through 2042.



## CONCLUSIONS AND RECOMMENDATIONS

### Trip Generation

1. The site is projected to generate about 1,837 vehicle-trips on the average weekday, with about half entering and half exiting during a 24-hour period. During the morning peak-hour, about 69 vehicles would enter and about 41 vehicles would exit the site. During the afternoon peak-hour, about 103 vehicles would enter and about 116 vehicles would exit. These estimates include passby trips as shown in Table 2.

### Projected Levels of Service

2. All movements at the intersections analyzed are expected to operate at LOS "D" or better during both morning and afternoon peak-hours through 2042.

### Conclusions

3. The impact of the Shops at Bennett Square development can be accommodated by the existing roadway network with the recommended improvements shown in Figure 10.

\* \* \* \* \*

We trust our findings will assist you in gaining approval of the proposed Shops at Bennett Square development. Please contact me if you have any questions or need further assistance.

Sincerely,

LSC TRANSPORTATION CONSULTANTS, INC.

By   
Christopher S. McGranahan, PE, PTOE  
Principal

CSM/wc

9-9-22  
Enclosures: Tables 1 and 2  
Figures 1 - 10  
SH 79 Straight Line Diagram  
Traffic Count Reports  
Figures 3b and 9 from 2020 *Worthman Acres TIA* by LSC  
Figure 3 from 2019 *Muegge Farms TIA* by LSC  
Figure 3b from 2021 *Dollar General TIA* by LSC  
Level of Service Definitions  
Level of Service Reports

**Table 1**  
**Intersection Levels of Service Analysis**  
**Shops at Bennett Square**  
**Bennett, CO**  
**LSC #211180; September, 2022**

Intersection Location	Traffic Control	Existing Traffic		2024 Background Traffic		2024 Total Traffic		2042 Background Traffic		2042 Total Traffic	
		Level of Service AM	Level of Service PM	Level of Service AM	Level of Service PM	Level of Service AM	Level of Service PM	Level of Service AM	Level of Service PM	Level of Service AM	Level of Service PM
1) <u>S. 1st Street (SH 79)/E. Colfax Avenue (US 36)</u>	TWSC										
NB Left		C	C	C	C	C	C	B	C	C	C
NB Right		A	A	A	A	A	A	A	A	A	A
WB Left		A	A	A	A	A	A	A	A	A	A
Critical Movement Delay		16.2	17.6	17.9	19.8	18.9	22.3	14.4	16.8	15.1	18.7
2) <u>S. 1st Street (SH 79)/Centennial Drive</u>	TWSC										
NB Left		A	A	A	A	A	A	A	A	A	A
EB Left		B	C	B	C	C	D	B	C	B	C
EB Right		B	B	B	B	B	B	A	A	A	B
Critical Movement Delay		12.9	17.1	13.8	18.8	15.7	27.1	12.2	15.4	13.6	20.5
3) <u>S. 1st Street (SH 79)/Bennett Avenue</u>	TWSC										
WB Approach		B	C	C	C	C	C	B	C	B	C
SB Left		A	A	A	A	A	A	A	A	A	A
Critical Movement Delay		13.7	16.4	15.3	19.1	15.5	20.8	13.1	15.1	13.8	17.4
4) <u>Centennial Drive/Site Access/Bank Access</u>	TWSC										
NB Approach		--	--	--	--	A	A	A	A	A	A
EB Approach		A	A	A	A	A	A	A	A	A	A
WB Approach		--	--	--	--	A	A	A	A	A	A
SB Approach		A	A	A	A	B	B	A	A	B	B
Critical Movement Delay		9.0	9.4	9.0	9.4	10.3	13.0	9.2	9.9	10.7	13.8

**Table 2**  
**ESTIMATED TRAFFIC GENERATION**  
**Shops at Bennett Square**  
**Bennett, CO**  
**LSC #211180; September, 2022**

Trip Generating Category	Quantity	Trip Generation Rates <sup>(1)</sup>						Total Trips Generated				
		Average	AM Peak-Hour		PM Peak-Hour		Average	AM Peak-Hour		PM Peak-Hour		
		Weekday	In	Out	In	Out	Weekday	In	Out	In	Out	
<b>PREVIOUSLY PROPOSED LAND USE</b>												
<b>Lot 1 - Previously studied (July 29, 2021 <i>Dollar General TIA</i> by LSC)</b>												
Dollar General <sup>(2)</sup>	9.450 KSF <sup>(3)</sup>	63.66	1.672	1.368	3.417	3.283	602	16	13	32	31	
<b>CURRENTLY PROPOSED LAND USE</b>												
<b>Lot 2</b>												
Strip Retail <sup>(4)</sup>	8.400 KSF	54.45	1.416	0.944	3.295	3.295	457	12	8	28	28	
<b>Lot 3</b>												
Medical Office <sup>(5)</sup>	5.000 KSF	36.00	2.449	0.651	1.179	2.751	180	12	3	6	14	
<b>Lot 4</b>												
Tire Store <sup>(6)</sup>	6.547 KSF	27.69	1.670	0.940	1.613	2.138	181	11	6	11	14	
<b>Lot 5</b>												
Veterinary Clinic <sup>(7)</sup>	4.176 KSF	21.50	2.439	1.201	1.412	2.118	90	10	5	6	9	
<b>Lot 6</b>												
Strip Retail <sup>(4)</sup>	6.000 KSF	54.45	1.416	0.944	3.295	3.295	327	8	6	20	20	
<b>Total =</b>							<b>1,837</b>	<b>69</b>	<b>41</b>	<b>103</b>	<b>116</b>	
Passby Trips <sup>(8)</sup> =							267	6	6	16	16	
<b>Primary Trips =</b>							<b>1,570</b>	<b>63</b>	<b>35</b>	<b>87</b>	<b>100</b>	

Notes:

(1) Source: *Trip Generation*, Institute of Transportation Engineers, 11th Edition, 2021.

(2) ITE Land Use No. 814 - Variety Store

(3) KSF = 1,000 square feet

(4) ITE Land Use No. 822 - Strip Retail Plaza (< 40K)

(5) ITE Land Use No. 720 - Medical/Dental Office Building

(6) ITE Land Use No. 848 - Tire Store

(7) ITE Land Use No. 640 - Animal Hospital/Veterinary Clinic

(8) Passby trips are expected to comprise about 34% of retail trips per the *Trip Generation Handbook*, 3rd Edition

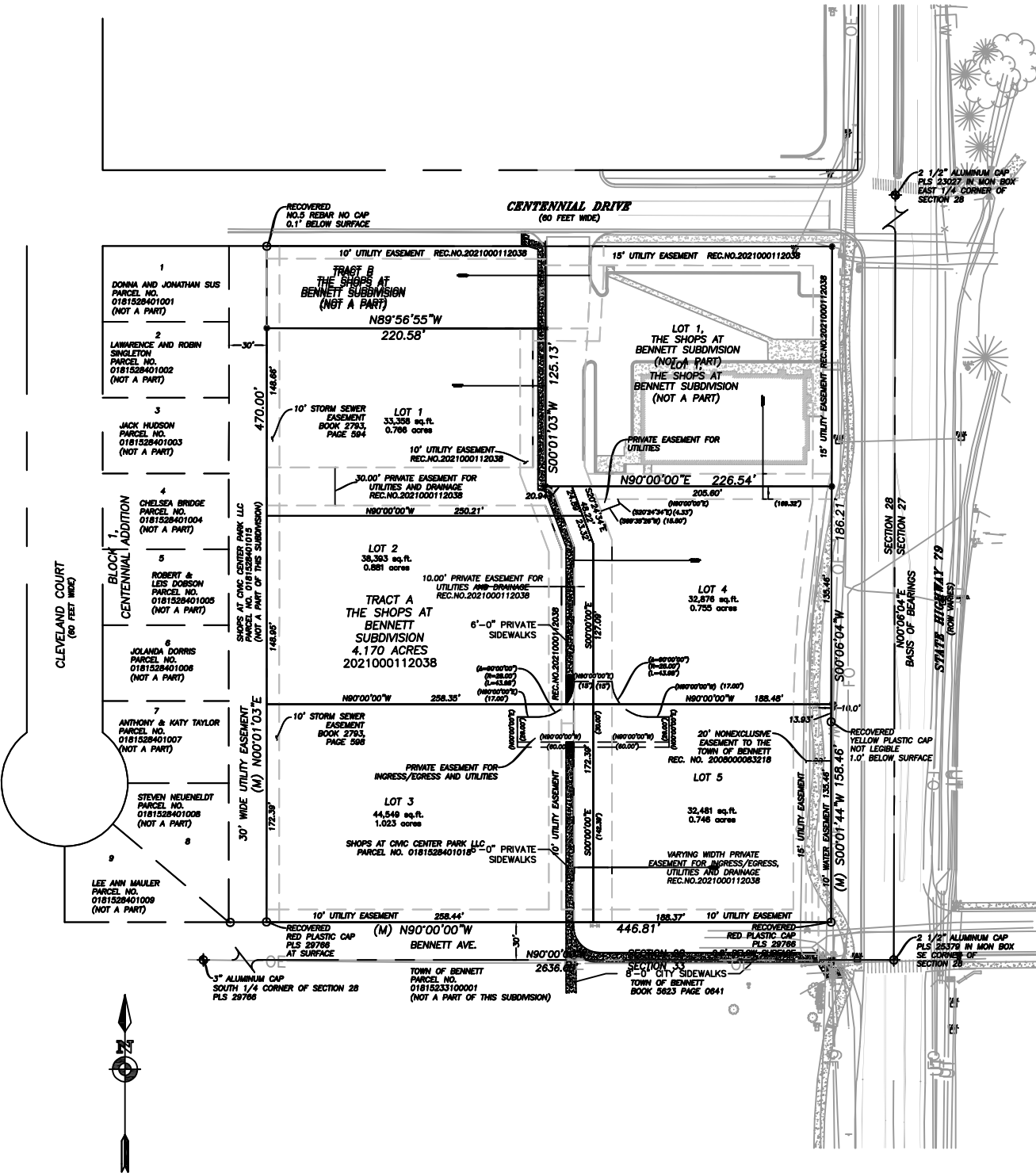


Figure 1

# Vicinity Map

Shops @ Bennett Square (LSC #211180)





Approximate Scale  
Scale: NTS

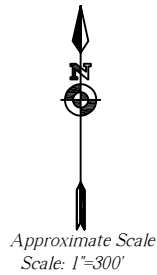
Figure 2

# Site Plan

Shops @ Bennett Square (LSC #211180)









Note: Existing lane geometry was field verified.

# LEGEND:

-  = Stop Sign
-  = Speed Limit
- $\frac{26}{35}$  =  $\frac{\text{AM Peak Hour Traffic}}{\text{PM Peak Hour Traffic}}$
- 1,000 = Average Daily Traffic

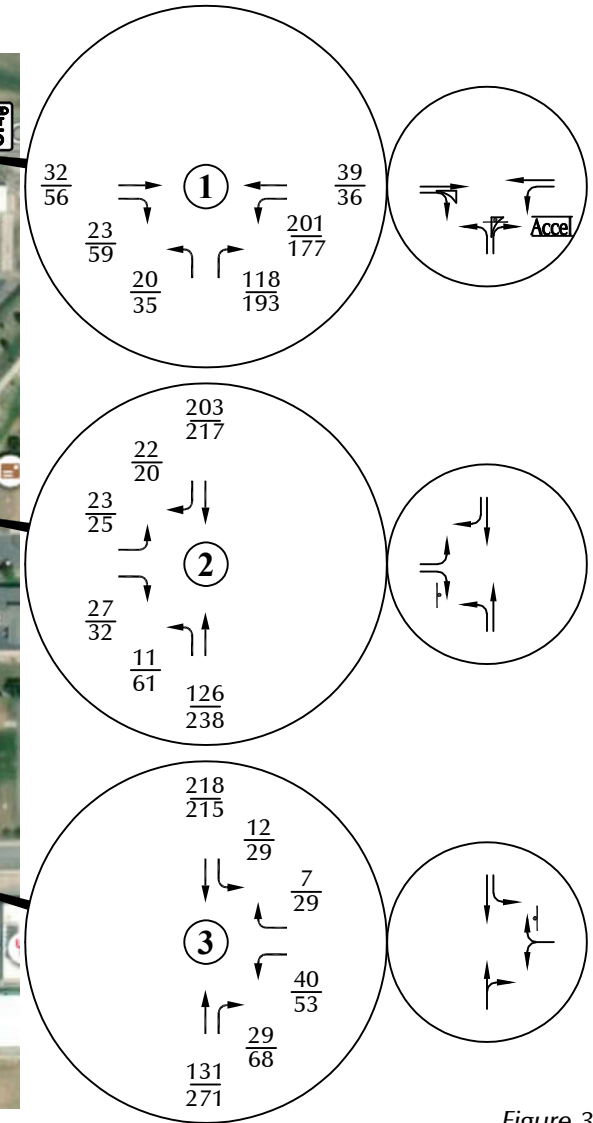
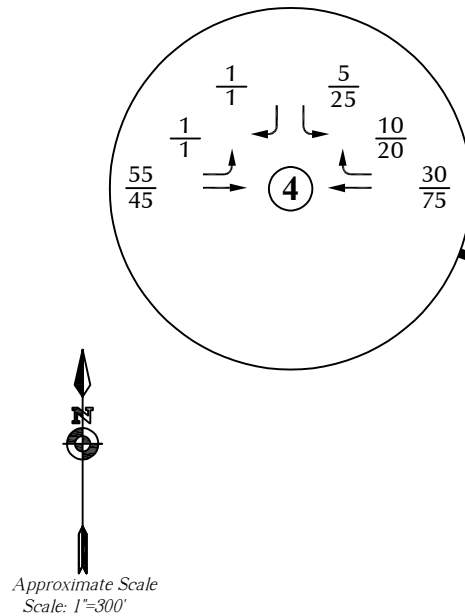


Figure 3a

## Existing June, 2021 Traffic, Lane Geometry and Traffic Control

Shops @ Bennett Square (LSC #211180)

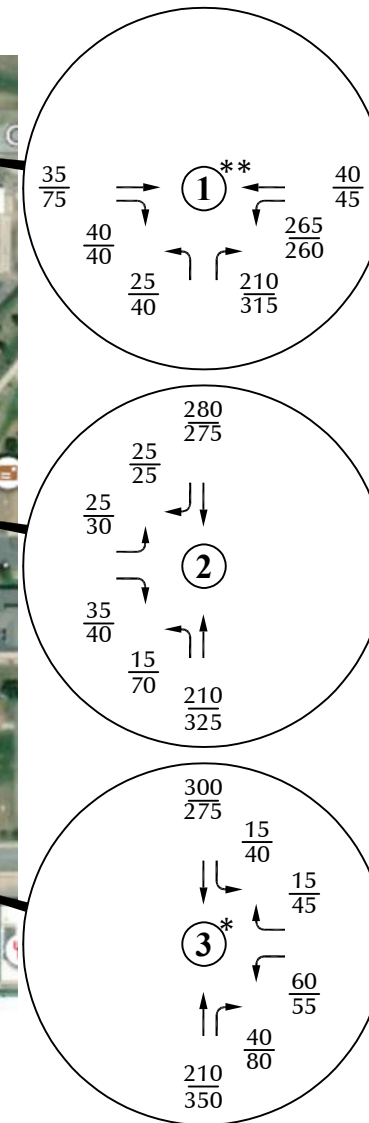


\* Based on Figure 3b of the 2020 Worthman Acres TIA by LSC with the through traffic volumes grown for one year at 3.7 percent based on CDOT 20-year factor of 2.07. Side road volumes assumed little or no growth.

\*\* East/west volumes based on the higher of the counts in Figure 3a and the 2017 count from Figure 3 of the Muegge Farms TIA by LSC grown for four years at annual rate of three percent. Volumes to/from the south were balanced with the other two intersections.



Note: These volumes are consistent with Figure 3b of the 2021 Dollar General TIA by LSC.



#### LEGEND:

$\frac{26}{35}$  = AM Peak Hour Traffic  
PM Peak Hour Traffic  
1,000 = Average Daily Traffic

*Existing Traffic,  
Adjusted for Pandemic*

Shops @ Bennett Square (LSC #211180)

Figure 3b

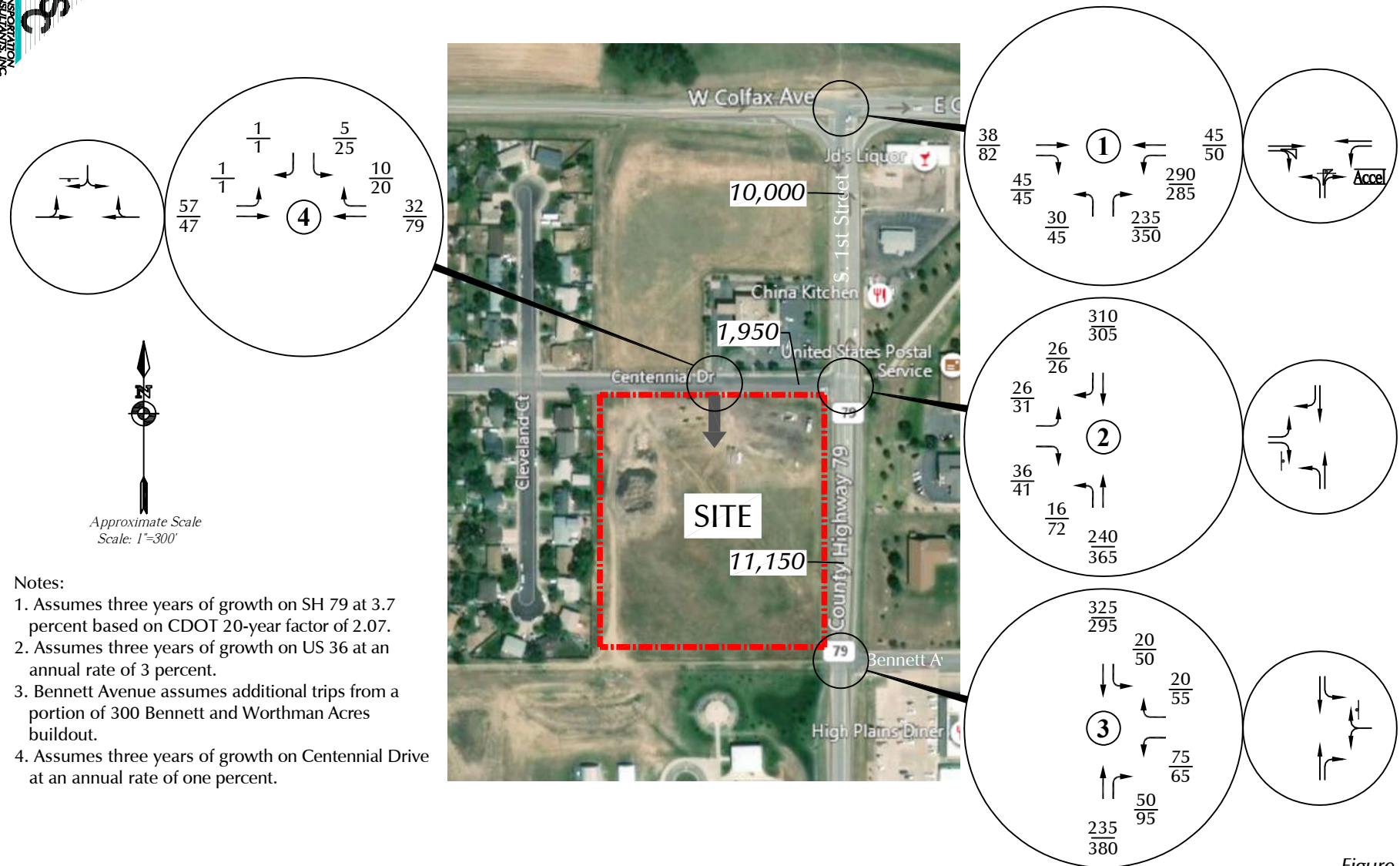
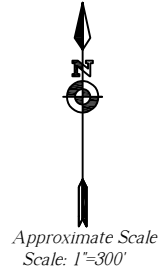
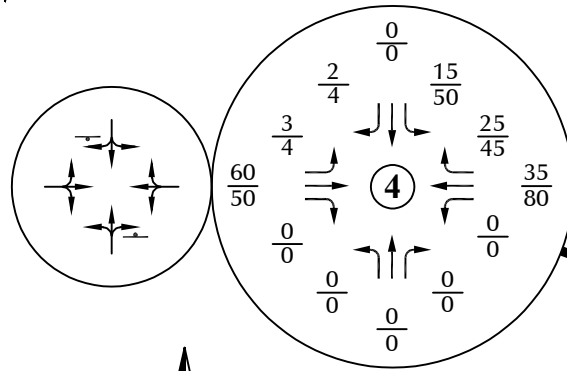


Figure 4  
*Year 2024 Background Traffic,  
 Lane Geometry and Traffic Control*

Shops @ Bennett Square (LSC #211180)





#### Notes:

1. Assumes 18 years of growth from 2024 at three percent annual rate for US 36.
2. The volumes on the east leg of Intersection #3 are consistent with those in the 2020 Worthman Acres TIA by LSC (Figure 9).
3. Assumes the volumes to/from the east leg of Intersection #1 are consistent with the volumes in the 2020 Worthman Acres TIA by LSC (Figure 9).
4. The volumes on S. 1st Street are expected to be lower in 2042 than in 2024 because SH 79 is expected to shift to the east by 2042 which will cause S. 1st Street to revert back to a town street.

#### LEGEND:

- T = Stop Sign  
 $\frac{26}{35}$  = AM Peak Hour Traffic / PM Peak Hour Traffic  
 1,000 = Average Daily Traffic

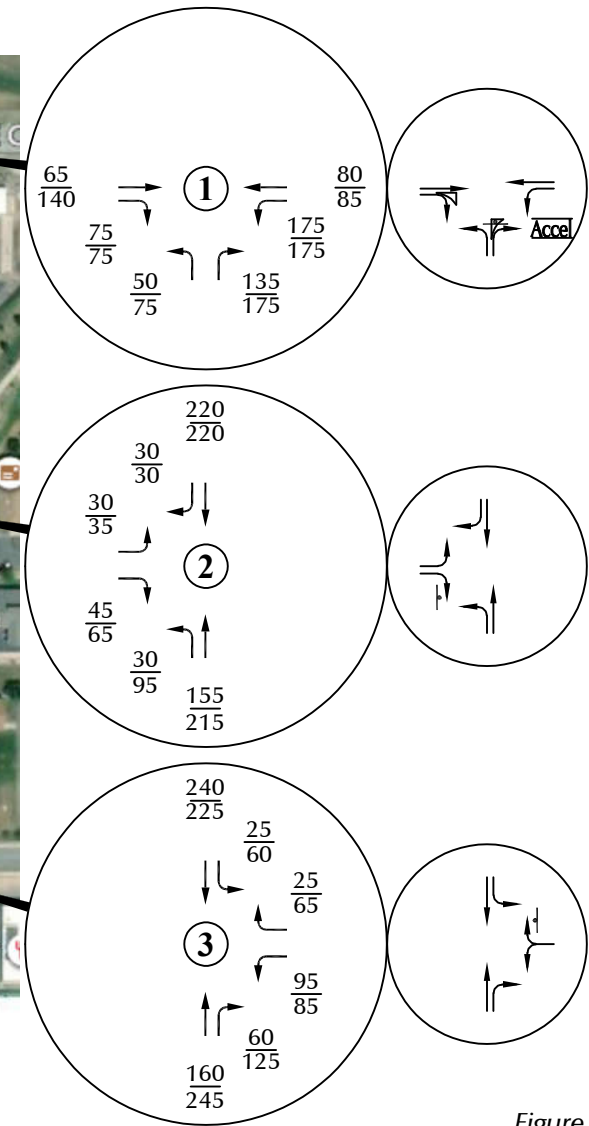
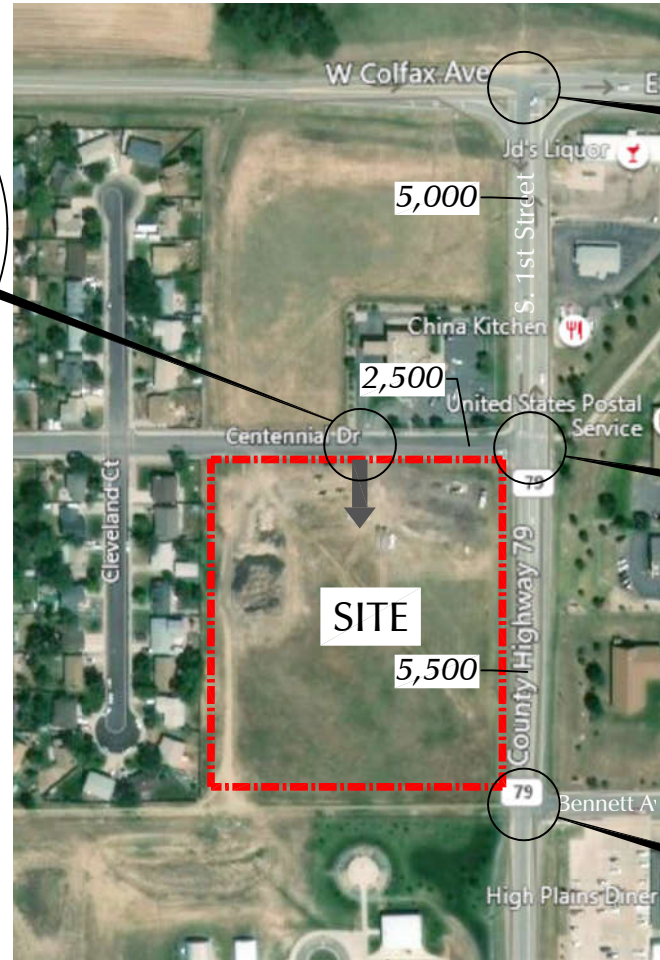
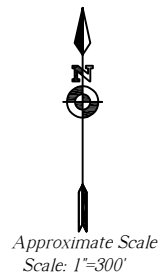


Figure 5

## Year 2042 Background Traffic, Lane Geometry and Traffic Control

Shops @ Bennett Square (LSC #211180)



## LEGEND:

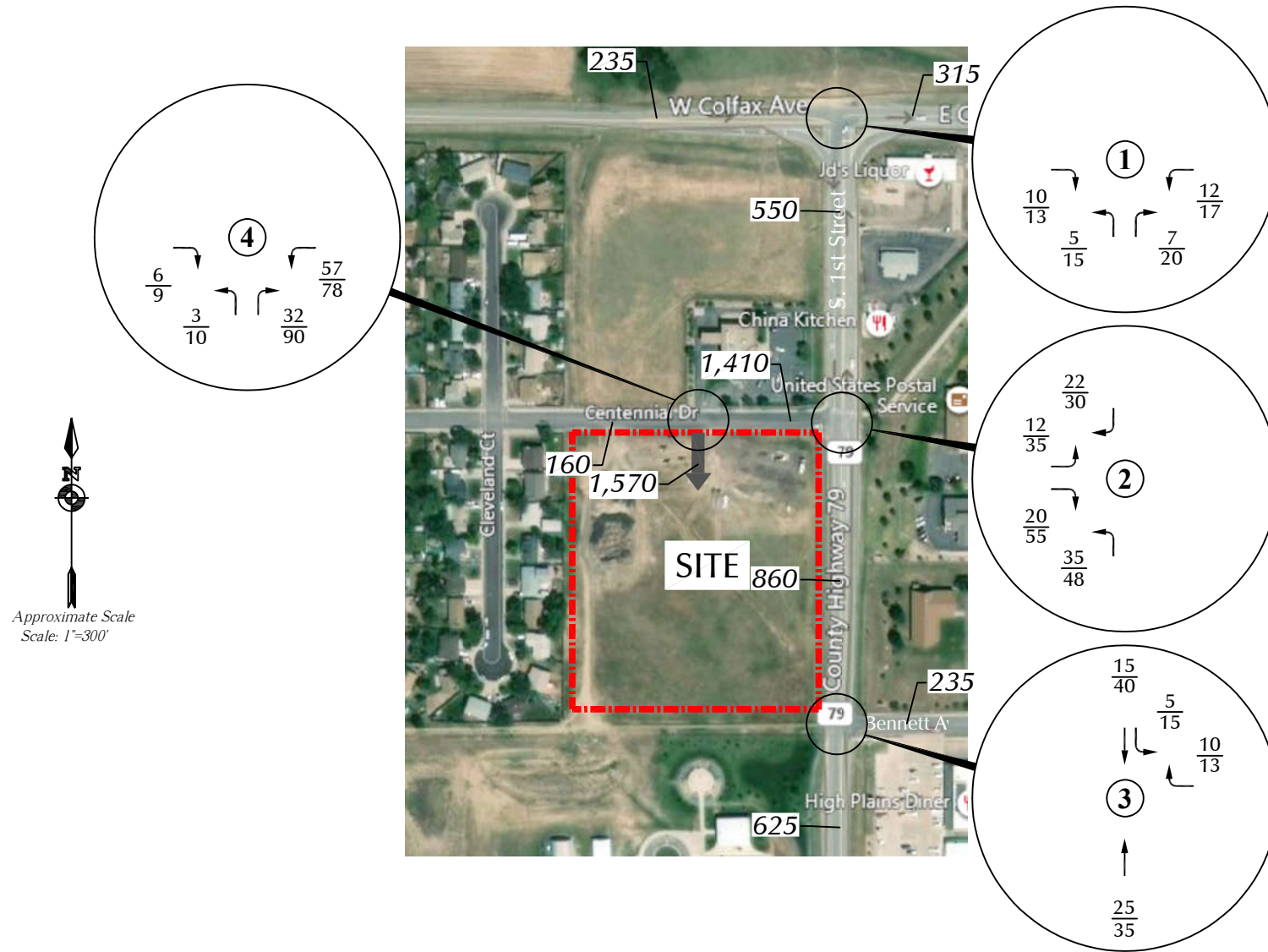
65% = Percent Directional Distribution

## Directional Distribution of Site-Generated Traffic

Shops @ Bennett Square (LSC #211180)

Figure 6





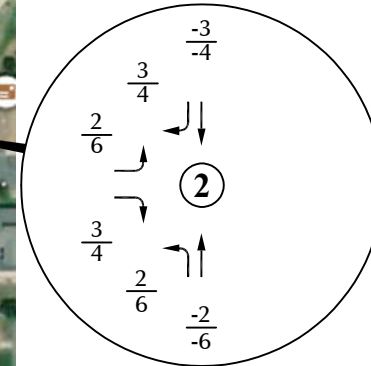
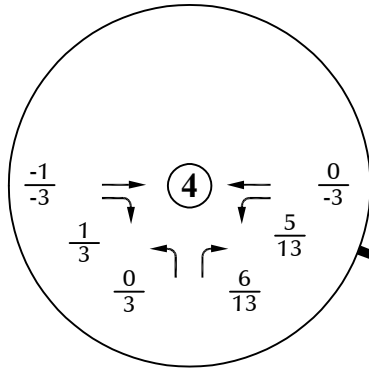
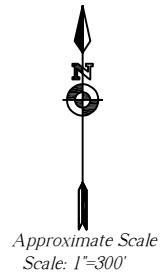
LEGEND:

$\frac{26}{35}$  = AM Peak Hour Traffic  
 $\frac{35}{48}$  = PM Peak Hour Traffic  
 1,000 = Average Daily Traffic

Assignment of  
Primary Site-Generated Traffic

Shops @ Bennett Square (LSC #211180)

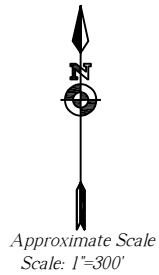
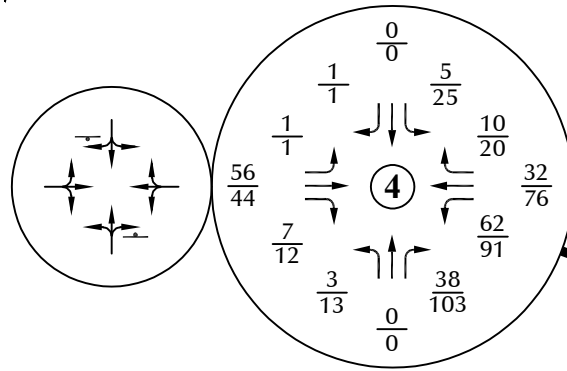
Figure 7a



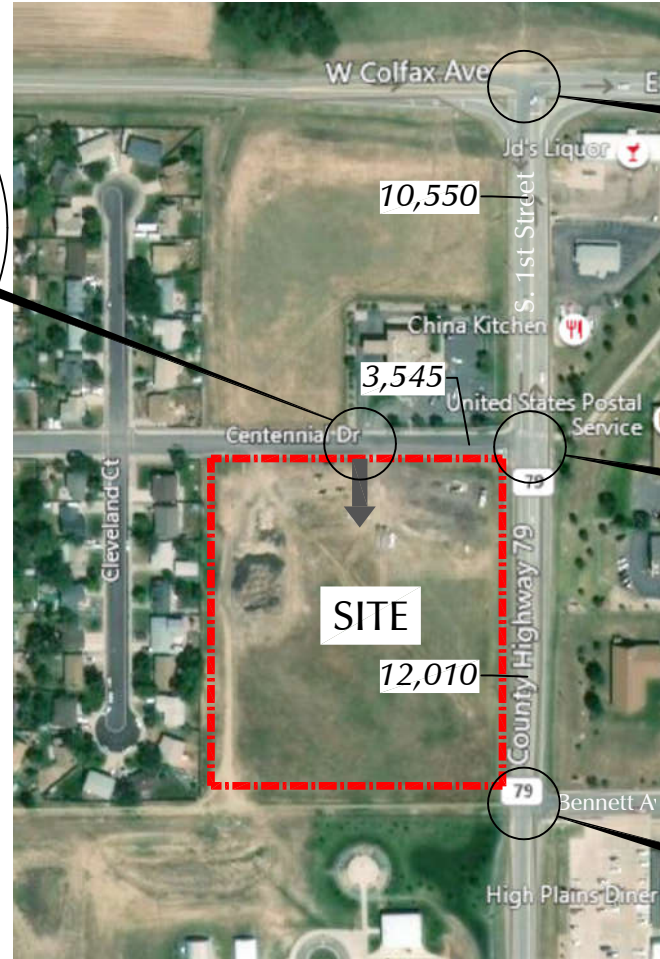
LEGEND:

$\frac{26}{35}$  = AM Peak Hour Traffic  
 $\frac{35}{35}$  = PM Peak Hour Traffic  
 1,000 = Average Daily Traffic

Figure 7b  
**Assignment of  
 Passby Site-Generated Traffic**  
 Shops @ Bennett Square (LSC #211180)

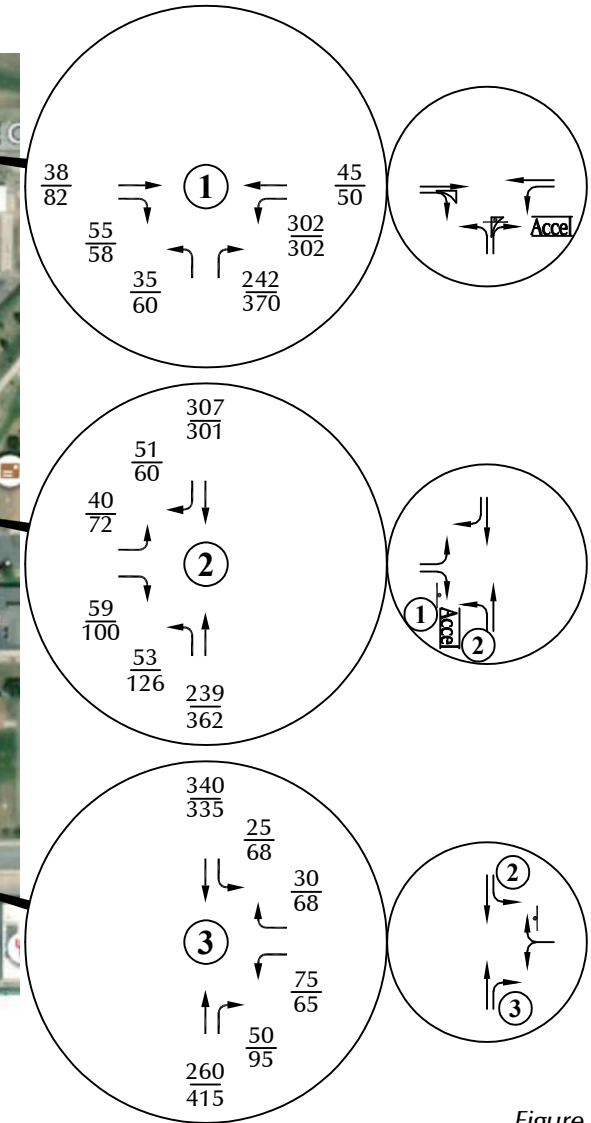


Note: See Figure 10 for the conceptual lane geometry.



Recommended Improvements:

- ① EB to SB Accel = 388' + 162 foot transition taper (45mph)
- ② Back to back left-turn lane - restriping - See Figure 10
- ③ NB RT = 273 feet + 162-foot transition taper (45mph) - by others



**LEGEND:**

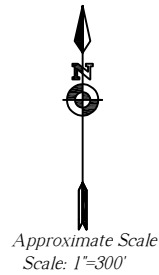
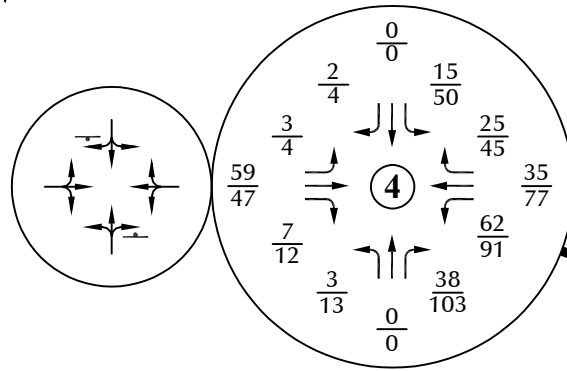
- ⊥ = Stop Sign
- $\frac{26}{35}$  =  $\frac{\text{AM Peak Hour Traffic}}{\text{PM Peak Hour Traffic}}$
- 1,000 = Average Daily Traffic

## Year 2024 Total Traffic, Lane Geometry and Traffic Control

Shops @ Bennett Square (LSC #211180)

Figure 8



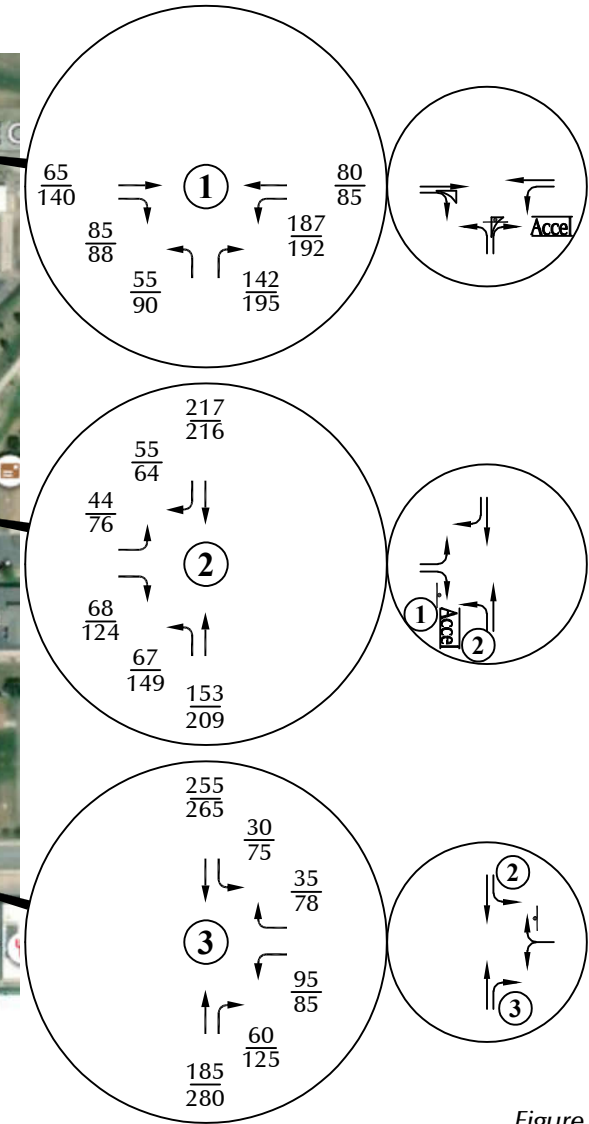


Note: See Figure 10 for the conceptual lane geometry.



Recommended Improvements:

- ① EB to SB Accel = 388' + 162 foot transition taper (45mph)
- ② Back to back left-turn lane - restriping - See Figure 10
- ③ NB RT = 273 feet + 162-foot transition taper (45mph) - by others



**LEGEND:**

⊥ = Stop Sign  
 $\frac{26}{35}$  =  $\frac{\text{AM Peak Hour Traffic}}{\text{PM Peak Hour Traffic}}$   
 1,000 = Average Daily Traffic

# Year 2042 Total Traffic, Lane Geometry and Traffic Control

Shops @ Bennett Square (LSC #211180)

Figure 9

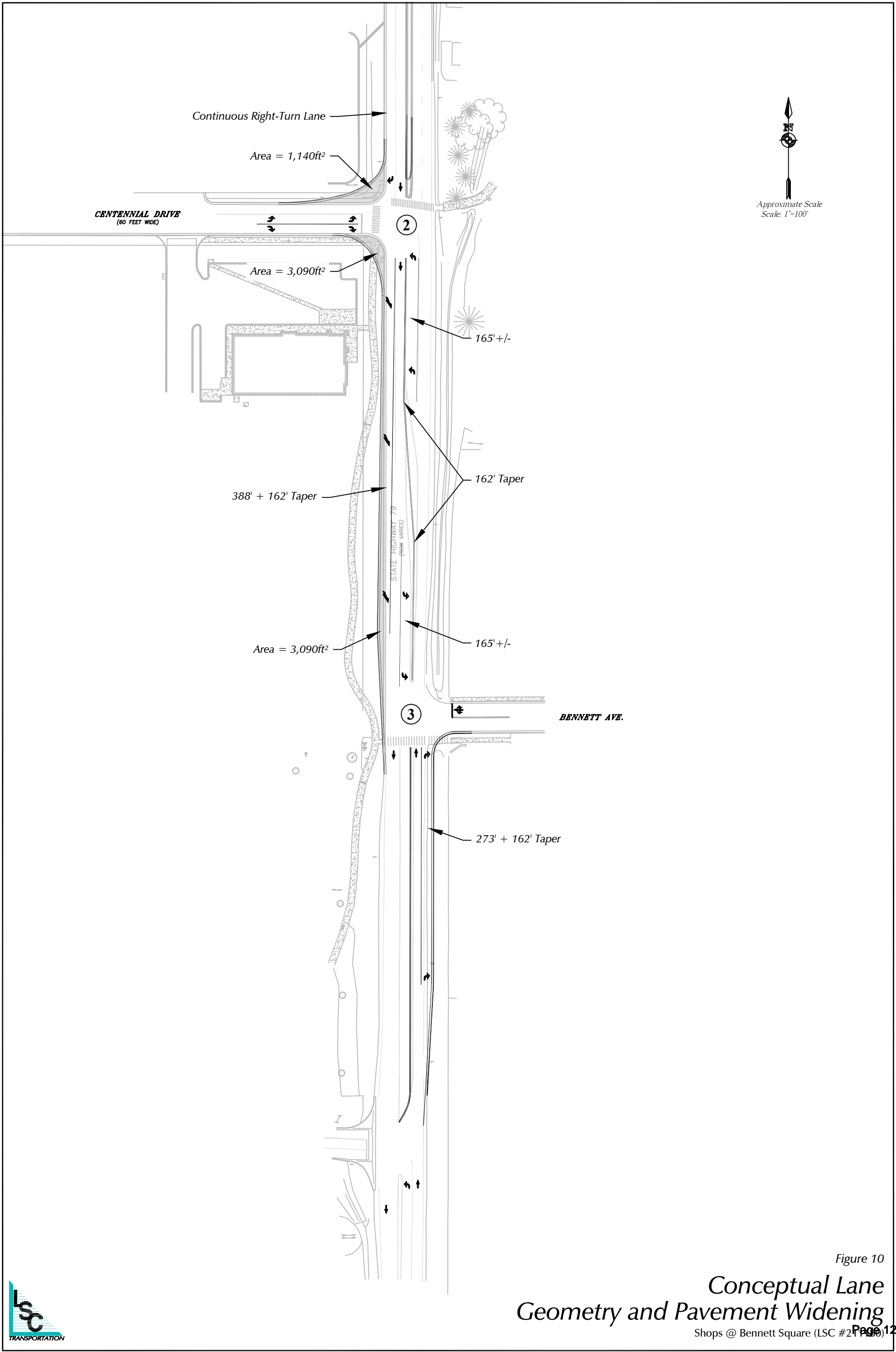


Figure 10

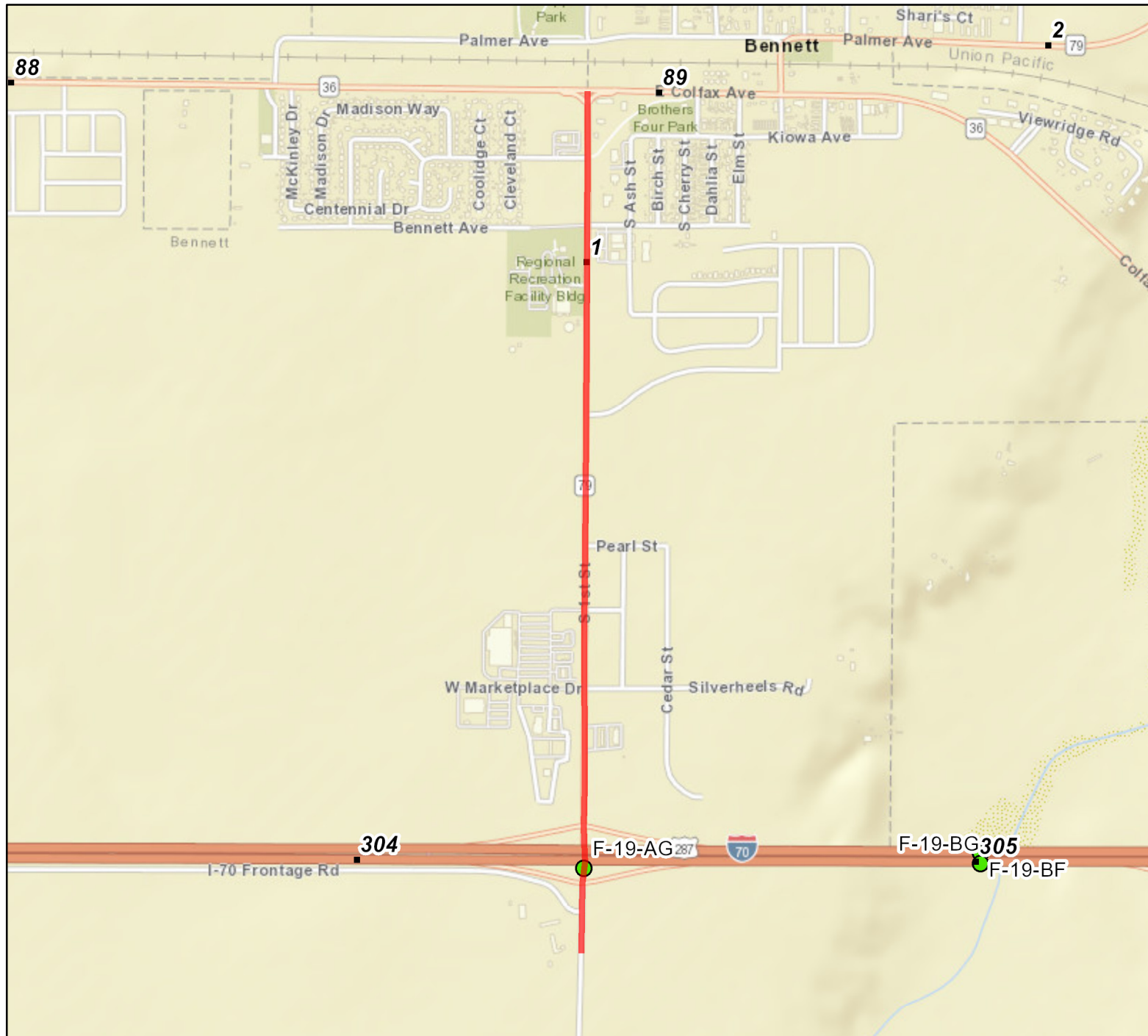
Conceptual Lane  
Geometry and Pavement Widening

Shops @ Bennett Square (LSC #21-P-06)





# Route 079A From 0 to 2



## Legend

Route

Milepoint

## Structures

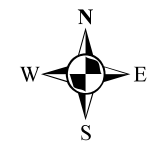
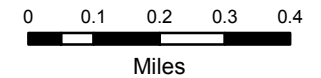
Major Structure

Minor Structure

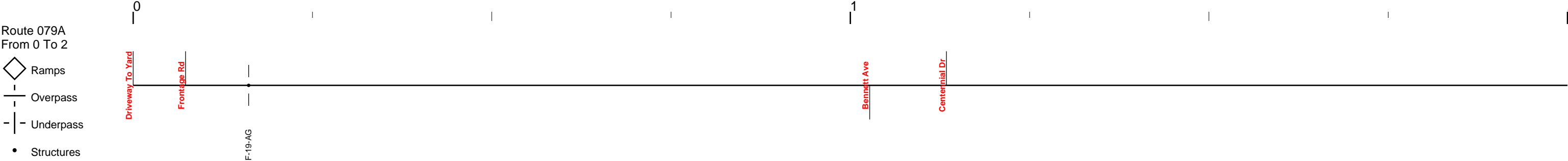
Created:

Date: 4/28/2021

Time: 2:26:00 PM



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1889 YORK STREET  
DENVER.COLORADO  
303-333-7409

N/S STREET: 1ST STREET  
E/W STREET: COLFAX AVENUE  
CITY: BENNETT  
COUNTY: ADAMS

File Name : 1STCOLFAX  
Site Code : 00000013  
Start Date : 6/16/2021  
Page No : 1

## Groups Printed- VEHICLES

	Southbound				COLFAX AVENUE Westbound				1ST STREET Northbound				COLFAX AVENUE Eastbound				Int. Total
Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
06:30 AM	0	0	0	0	26	7	0	0	7	0	12	0	0	8	0	0	60
06:45 AM	0	0	0	0	33	7	0	0	9	0	16	0	0	2	4	0	71
Total	0	0	0	0	59	14	0	0	16	0	28	0	0	10	4	0	131
07:00 AM	0	0	0	0	35	8	0	0	5	0	18	0	0	8	5	0	79
07:15 AM	0	0	0	0	31	13	0	0	5	0	21	0	0	0	5	0	75
07:30 AM	0	0	0	0	44	13	0	0	3	0	28	0	0	9	7	0	104
07:45 AM	0	0	0	0	47	11	0	0	4	0	32	0	0	11	7	0	112
Total	0	0	0	0	157	45	0	0	17	0	99	0	0	28	24	0	370
08:00 AM	0	0	0	0	59	7	0	0	8	0	31	0	0	6	3	0	114
08:15 AM	0	0	0	0	51	8	0	0	5	0	27	0	0	6	6	0	103
Total	0	0	0	0	110	15	0	0	13	0	58	0	0	12	9	0	217
04:00 PM	0	0	0	0	37	6	0	0	6	0	41	0	0	17	17	0	124
04:15 PM	0	0	0	0	41	9	0	0	9	0	39	0	0	14	18	0	130
04:30 PM	0	0	0	0	44	10	0	1	8	0	44	0	0	18	17	0	142
04:45 PM	0	0	0	0	41	6	0	0	13	0	49	1	0	13	12	0	135
Total	0	0	0	0	163	31	0	1	36	0	173	1	0	62	64	0	531
05:00 PM	0	0	0	0	44	10	0	0	6	0	51	1	0	7	19	0	138
05:15 PM	0	0	0	0	48	10	0	0	8	0	49	0	0	18	11	0	144
05:30 PM	0	0	0	0	52	4	0	0	9	0	46	1	0	18	10	0	140
05:45 PM	0	0	0	0	37	4	0	0	11	0	62	0	0	15	5	0	134
Total	0	0	0	0	181	28	0	0	34	0	208	2	0	58	45	0	556
Grand Total	0	0	0	0	670	133	0	1	116	0	566	3	0	170	146	0	1805
Apprch %	0.0	0.0	0.0	0.0	83.3	16.5	0.0	0.1	16.9	0.0	82.6	0.4	0.0	53.8	46.2	0.0	
Total %	0.0	0.0	0.0	0.0	37.1	7.4	0.0	0.1	6.4	0.0	31.4	0.2	0.0	9.4	8.1	0.0	

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File Name : 1STCOLFAX  
Site Code : 00000013  
Start Date : 6/16/2021  
Page No : 2

	Southbound					COLFAX AVENUE Westbound					1ST STREET Northbound					COLFAX AVENUE Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour From 06:30 AM to 08:15 AM - Peak 1 of 1																					
Intersection	07:30 AM																				
Volume	0	0	0	0	0	201	39	0	0	240	20	0	118	0	138	0	32	23	0	55	433
Percent	0.0	0.0	0.0	0.0		83.8	16.3	0.0	0.0		14.5	0.0	85.5	0.0		0.0	58.2	41.8	0.0		
08:00																					
Volume	0	0	0	0	0	59	7	0	0	66	8	0	31	0	39	0	6	3	0	9	114
Peak Factor																					0.950
High Int.	6:15:00 AM					08:00 AM					08:00 AM					07:45 AM					
Volume	0	0	0	0	0	59	7	0	0	66	8	0	31	0	39	0	11	7	0	18	
Peak Factor																					

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Start Date : 6/16/2021  
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	Southbound					COLFAX AVENUE Westbound					1ST STREET Northbound					COLFAX AVENUE Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Intersection	04:30 PM																				
Volume	0	0	0	0	0	177	36	0	1	214	35	0	193	2	230	0	56	59	0	115	559
Percent	0.0	0.0	0.0	0.0		82.7	16.8	0.0	0.5		15.2	0.0	83.9	0.9		0.0	48.7	51.3	0.0		
05:15																					
Volume	0	0	0	0	0	48	10	0	0	58	8	0	49	0	57	0	18	11	0	29	144
Peak Factor																					0.970
High Int.						05:15 PM					04:45 PM					04:30 PM					
Volume	0	0	0	0	0	48	10	0	0	58	13	0	49	1	63	0	18	17	0	35	
Peak Factor																					



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N/S STREET: 1ST STREET  
E/W STREET: CENTENNIAL DRIVE  
CITY: BENNETT  
COUNTY: ADAMS

File Name : 1STCENT  
Site Code : 00000005  
Start Date : 6/16/2021  
Page No : 1

## Groups Printed- VEHICLES

	1ST STREET Southbound				Westbound				1ST STREET Northbound				CENTENNIAL DRIVE Eastbound				Int. Total
Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
06:30 AM	0	23	1	0	0	0	0	0	1	15	0	0	3	0	8	0	51
06:45 AM	0	41	0	2	0	0	0	1	1	25	0	0	1	0	18	0	89
Total	0	64	1	2	0	0	0	1	2	40	0	0	4	0	26	0	140
07:00 AM	0	38	0	0	0	0	0	0	6	25	0	0	2	0	10	0	81
07:15 AM	0	33	2	1	0	0	0	0	3	26	0	0	3	0	9	0	77
07:30 AM	0	45	5	0	0	0	0	0	2	25	0	0	6	0	8	1	92
07:45 AM	0	44	6	0	0	0	0	0	2	34	0	0	10	0	8	0	104
Total	0	160	13	1	0	0	0	0	13	110	0	0	21	0	35	1	354
08:00 AM	0	65	5	0	0	0	0	0	0	38	0	0	3	0	6	0	117
08:15 AM	0	49	6	0	0	0	0	0	7	29	0	0	4	0	5	0	100
Total	0	114	11	0	0	0	0	0	7	67	0	0	7	0	11	0	217
04:00 PM	0	44	11	0	0	0	0	0	13	49	0	0	1	1	15	0	134
04:15 PM	0	54	4	0	0	0	0	0	11	51	0	0	1	0	8	0	129
04:30 PM	0	57	7	0	0	0	0	0	11	58	0	0	5	0	7	0	145
04:45 PM	0	43	5	0	0	0	0	0	23	54	0	0	11	0	9	0	145
Total	0	198	27	0	0	0	0	0	58	212	0	0	18	1	39	0	553
05:00 PM	0	63	3	0	0	0	0	0	12	64	0	0	5	0	6	0	153
05:15 PM	0	54	5	0	0	0	0	0	15	62	0	0	4	0	10	0	150
05:30 PM	0	55	7	0	0	0	0	1	11	58	0	0	4	0	5	0	141
05:45 PM	0	39	3	0	0	0	0	1	8	73	0	0	4	0	9	0	137
Total	0	211	18	0	0	0	0	2	46	257	0	0	17	0	30	0	581
Grand Total	0	747	70	3	0	0	0	3	126	686	0	0	67	1	141	1	1845
Apprch %	0.0	91.1	8.5	0.4	0.0	0.0	0.0	100.0	15.5	84.5	0.0	0.0	31.9	0.5	67.1	0.5	
Total %	0.0	40.5	3.8	0.2	0.0	0.0	0.0	0.2	6.8	37.2	0.0	0.0	3.6	0.1	7.6	0.1	

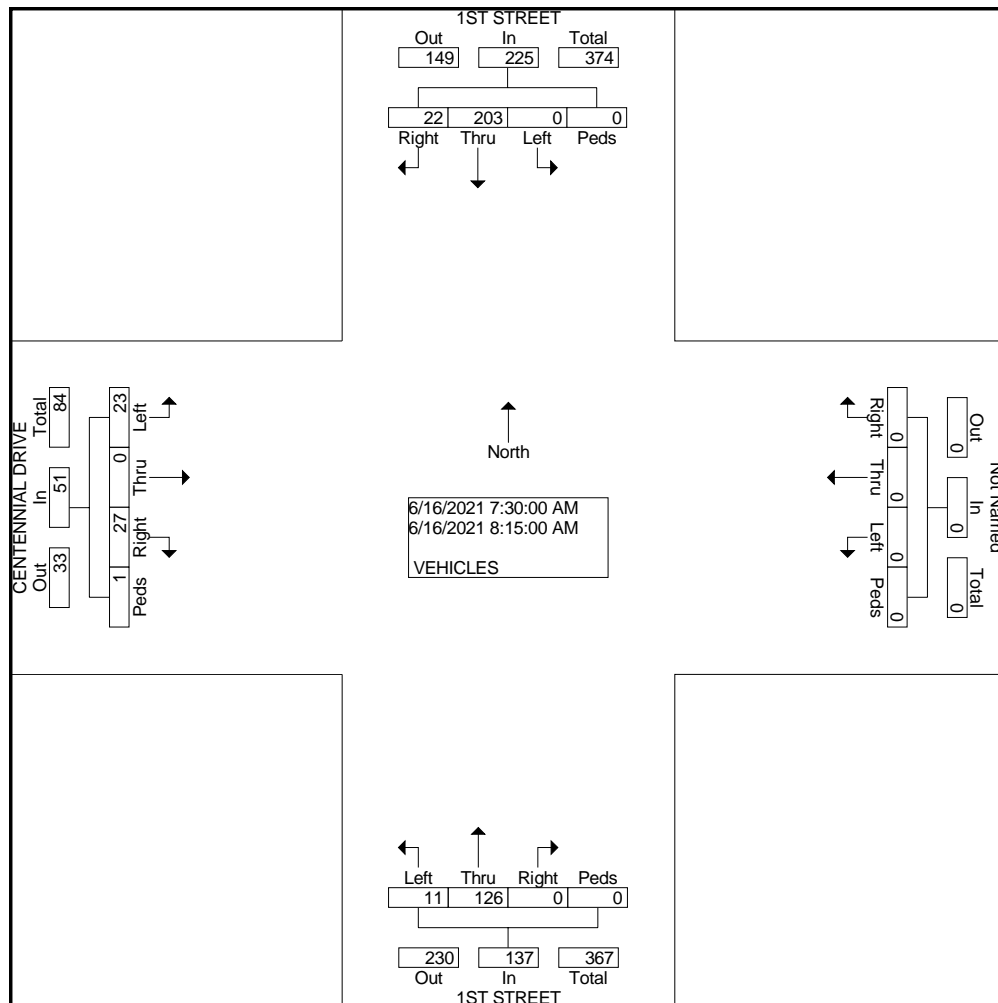
# COUNTER MEASURES INC.

1889 YORK STREET  
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N/S STREET: 1ST STREET  
E/W STREET: CENTENNIAL DRIVE  
CITY: BENNETT  
COUNTY: ADAMS

File Name : 1STCENT  
Site Code : 00000005  
Start Date : 6/16/2021  
Page No : 2

	1ST STREET Southbound					Westbound					1ST STREET Northbound					CENTENNIAL DRIVE Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour From 07:30 AM to 08:15 AM - Peak 1 of 1																					
Intersection	07:30 AM																				
Volume	0	203	22	0	225	0	0	0	0	0	11	126	0	0	137	23	0	27	1	51	413
Percent	0.0	90.2	9.8	0.0		0.0	0.0	0.0	0.0		8.0	92.0	0.0	0.0		45.1	0.0	52.9	2.0		
08:00 Volume	0	65	5	0	70	0	0	0	0	0	0	38	0	0	38	3	0	6	0	9	117
Peak Factor	0.882																				
High Int. Volume	08:00 AM										08:00 AM					07:45 AM					
Peak Factor	0	65	5	0	70	0	0	0	0	0	0	38	0	0	38	10	0	8	0	18	
	0.80										0.90					0.70					
	4										1					8					



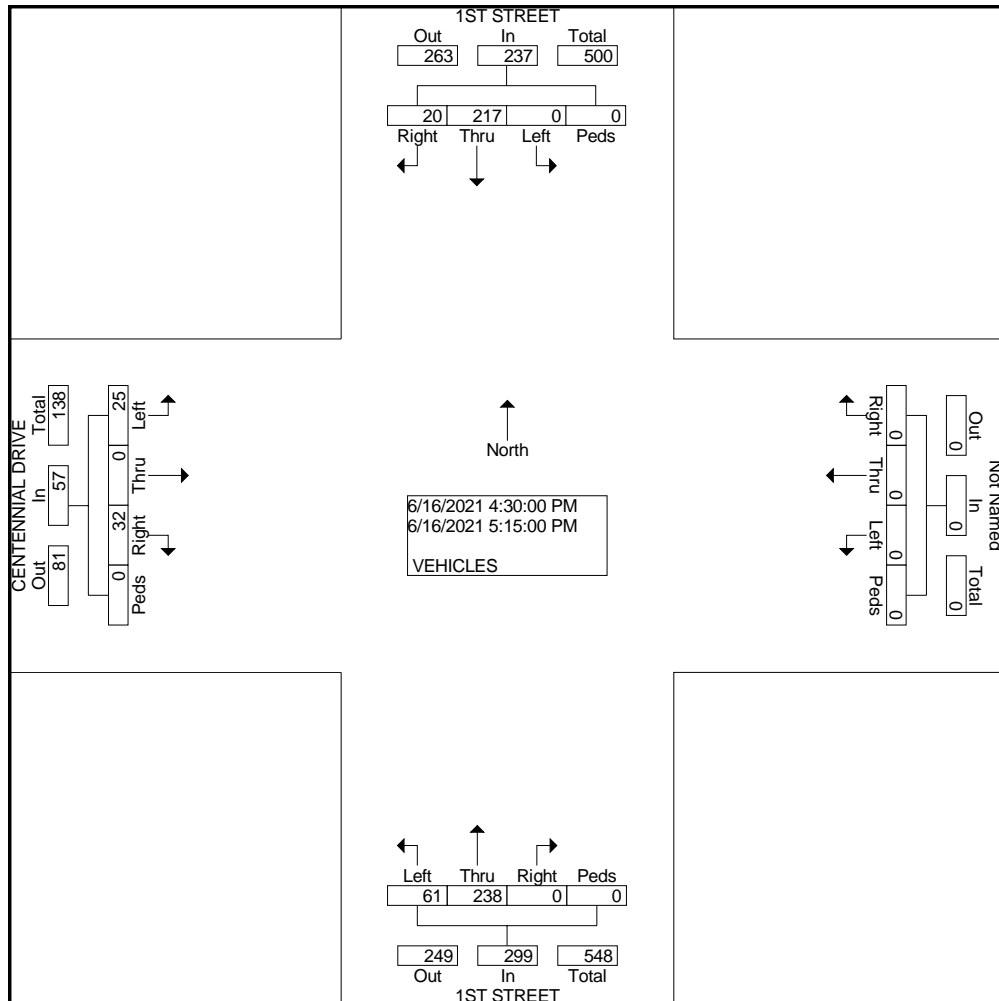
# COUNTER MEASURES INC.

1889 YORK STREET  
DENVER, COLORADO  
303-333-7409

N/S STREET: 1ST STREET  
E/W STREET: CENTENNIAL DRIVE  
CITY: BENNETT  
COUNTY: ADAMS

File Name : 1STCENT  
Site Code : 00000005  
Start Date : 6/16/2021  
Page No : 2

	1ST STREET Southbound					Westbound					1ST STREET Northbound					CENTENNIAL DRIVE Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour From 04:30 PM to 05:15 PM - Peak 1 of 1																					
Intersection	04:30 PM																				
Volume	0	217	20	0	237	0	0	0	0	0	61	238	0	0	299	25	0	32	0	57	593
Percent	0.0	91.6	8.4	0.0		0.0	0.0	0.0	0.0		20.4	79.6	0.0	0.0		43.9	0.0	56.1	0.0		
05:00																					
Volume	0	63	3	0	66	0	0	0	0	0	12	64	0	0	76	5	0	6	0	11	153
Peak Factor																					0.969
High Int.	05:00 PM										04:45 PM					04:45 PM					
Volume	0	63	3	0	66	0	0	0	0	0	23	54	0	0	77	11	0	9	0	20	
Peak Factor	0.898										0.971					0.713					



# COUNTER MEASURES INC.

1889 YORK STREET  
DENVER.COLORADO  
303-333-7409

N/S STREET: 1ST STREET  
E/W STREET: BENNETT AVENUE  
CITY: BENNETT  
COUNTY: ADAMS

File Name : 1STBENNET  
Site Code : 00000025  
Start Date : 6/16/2021  
Page No : 1

## Groups Printed- VEHICLES

	1ST STREET Southbound				BENNETT AVE Westbound				1ST STREET Northbound				Eastbound				Int. Total
Start Time	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
06:30 AM	0	32	0	0	9	0	0	0	0	15	2	0	0	0	0	0	58
06:45 AM	3	56	0	0	10	0	2	0	0	24	4	0	0	0	0	0	99
Total	3	88	0	0	19	0	2	0	0	39	6	0	0	0	0	0	157
07:00 AM	0	48	0	0	10	0	2	0	0	29	5	0	0	0	0	0	94
07:15 AM	1	43	0	0	11	0	1	0	0	28	6	0	0	0	0	0	90
07:30 AM	0	54	0	0	7	0	1	0	0	29	5	0	0	0	0	0	96
07:45 AM	2	50	0	0	14	0	3	0	0	34	9	0	0	0	0	0	112
Total	3	195	0	0	42	0	7	0	0	120	25	0	0	0	0	0	392
08:00 AM	5	65	0	0	7	0	0	0	0	36	11	0	0	0	0	0	124
08:15 AM	5	49	0	0	12	0	3	0	0	32	4	0	0	0	0	0	105
Total	10	114	0	0	19	0	3	0	0	68	15	0	0	0	0	0	229
04:00 PM	3	57	0	0	11	4	5	0	0	54	17	0	0	0	0	0	151
04:15 PM	6	55	0	0	11	0	4	0	0	57	18	0	0	0	0	0	151
04:30 PM	6	56	0	0	13	0	10	0	0	60	12	0	0	0	0	0	157
04:45 PM	8	44	0	0	20	0	6	2	0	74	23	0	0	0	0	2	179
Total	23	212	0	0	55	4	25	2	0	245	70	0	0	0	0	2	638
05:00 PM	9	59	0	0	11	0	6	0	0	68	14	0	0	0	0	0	167
05:15 PM	6	56	0	0	9	0	7	0	0	69	19	0	0	0	0	0	166
05:30 PM	5	56	0	0	10	0	3	0	0	68	20	0	0	0	0	0	162
05:45 PM	3	44	0	0	13	0	7	0	0	74	16	0	0	0	0	0	157
Total	23	215	0	0	43	0	23	0	0	279	69	0	0	0	0	0	652
Grand Total	62	824	0	0	178	4	60	2	0	751	185	0	0	0	0	2	2068
Apprch %	7.0	93.0	0.0	0.0	73.0	1.6	24.6	0.8	0.0	80.2	19.8	0.0	0.0	0.0	0.0	100.0	
Total %	3.0	39.8	0.0	0.0	8.6	0.2	2.9	0.1	0.0	36.3	8.9	0.0	0.0	0.0	0.0	0.1	

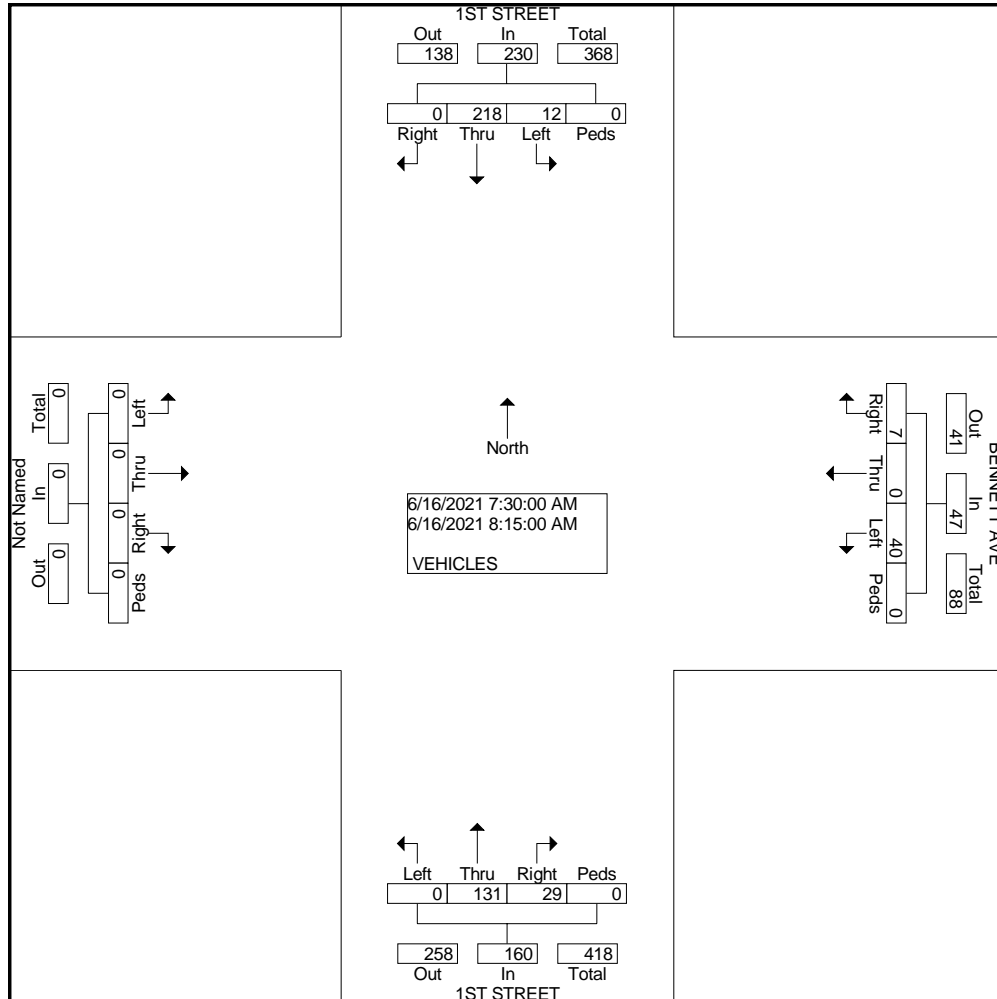
# COUNTER MEASURES INC.

1889 YORK STREET  
DENVER, COLORADO  
303-333-7409

N/S STREET: 1ST STREET  
E/W STREET: BENNETT AVENUE  
CITY: BENNETT  
COUNTY: ADAMS

File Name : 1STBENNET  
Site Code : 00000025  
Start Date : 6/16/2021  
Page No : 2

	1ST STREET Southbound					BENNETT AVE Westbound					1ST STREET Northbound					Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour From 07:30 AM to 08:15 AM - Peak 1 of 1	07:30 AM																				
Intersection	07:30 AM																				
Volume	12	218	0	0	230	40	0	7	0	47	0	131	29	0	160	0	0	0	0	0	437
Percent	5.2	94.8	0.0	0.0		85.1	0.0	14.9	0.0		0.0	81.9	18.1	0.0		0.0	0.0	0.0	0.0		
08:00																					
Volume	5	65	0	0	70	7	0	0	0	7	0	36	11	0	47	0	0	0	0	0	124
Peak Factor																					0.881
High Int.	08:00 AM					07:45 AM					08:00 AM										
Volume	5	65	0	0	70	14	0	3	0	17	0	36	11	0	47						
Peak Factor	0.82					0.69					0.85										
	1					1					1										





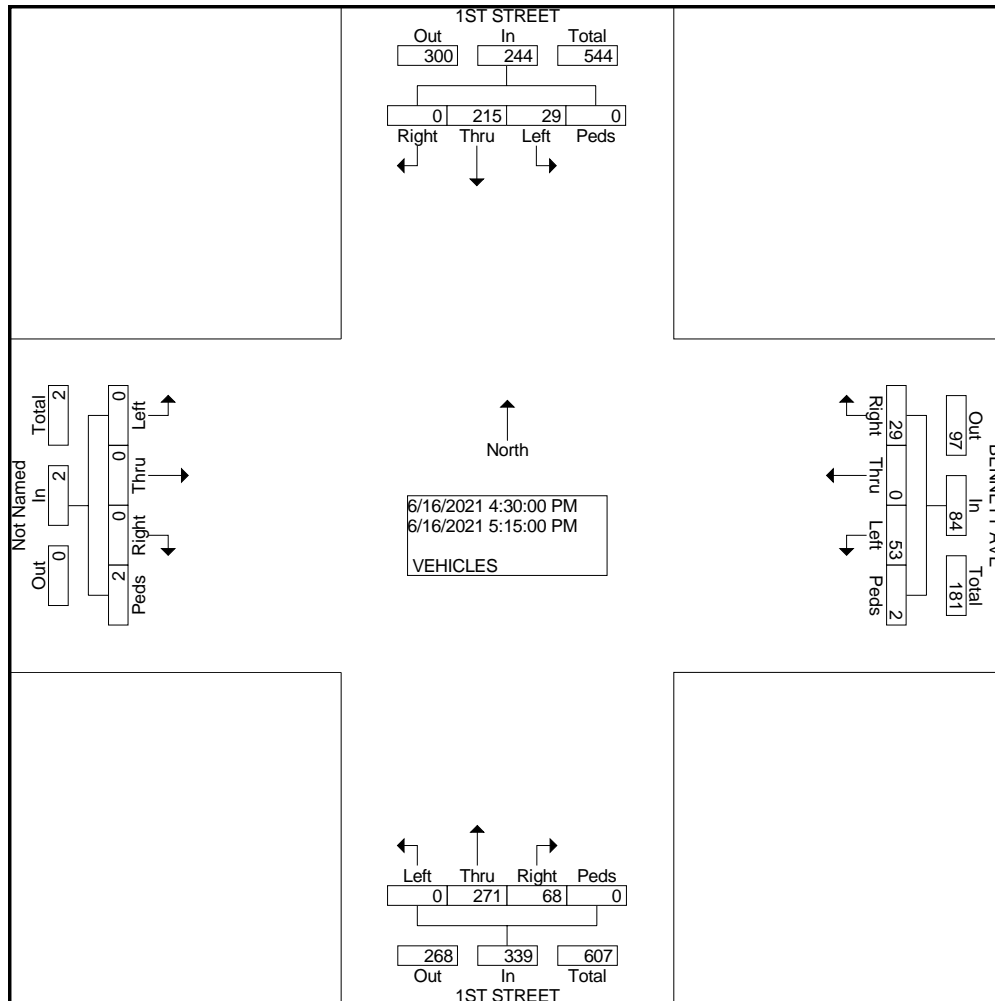
# COUNTER MEASURES INC.

1889 YORK STREET  
DENVER, COLORADO  
303-333-7409

N/S STREET: 1ST STREET  
E/W STREET: BENNETT AVENUE  
CITY: BENNETT  
COUNTY: ADAMS

File Name : 1STBENNET  
Site Code : 00000025  
Start Date : 6/16/2021  
Page No : 2

	1ST STREET Southbound					BENNETT AVE Westbound					1ST STREET Northbound					Eastbound					
Start Time	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour From 04:30 PM to 05:15 PM - Peak 1 of 1																					
Intersection	04:30 PM																				
Volume	29	215	0	0	244	53	0	29	2	84	0	271	68	0	339	0	0	0	2	2	669
Percent	11.9	88.1	0.0	0.0		63.1	0.0	34.5	2.4		0.0	79.9	20.1	0.0		0.0	0.0	0.0	100.0		
04:45																					
Volume	8	44	0	0	52	20	0	6	2	28	0	74	23	0	97	0	0	0	2	2	179
Peak Factor																					0.934
High Int.	05:00 PM					04:45 PM					04:45 PM					04:45 PM					
Volume	9	59	0	0	68	20	0	6	2	28	0	74	23	0	97	0	0	0	2	2	
Peak Factor	0.897					0.750					0.874					0.250					



Location: 1ST STREET S-O COLFAX AVENUE  
City: BENNETT  
County: ADAMS  
Direction: NORTH/SOUTH

**COUNTER MEASURES INC.**  
**1889 YORK STREET**  
**DENVER, COLORADO 80206**  
**303-333-7409**

Site Code: 211407  
Station ID: 211407

Start Time	15-Jun-21 Tue	NORTHBOU	SOUTHBOU								Total
12:00 AM		26	9								35
01:00		9	10								19
02:00		6	7								13
03:00		4	17								21
04:00		27	39								66
05:00		35	108								143
06:00		75	164								239
07:00		139	178								317
08:00		144	240								384
09:00		190	216								406
10:00		213	201								414
11:00		207	228								435
12:00 PM		245	260								505
01:00		236	254								490
02:00		236	204								440
03:00		205	234								439
04:00		242	252								494
05:00		274	258								532
06:00		199	200								399
07:00		161	144								305
08:00		144	120								264
09:00		108	108								216
10:00		58	52								110
11:00		37	26								63
Total		3220	3529								6749
Percent		47.7%	52.3%								
AM Peak	-	10:00	08:00	-	-	-	-	-	-	-	11:00
Vol.	-	213	240	-	-	-	-	-	-	-	435
PM Peak	-	17:00	12:00	-	-	-	-	-	-	-	17:00
Vol.	-	274	260	-	-	-	-	-	-	-	532
Grand Total		3220	3529								6749
Percent		47.7%	52.3%								

ADT

ADT 6,749

AADT 6,749

Location: 1ST STREET S-O CENTENNIAL DRIVE  
City: BENNETT  
County: ADAMS  
Direction: NORTH/SOUTH

**COUNTER MEASURES INC.**  
**1889 YORK STREET**  
**DENVER, COLORADO 80206**  
**303-333-7409**

Site Code: 211419  
Station ID: 211419

Start Time	15-Jun-21 Tue	NORTHBOU	SOUTHBOU							Total
12:00 AM		32	10							42
01:00		10	10							20
02:00		8	10							18
03:00		5	20							25
04:00		26	50							76
05:00		36	144							180
06:00		69	206							275
07:00		136	201							337
08:00		159	256							415
09:00		201	241							442
10:00		214	205							419
11:00		226	250							476
12:00 PM		262	275							537
01:00		254	278							532
02:00		252	208							460
03:00		244	248							492
04:00		266	252							518
05:00		306	274							580
06:00		239	220							459
07:00		177	152							329
08:00		165	136							301
09:00		125	108							233
10:00		74	57							131
11:00		42	26							68
Total		3528	3837							7365
Percent		47.9%	52.1%							
AM Peak	-	11:00	08:00	-	-	-	-	-	-	11:00
Vol.	-	226	256	-	-	-	-	-	-	476
PM Peak	-	17:00	13:00	-	-	-	-	-	-	17:00
Vol.	-	306	278	-	-	-	-	-	-	580
Grand Total		3528	3837							7365
Percent		47.9%	52.1%							

ADT

ADT 7,365

AADT 7,365

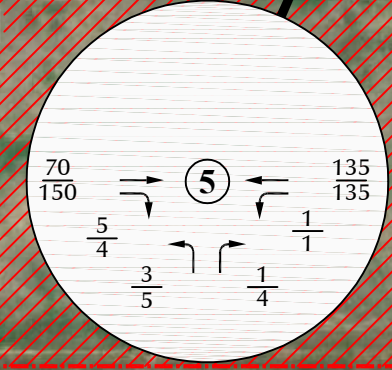
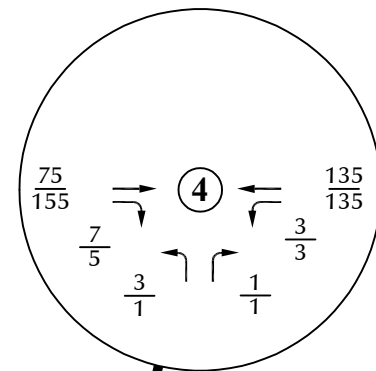
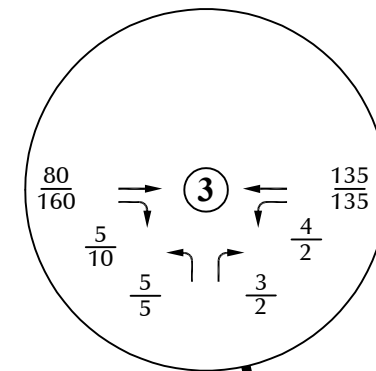
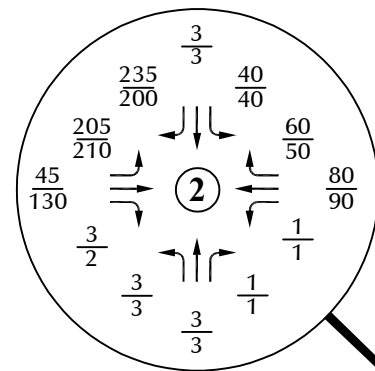
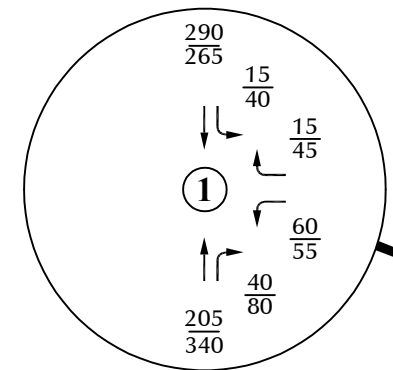
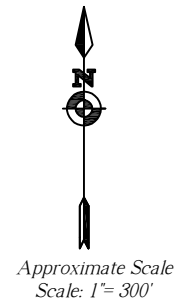
Location: CENTENNIAL DRIVE W-O 1ST STREET  
City: BENNETT  
County: ADAMS  
Direction: EAST/WEST

**COUNTER MEASURES INC.**  
**1889 YORK STREET**  
**DENVER, COLORADO 80206**  
**303-333-7409**

Site Code: 211414  
Station ID: 211414

Start Time	15-Jun-21 Tue	EASTBOUN	WESTBOUN							Total
12:00 AM		2	7							9
01:00		2	2							4
02:00		3	3							6
03:00		4	1							5
04:00		14	3							17
05:00		40	5							45
06:00		58	8							66
07:00		51	22							73
08:00		32	31							63
09:00		58	39							97
10:00		50	35							85
11:00		52	54							106
12:00 PM		46	46							92
01:00		55	49							104
02:00		40	50							90
03:00		47	70							117
04:00		47	68							115
05:00		59	74							133
06:00		45	65							110
07:00		34	41							75
08:00		34	39							73
09:00		20	38							58
10:00		7	15							22
11:00		4	9							13
Total		804	774							1578
Percent		51.0%	49.0%							
AM Peak	-	06:00	11:00	-	-	-	-	-	-	11:00
Vol.	-	58	54	-	-	-	-	-	-	106
PM Peak	-	17:00	17:00	-	-	-	-	-	-	17:00
Vol.	-	59	74	-	-	-	-	-	-	133
Grand Total		804	774							1578
Percent		51.0%	49.0%							
ADT		ADT 1,578	AADT 1,578							





LEGEND:  
 $\frac{26}{35}$  = AM Peak Hour Traffic  
 $\frac{35}{55}$  = PM Peak Hour Traffic  
1,000 = Average Daily Traffic

- Notes:
- 1. Intersection #1 was adjusted based on the 2017 traffic counts from the Muegge Farms TIA by LSC grown for three years at an annual rate of about 1.5 percent.
  - 2. Intersection #2 was adjusted based on the 2017 traffic counts from the Muegge Farms TIA by LSC at the intersection of E. Colfax Avenue (US 36)/SH 79.
  - 3. Intersections #3, #4 and #5 were adjusted based on the adjacent volumes at Intersection #2.

Figure 3b  
**Existing Traffic Volumes  
Adjusted for Pandemic**  
Worthman Acres (LSC #200830)





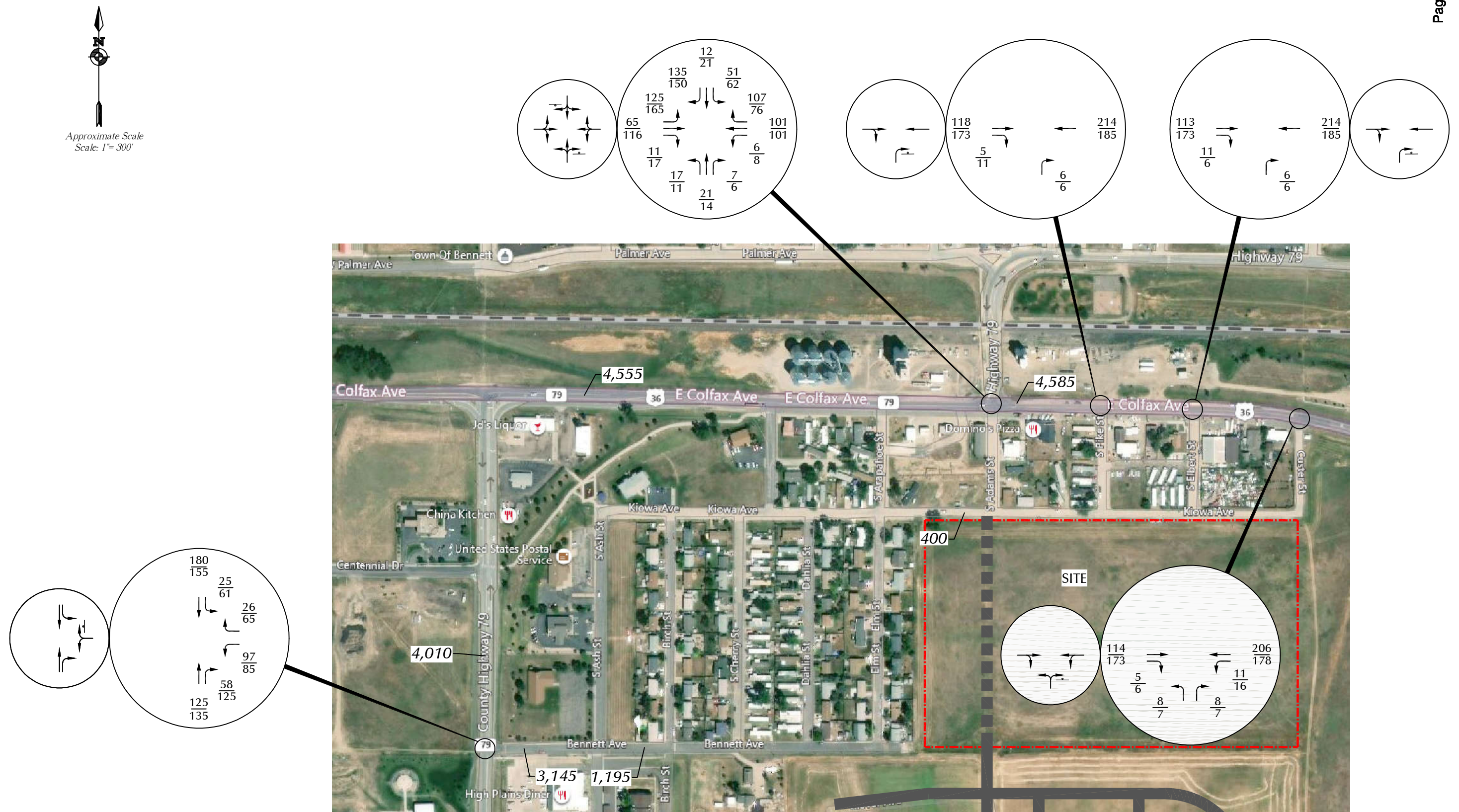
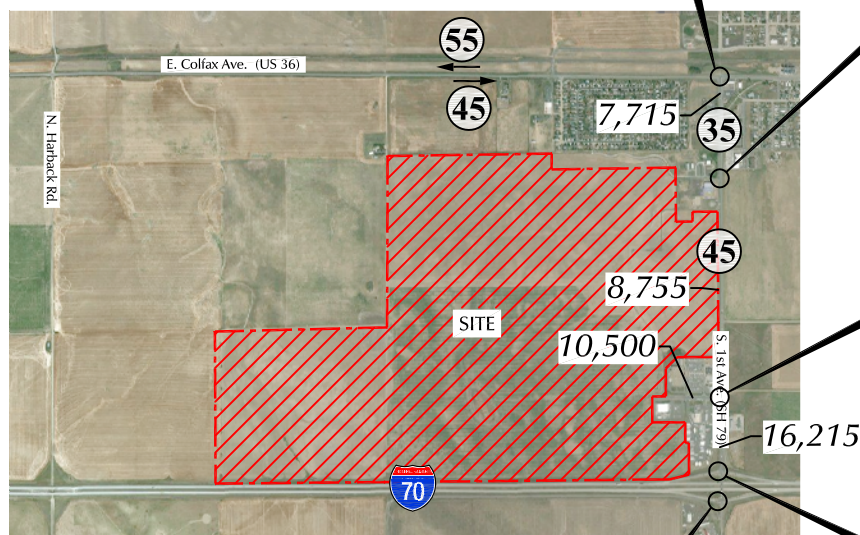
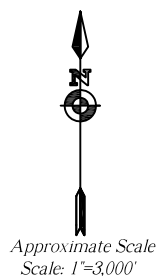


Figure 9




*Year 2041 Total Traffic,  
Lane Geometry and Traffic Control*

Worthman Acres (LSC #200830)





# LEGEND:

-  = Stop Sign
-  = Traffic Signal
-  = Speed Limit
- $\frac{26}{35}$  =  $\frac{\text{AM Peak Hour Traffic}}{\text{PM Peak Hour Traffic}}$
- 1,000 = Average Daily Traffic

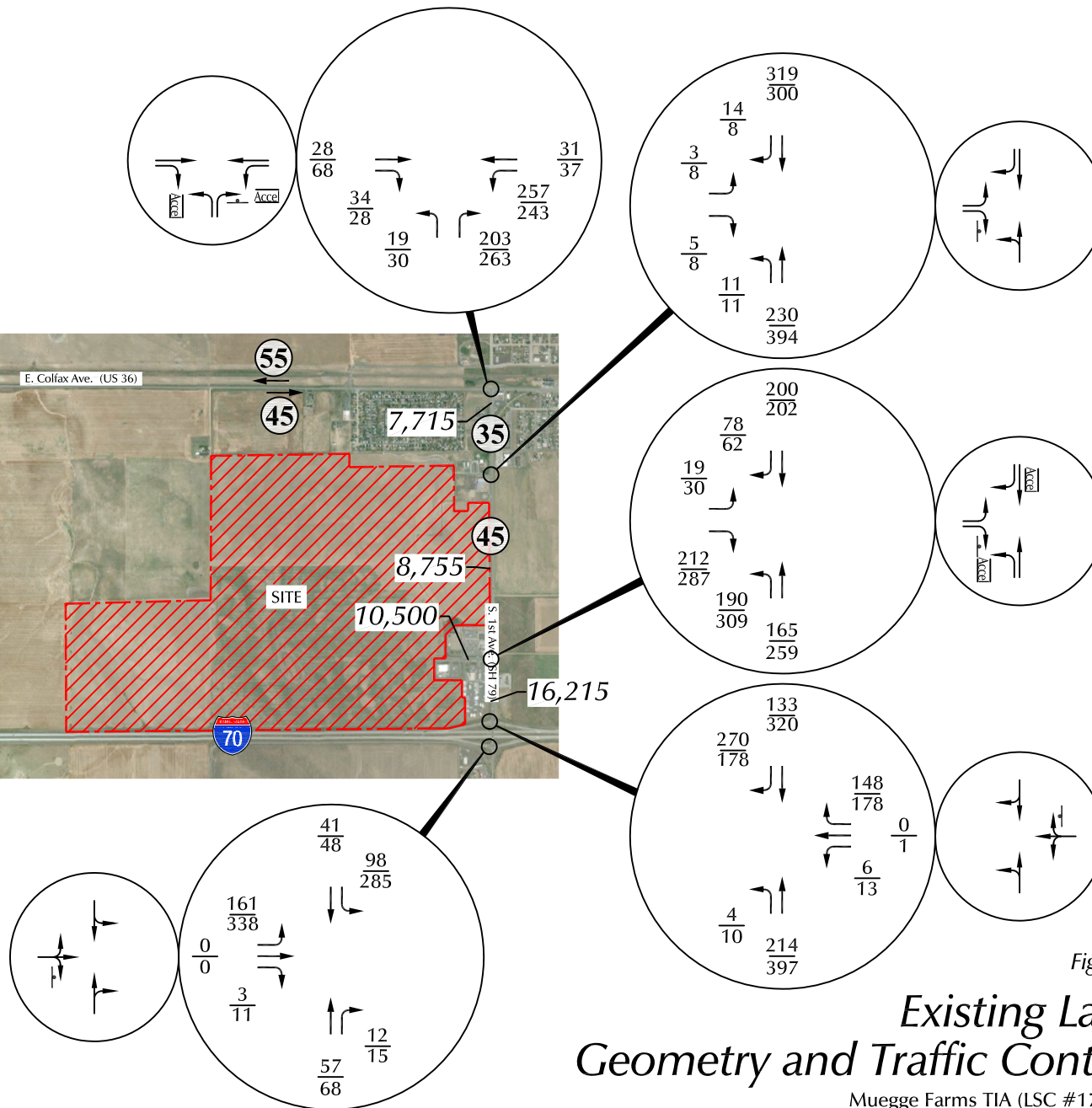
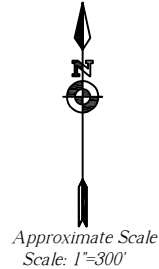


Figure 3

## Existing Lane Geometry and Traffic Control

Muegge Farms TIA (LSC #170931)



\* Based on Figure 3b of the 2020 Worthman Acres TIA by LSC with the through traffic volumes grown for one year at 3.7 percent based on CDOT 20-year factor of 2.07. Side road volumes assumed little or no growth.

\*\* East/west volumes based on the higher of the counts in Figure 3a and the 2017 count from Figure 3 of the Muegge Farms TIA by LSC grown for four years at annual rate of three percent. Volumes to/from the south were balanced with the other two intersections.

#### LEGEND:

$\frac{26}{35}$  = AM Peak Hour Traffic  
PM Peak Hour Traffic  
1,000 = Average Daily Traffic

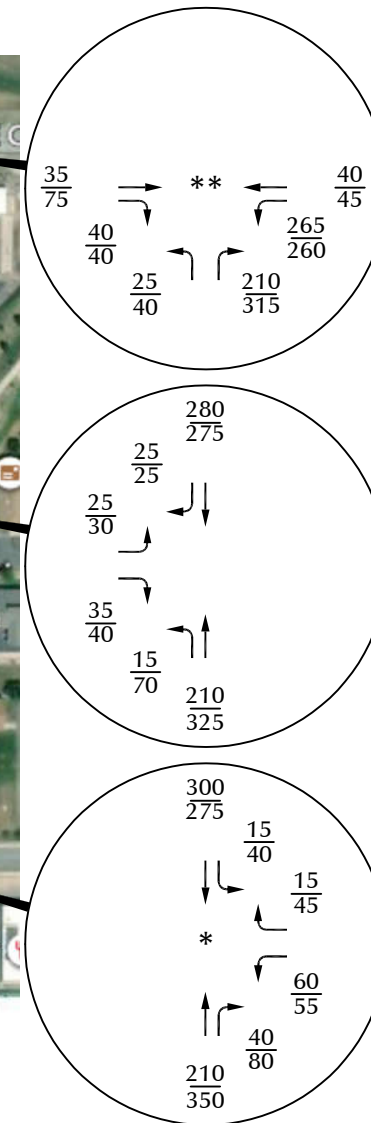
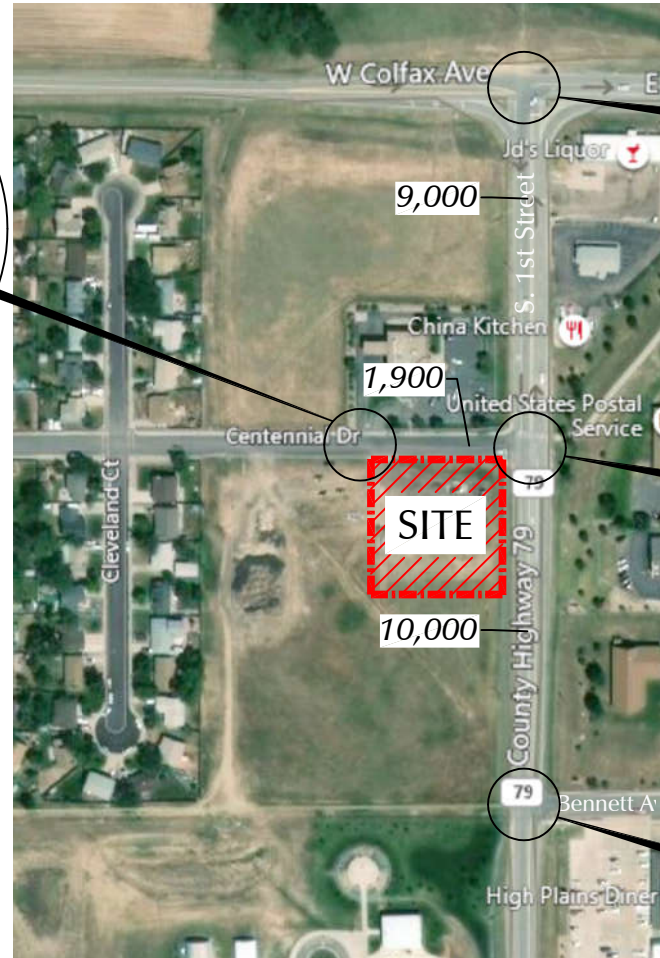


Figure 3b

*Existing Traffic,  
Adjusted for Pandemic*

Dollar General - Bennett (LSC #210660)

## LEVEL OF SERVICE DEFINITIONS

From *Highway Capacity Manual*, Transportation Research Board, 2016, 6th Edition

### UNSIGNALIZED INTERSECTION LEVEL OF SERVICE (LOS)

Applicable to Two-Way Stop Control, All-Way Stop Control, and Roundabouts

LOS	Average Vehicle Control Delay	Operational Characteristics
A	<10 seconds	Normally, vehicles on the stop-controlled approach only have to wait up to 10 seconds before being able to clear the intersection. Left-turning vehicles on the uncontrolled street do not have to wait to make their turn.
B	10 to 15 seconds	Vehicles on the stop-controlled approach will experience delays before being able to clear the intersection. <u>The delay could be up to 15 seconds.</u> Left-turning vehicles on the uncontrolled street may have to wait to make their turn.
C	15 to 25 seconds	Vehicles on the stop-controlled approach can expect delays in the range of 15 to 25 seconds before clearing the intersection. Motorists may begin to take chances due to the long delays, thereby posing a safety risk to through traffic. <u>Left-turning vehicles on the uncontrolled street will now be required to wait to make their turn causing a queue to be created in the turn lane.</u>
D	25 to 35 seconds	<u>This is the point at which a traffic signal may be warranted for this intersection.</u> The delays for the stop-controlled intersection are not considered to be excessive. The length of the queue may begin to block other public and private access points.
E	35 to 50 seconds	The delays for all critical traffic movements are considered to be unacceptable. The length of the queues for the stop-controlled approaches as well as the left-turn movements are extremely long. <u>There is a high probability that this intersection will meet traffic signal warrants.</u> The ability to install a traffic signal is affected by the location of other existing traffic signals. Consideration may be given to restricting the accesses by eliminating the left-turn movements from and to the stop-controlled approach.
F	>50 seconds	The delay for the critical traffic movements are probably in excess of 100 seconds. The length of the queues are extremely long. Motorists are selecting alternative routes due to the long delays. <u>The only remedy for these long delays is installing a traffic signal or restricting the accesses.</u> The potential for accidents at this intersection are extremely high due to motorist taking more risky chances. If the median permits, motorists begin making two-stage left-turns.

HCM 6th TWSC  
1: S. 1st Street & E. Colfax Avenue







Existing  
AM Peak

Intersection						
Int Delay, s/veh	6.2					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↗	↘	↑	↘	↗
Traffic Vol, veh/h	35	40	265	40	25	210
Future Vol, veh/h	35	40	265	40	25	210
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	38	43	288	43	27	228
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	81	0	657	-
Stage 1	-	-	-	-	38	-
Stage 2	-	-	-	-	619	-
Critical Hdwy	-	-	4.12	-	6.42	-
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	-
Pot Cap-1 Maneuver	-	-	1517	-	430	0
Stage 1	-	-	-	-	984	0
Stage 2	-	-	-	-	537	0
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1517	-	348	-
Mov Cap-2 Maneuver	-	-	-	-	348	-
Stage 1	-	-	-	-	984	-
Stage 2	-	-	-	-	435	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		6.9		16.2	
HCM LOS					C	
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	348		-	-	-	1517
HCM Lane V/C Ratio	0.078		-	-	-	0.19
HCM Control Delay (s)	16.2		0	-	-	7.9
HCM Lane LOS	C		A	-	-	A
HCM 95th %tile Q(veh)	0.3		-	-	-	0.7







HCM 6th TWSC  
2: S. 1st Street & Centennial Drive

Existing  
AM Peak

Intersection						
Int Delay, s/veh	1.3					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	25	35	15	210	280	25
Future Vol, veh/h	25	35	15	210	280	25
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	27	38	16	228	304	27
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	564	304	331	0	-	0
Stage 1	304	-	-	-	-	-
Stage 2	260	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	487	736	1228	-	-	-
Stage 1	748	-	-	-	-	-
Stage 2	783	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	481	736	1228	-	-	-
Mov Cap-2 Maneuver	481	-	-	-	-	-
Stage 1	738	-	-	-	-	-
Stage 2	783	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	11.3	0.5		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1228	-	481	736	-	-
HCM Lane V/C Ratio	0.013	-	0.056	0.052	-	-
HCM Control Delay (s)	8	-	12.9	10.2	-	-
HCM Lane LOS	A	-	B	B	-	-
HCM 95th %tile Q(veh)	0	-	0.2	0.2	-	-




HCM 6th TWSC  
3: S. 1st Street & Bennett Avenue

Existing  
AM Peak

Intersection						
Int Delay, s/veh	1.8					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	60	15	210	40	15	300
Future Vol, veh/h	60	15	210	40	15	300
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	65	16	228	43	16	326
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	608	250	0	0	271	0
Stage 1	250	-	-	-	-	-
Stage 2	358	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	459	789	-	-	1292	-
Stage 1	792	-	-	-	-	-
Stage 2	707	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	453	789	-	-	1292	-
Mov Cap-2 Maneuver	453	-	-	-	-	-
Stage 1	792	-	-	-	-	-
Stage 2	699	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	13.7	0	0.4			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	495	1292	-	
HCM Lane V/C Ratio	-	-	0.165	0.013	-	
HCM Control Delay (s)	-	-	13.7	7.8	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0.6	0	-	

HCM 6th TWSC  
4: Centennial Drive & ATM Access

Existing  
AM Peak

Intersection						
Int Delay, s/veh	0.6					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	55	30	10	5	1
Future Vol, veh/h	1	55	30	10	5	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	60	33	11	5	1
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	44	0	-	0	101	39
Stage 1	-	-	-	-	39	-
Stage 2	-	-	-	-	62	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1564	-	-	-	898	1033
Stage 1	-	-	-	-	983	-
Stage 2	-	-	-	-	961	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1564	-	-	-	897	1033
Mov Cap-2 Maneuver	-	-	-	-	897	-
Stage 1	-	-	-	-	982	-
Stage 2	-	-	-	-	961	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.1	0		9		
HCM LOS				A		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1564	-	-	-	917	
HCM Lane V/C Ratio	0.001	-	-	-	0.007	
HCM Control Delay (s)	7.3	0	-	-	9	
HCM Lane LOS	A	A	-	-	A	
HCM 95th %tile Q(veh)	0	-	-	-	0	







HCM 6th TWSC  
1: S. 1st Street & E. Colfax Avenue

Existing  
PM Peak

Intersection						
Int Delay, s/veh	6.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↗	↘	↑	↘	↗
Traffic Vol, veh/h	75	40	260	45	40	315
Future Vol, veh/h	75	40	260	45	40	315
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	82	43	283	49	43	342
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	125	0	697	-
Stage 1	-	-	-	-	82	-
Stage 2	-	-	-	-	615	-
Critical Hdwy	-	-	4.12	-	6.42	-
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	-
Pot Cap-1 Maneuver	-	-	1462	-	407	0
Stage 1	-	-	-	-	941	0
Stage 2	-	-	-	-	539	0
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1462	-	328	-
Mov Cap-2 Maneuver	-	-	-	-	328	-
Stage 1	-	-	-	-	941	-
Stage 2	-	-	-	-	434	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		6.9		17.6	
HCM LOS	C					
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	328		-	-	-	1462
HCM Lane V/C Ratio	0.133		-	-	-	0.193
HCM Control Delay (s)	17.6		0	-	-	8.1
HCM Lane LOS	C		A	-	-	A
HCM 95th %tile Q(veh)	0.5		-	-	-	0.7

HCM 6th TWSC  
2: S. 1st Street & Centennial Drive

Existing  
PM Peak

Intersection						
Int Delay, s/veh	1.9					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	30	40	70	325	275	25
Future Vol, veh/h	30	40	70	325	275	25
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	33	43	76	353	299	27
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	804	299	326	0	-	0
Stage 1	299	-	-	-	-	-
Stage 2	505	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	352	741	1234	-	-	-
Stage 1	752	-	-	-	-	-
Stage 2	606	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	330	741	1234	-	-	-
Mov Cap-2 Maneuver	330	-	-	-	-	-
Stage 1	705	-	-	-	-	-
Stage 2	606	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	13.2	1.4		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1234	-	330	741	-	-
HCM Lane V/C Ratio	0.062	-	0.099	0.059	-	-
HCM Control Delay (s)	8.1	-	17.1	10.2	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0.2	-	0.3	0.2	-	-







HCM 6th TWSC  
3: S. 1st Street & Bennett Avenue

Existing  
PM Peak

Intersection

Int Delay, s/veh 2.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	55	45	350	80	40	275
Future Vol, veh/h	55	45	350	80	40	275
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	60	49	380	87	43	299

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	809	424	0
Stage 1	424	-	-
Stage 2	385	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	350	630	-
Stage 1	660	-	-
Stage 2	688	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	336	630	-
Mov Cap-2 Maneuver	336	-	-
Stage 1	660	-	-
Stage 2	661	-	-




Approach	WB	NB	SB
HCM Control Delay, s	16.4	0	1.1
HCM LOS	C		







Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	425	1094
HCM Lane V/C Ratio	-	-	0.256	0.04
HCM Control Delay (s)	-	-	16.4	8.4
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	1	0.1







# HCM 6th TWSC





## 4: Centennial Drive & ATM Access

Existing  
PM Peak




Intersection						
Int Delay, s/veh	1.5					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	45	75	20	25	1
Future Vol, veh/h	1	45	75	20	25	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	49	82	22	27	1
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	104	0	-	0	144	93
Stage 1	-	-	-	-	93	-
Stage 2	-	-	-	-	51	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1488	-	-	-	849	964
Stage 1	-	-	-	-	931	-
Stage 2	-	-	-	-	971	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1488	-	-	-	848	964
Mov Cap-2 Maneuver	-	-	-	-	848	-
Stage 1	-	-	-	-	930	-
Stage 2	-	-	-	-	971	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.2	0		9.4		
HCM LOS				A		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1488	-	-	-	852	
HCM Lane V/C Ratio	0.001	-	-	-	0.033	
HCM Control Delay (s)	7.4	0	-	-	9.4	
HCM Lane LOS	A	A	-	-	A	
HCM 95th %tile Q(veh)	0	-	-	-	0.1	

Intersection						
Int Delay, s/veh	6.4					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	38	45	290	45	30	235
Future Vol, veh/h	38	45	290	45	30	235
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	41	49	315	49	33	255
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	90	0	720	-
Stage 1	-	-	-	-	41	-
Stage 2	-	-	-	-	679	-
Critical Hdwy	-	-	4.12	-	6.42	-
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	-
Pot Cap-1 Maneuver	-	-	1505	-	395	0
Stage 1	-	-	-	-	981	0
Stage 2	-	-	-	-	504	0
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1505	-	312	-
Mov Cap-2 Maneuver	-	-	-	-	312	-
Stage 1	-	-	-	-	981	-
Stage 2	-	-	-	-	399	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		6.9		17.9	
HCM LOS	C					
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	312		-	-	-	1505
HCM Lane V/C Ratio	0.105		-	-	-	0.209
HCM Control Delay (s)	17.9		0	-	-	8
HCM Lane LOS	C		A	-	-	A
HCM 95th %tile Q(veh)	0.3		-	-	-	0.8

Intersection						
Int Delay, s/veh	1.3					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	26	36	16	240	310	26
Future Vol, veh/h	26	36	16	240	310	26
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	28	39	17	261	337	28
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	632	337	365	0	-	0
Stage 1	337	-	-	-	-	-
Stage 2	295	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	444	705	1194	-	-	-
Stage 1	723	-	-	-	-	-
Stage 2	755	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	438	705	1194	-	-	-
Mov Cap-2 Maneuver	438	-	-	-	-	-
Stage 1	713	-	-	-	-	-
Stage 2	755	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	11.8	0.5		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1194	-	438	705	-	-
HCM Lane V/C Ratio	0.015	-	0.065	0.056	-	-
HCM Control Delay (s)	8.1	-	13.8	10.4	-	-
HCM Lane LOS	A	-	B	B	-	-
HCM 95th %tile Q(veh)	0	-	0.2	0.2	-	-

Intersection						
Int Delay, s/veh	2.2					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	75	20	235	50	20	325
Future Vol, veh/h	75	20	235	50	20	325
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	82	22	255	54	22	353
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	679	282	0	0	309	0
Stage 1	282	-	-	-	-	-
Stage 2	397	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	417	757	-	-	1252	-
Stage 1	766	-	-	-	-	-
Stage 2	679	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	409	757	-	-	1252	-
Mov Cap-2 Maneuver	409	-	-	-	-	-
Stage 1	766	-	-	-	-	-
Stage 2	667	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	15.3	0		0.5		
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	453	1252	-	
HCM Lane V/C Ratio	-	-	0.228	0.017	-	
HCM Control Delay (s)	-	-	15.3	7.9	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	0.9	0.1	-	









Intersection						
Int Delay, s/veh	0.6					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	57	32	10	5	1
Future Vol, veh/h	1	57	32	10	5	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	62	35	11	5	1
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	46	0	-	0	105	41
Stage 1	-	-	-	-	41	-
Stage 2	-	-	-	-	64	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1562	-	-	-	893	1030
Stage 1	-	-	-	-	981	-
Stage 2	-	-	-	-	959	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1562	-	-	-	892	1030
Mov Cap-2 Maneuver	-	-	-	-	892	-
Stage 1	-	-	-	-	980	-
Stage 2	-	-	-	-	959	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.1	0		9		
HCM LOS				A		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1562	-	-	-	912	
HCM Lane V/C Ratio	0.001	-	-	-	0.007	
HCM Control Delay (s)	7.3	0	-	-	9	
HCM Lane LOS	A	A	-	-	A	
HCM 95th %tile Q(veh)	0	-	-	-	0	





Intersection						
Int Delay, s/veh	6.3					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Vol, veh/h	82	45	285	50	45	350
Future Vol, veh/h	82	45	285	50	45	350
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	89	49	310	54	49	380




Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	138
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1446
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1446
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	6.9	19.8
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	292	-	-	-	1446	-
HCM Lane V/C Ratio	0.168	-	-	-	0.214	-
HCM Control Delay (s)	19.8	0	-	-	8.2	-
HCM Lane LOS	C	A	-	-	A	-
HCM 95th %tile Q(veh)	0.6	-	-	-	0.8	-

Intersection						
Int Delay, s/veh	1.9					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	31	41	72	365	305	26
Future Vol, veh/h	31	41	72	365	305	26
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	34	45	78	397	332	28
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	885	332	360	0	-	0
Stage 1	332	-	-	-	-	-
Stage 2	553	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	315	710	1199	-	-	-
Stage 1	727	-	-	-	-	-
Stage 2	576	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	295	710	1199	-	-	-
Mov Cap-2 Maneuver	295	-	-	-	-	-
Stage 1	680	-	-	-	-	-
Stage 2	576	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	14	1.4		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1199	-	295	710	-	-
HCM Lane V/C Ratio	0.065	-	0.114	0.063	-	-
HCM Control Delay (s)	8.2	-	18.8	10.4	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0.2	-	0.4	0.2	-	-

Intersection						
Int Delay, s/veh	2.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	65	55	380	95	50	295
Future Vol, veh/h	65	55	380	95	50	295
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	71	60	413	103	54	321
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	894	465	0	0	516	0
Stage 1	465	-	-	-	-	-
Stage 2	429	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	312	597	-	-	1050	-
Stage 1	632	-	-	-	-	-
Stage 2	657	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	296	597	-	-	1050	-
Mov Cap-2 Maneuver	296	-	-	-	-	-
Stage 1	632	-	-	-	-	-
Stage 2	623	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	19.1	0		1.2		
HCM LOS	C					
Minor Lane/Major Mvmt		NBT	NBRWBLn1	SBL	SBT	
Capacity (veh/h)		-	-	385	1050	-
HCM Lane V/C Ratio		-	-	0.339	0.052	-
HCM Control Delay (s)		-	-	19.1	8.6	-
HCM Lane LOS		-	-	C	A	-
HCM 95th %tile Q(veh)		-	-	1.5	0.2	-

Intersection						
Int Delay, s/veh	1.5					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	1	47	79	20	25	1
Future Vol, veh/h	1	47	79	20	25	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1	51	86	22	27	1
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	108	0	-	0	150	97
Stage 1	-	-	-	-	97	-
Stage 2	-	-	-	-	53	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1483	-	-	-	842	959
Stage 1	-	-	-	-	927	-
Stage 2	-	-	-	-	970	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1483	-	-	-	841	959
Mov Cap-2 Maneuver	-	-	-	-	841	-
Stage 1	-	-	-	-	926	-
Stage 2	-	-	-	-	970	-
Approach	EB	WB		SB		
HCM Control Delay, s	0.2	0		9.4		
HCM LOS				A		
Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1	
Capacity (veh/h)	1483	-	-	-	845	
HCM Lane V/C Ratio	0.001	-	-	-	0.033	
HCM Control Delay (s)	7.4	0	-	-	9.4	
HCM Lane LOS	A	A	-	-	A	
HCM 95th %tile Q(veh)	0	-	-	-	0.1	



HCM 6th TWSC  
1: S. 1st Street & E. Colfax Avenue

2024 Total  
AM Peak

Intersection						
Int Delay, s/veh	6.5					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Vol, veh/h	38	55	302	45	35	242
Future Vol, veh/h	38	55	302	45	35	242
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	41	60	328	49	38	263







Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	101
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1491
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1491
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	7	18.9
HCM LOS	C		

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	297	-	-	-	1491	-
HCM Lane V/C Ratio	0.128	-	-	-	0.22	-
HCM Control Delay (s)	18.9	0	-	-	8.1	-
HCM Lane LOS	C	A	-	-	A	-
HCM 95th %tile Q(veh)	0.4	-	-	-	0.8	-






HCM 6th TWSC  
2: S. 1st Street & Centennial Drive

2024 Total  
AM Peak

Intersection						
Int Delay, s/veh	2.3					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	40	59	53	239	307	51
Future Vol, veh/h	40	59	53	239	307	51
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	43	64	58	260	334	55
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	710	334	389	0	-	0
Stage 1	334	-	-	-	-	-
Stage 2	376	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	400	708	1170	-	-	-
Stage 1	725	-	-	-	-	-
Stage 2	694	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	380	708	1170	-	-	-
Mov Cap-2 Maneuver	380	-	-	-	-	-
Stage 1	689	-	-	-	-	-
Stage 2	694	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	12.7	1.5		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1170	-	380	708	-	-
HCM Lane V/C Ratio	0.049	-	0.114	0.091	-	-
HCM Control Delay (s)	8.2	-	15.7	10.6	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0.2	-	0.4	0.3	-	-

HCM 6th TWSC  
3: S. 1st Street & Bennett Avenue

2024 Total  
AM Peak

Intersection						
Int Delay, s/veh	2.3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	75	30	260	50	25	340
Future Vol, veh/h	75	30	260	50	25	340
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	273	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	82	33	283	54	27	370
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	707	283	0	0	337	0
Stage 1	283	-	-	-	-	-
Stage 2	424	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	402	756	-	-	1222	-
Stage 1	765	-	-	-	-	-
Stage 2	660	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	393	756	-	-	1222	-
Mov Cap-2 Maneuver	393	-	-	-	-	-
Stage 1	765	-	-	-	-	-
Stage 2	645	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	15.5	0	0.5			
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	455	1222	-	
HCM Lane V/C Ratio	-	-	0.251	0.022	-	
HCM Control Delay (s)	-	-	15.5	8	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1	0.1	-	

## 4: Site Access/ATM Access &amp; Centennial Drive

AM Peak

Intersection												
Int Delay, s/veh	4.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	1	56	7	62	32	10	3	0	38	5	0	1
Future Vol, veh/h	1	56	7	62	32	10	3	0	38	5	0	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	61	8	67	35	11	3	0	41	5	0	1
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	46	0	0	69	0	0	242	247	65	263	246	41
Stage 1	-	-	-	-	-	-	67	67	-	175	175	-
Stage 2	-	-	-	-	-	-	175	180	-	88	71	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1562	-	-	1532	-	-	712	655	999	690	656	1030
Stage 1	-	-	-	-	-	-	943	839	-	827	754	-
Stage 2	-	-	-	-	-	-	827	750	-	920	836	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1562	-	-	1532	-	-	686	625	999	638	626	1030
Mov Cap-2 Maneuver	-	-	-	-	-	-	686	625	-	638	626	-
Stage 1	-	-	-	-	-	-	942	838	-	826	720	-
Stage 2	-	-	-	-	-	-	789	716	-	881	835	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.1			4.4			8.9			10.3		
HCM LOS							A			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	967	1562	-	-	1532	-	-	681				
HCM Lane V/C Ratio	0.046	0.001	-	-	0.044	-	-	0.01				
HCM Control Delay (s)	8.9	7.3	0	-	7.5	0	-	10.3				
HCM Lane LOS	A	A	A	-	A	A	-	B				
HCM 95th %tile Q(veh)	0.1	0	-	-	0.1	-	-	0				

HCM 6th TWSC  
1: S. 1st Street & E. Colfax Avenue

2024 Total  
PM Peak

Intersection						
Int Delay, s/veh	7					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Vol, veh/h	82	58	302	50	60	370
Future Vol, veh/h	82	58	302	50	60	370
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	89	63	328	54	65	402

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	152
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1429
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1429
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-







Approach	EB	WB	NB
HCM Control Delay, s	0	7.1	22.3
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	273	-	-	-	1429	-
HCM Lane V/C Ratio	0.239	-	-	-	0.23	-
HCM Control Delay (s)	22.3	0	-	-	8.3	-
HCM Lane LOS	C	A	-	-	A	-
HCM 95th %tile Q(veh)	0.9	-	-	-	0.9	-



HCM 6th TWSC  
2: S. 1st Street & Centennial Drive





2024 Total  
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Intersection						
Int Delay, s/veh	4					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	72	100	126	362	301	60
Future Vol, veh/h	72	100	126	362	301	60
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	78	109	137	393	327	65
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	994	327	392	0	-	0
Stage 1	327	-	-	-	-	-
Stage 2	667	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	272	714	1167	-	-	-
Stage 1	731	-	-	-	-	-
Stage 2	510	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	240	714	1167	-	-	-
Mov Cap-2 Maneuver	240	-	-	-	-	-
Stage 1	645	-	-	-	-	-
Stage 2	510	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	17.7	2.2		0		
HCM LOS	C					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1167	-	240	714	-	-
HCM Lane V/C Ratio	0.117	-	0.326	0.152	-	-
HCM Control Delay (s)	8.5	-	27.1	10.9	-	-
HCM Lane LOS	A	-	D	B	-	-
HCM 95th %tile Q(veh)	0.4	-	1.4	0.5	-	-

HCM 6th TWSC  
3: S. 1st Street & Bennett Avenue

2024 Total  
PM Peak

Intersection						
Int Delay, s/veh	3.2					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	Y		↑	↑	Y	↑
Traffic Vol, veh/h	65	68	415	95	68	335
Future Vol, veh/h	65	68	415	95	68	335
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	273	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	71	74	451	103	74	364
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	963	451	0	0	554	0
Stage 1	451	-	-	-	-	-
Stage 2	512	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	284	608	-	-	1016	-
Stage 1	642	-	-	-	-	-
Stage 2	602	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	263	608	-	-	1016	-
Mov Cap-2 Maneuver	263	-	-	-	-	-
Stage 1	642	-	-	-	-	-
Stage 2	558	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	20.8	0	1.5			
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	370	1016	-	
HCM Lane V/C Ratio	-	-	0.391	0.073	-	
HCM Control Delay (s)	-	-	20.8	8.8	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1.8	0.2	-	

Intersection												
Int Delay, s/veh	5.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	1	44	12	91	76	20	13	0	103	25	0	1
Future Vol, veh/h	1	44	12	91	76	20	13	0	103	25	0	1
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	1	48	13	99	83	22	14	0	112	27	0	1
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	105	0	0	61	0	0	350	360	55	405	355	94
Stage 1	-	-	-	-	-	-	57	57	-	292	292	-
Stage 2	-	-	-	-	-	-	293	303	-	113	63	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1486	-	-	1542	-	-	605	567	1012	556	571	963
Stage 1	-	-	-	-	-	-	955	847	-	716	671	-
Stage 2	-	-	-	-	-	-	715	664	-	892	842	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1486	-	-	1542	-	-	572	528	1012	468	532	963
Mov Cap-2 Maneuver	-	-	-	-	-	-	572	528	-	468	532	-
Stage 1	-	-	-	-	-	-	954	846	-	715	625	-
Stage 2	-	-	-	-	-	-	666	619	-	793	841	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.1			3.6			9.5			13		
HCM LOS							A			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	932	1486	-	-	1542	-	-	477				
HCM Lane V/C Ratio	0.135	0.001	-	-	0.064	-	-	0.059				
HCM Control Delay (s)	9.5	7.4	0	-	7.5	0	-	13				
HCM Lane LOS	A	A	A	-	A	A	-	B				
HCM 95th %tile Q(veh)	0.5	0	-	-	0.2	-	-	0.2				

Intersection







Int Delay, s/veh 4.7

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Vol, veh/h	65	75	175	80	50	135
Future Vol, veh/h	65	75	175	80	50	135
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	71	82	190	87	54	147






Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	153
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1428
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1428
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	5.4	14.4
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	437	-	-	-	1428	-
HCM Lane V/C Ratio	0.124	-	-	-	0.133	-
HCM Control Delay (s)	14.4	0	-	-	7.9	-
HCM Lane LOS	B	A	-	-	A	-
HCM 95th %tile Q(veh)	0.4	-	-	-	0.5	-

Intersection						
Int Delay, s/veh	2.1					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	30	45	30	155	220	30
Future Vol, veh/h	30	45	30	155	220	30
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	33	49	33	168	239	33
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	473	239	272	0	-	0
Stage 1	239	-	-	-	-	-
Stage 2	234	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	550	800	1291	-	-	-
Stage 1	801	-	-	-	-	-
Stage 2	805	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	536	800	1291	-	-	-
Mov Cap-2 Maneuver	536	-	-	-	-	-
Stage 1	780	-	-	-	-	-
Stage 2	805	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	10.8	1.3		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1291	-	536	800	-	-
HCM Lane V/C Ratio	0.025	-	0.061	0.061	-	-
HCM Control Delay (s)	7.9	-	12.2	9.8	-	-
HCM Lane LOS	A	-	B	A	-	-
HCM 95th %tile Q(veh)	0.1	-	0.2	0.2	-	-



Intersection						
Int Delay, s/veh	2.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	95	25	160	60	25	240
Future Vol, veh/h	95	25	160	60	25	240
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	273	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	103	27	174	65	27	261
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	489	174	0	0	239	0
Stage 1	174	-	-	-	-	-
Stage 2	315	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	538	869	-	-	1328	-
Stage 1	856	-	-	-	-	-
Stage 2	740	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	527	869	-	-	1328	-
Mov Cap-2 Maneuver	527	-	-	-	-	-
Stage 1	856	-	-	-	-	-
Stage 2	725	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	13.1	0	0.7			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	574	1328	-	
HCM Lane V/C Ratio	-	-	0.227	0.02	-	
HCM Control Delay (s)	-	-	13.1	7.8	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	0.9	0.1	-	

Intersection												
Int Delay, s/veh	1.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	3	60	0	0	35	25	0	0	0	15	0	2
Future Vol, veh/h	3	60	0	0	35	25	0	0	0	15	0	2
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	3	65	0	0	38	27	0	0	0	16	0	2
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	65	0	0	65	0	0	124	136	65	123	123	52
Stage 1	-	-	-	-	-	-	71	71	-	52	52	-
Stage 2	-	-	-	-	-	-	53	65	-	71	71	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1537	-	-	1537	-	-	850	755	999	852	767	1016
Stage 1	-	-	-	-	-	-	939	836	-	961	852	-
Stage 2	-	-	-	-	-	-	960	841	-	939	836	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1537	-	-	1537	-	-	847	753	999	850	765	1016
Mov Cap-2 Maneuver	-	-	-	-	-	-	847	753	-	850	765	-
Stage 1	-	-	-	-	-	-	937	834	-	959	852	-
Stage 2	-	-	-	-	-	-	958	841	-	937	834	-
Approach	EB		WB				NB			SB		
HCM Control Delay, s	0.3		0				0			9.2		
HCM LOS							A			A		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	-	1537	-	-	1537	-	-	867				
HCM Lane V/C Ratio	-	0.002	-	-	-	-	-	0.021				
HCM Control Delay (s)	0	7.3	0	-	0	-	-	9.2				
HCM Lane LOS	A	A	A	-	A	-	-	A				
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1				

Intersection







Int Delay, s/veh 4.9






Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Vol, veh/h	140	75	175	85	75	175
Future Vol, veh/h	140	75	175	85	75	175
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	152	82	190	92	82	190

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	234
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1333
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1333
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	5.5	16.8
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	385	-	-	-	1333	-
HCM Lane V/C Ratio	0.212	-	-	-	0.143	-
HCM Control Delay (s)	16.8	0	-	-	8.2	-
HCM Lane LOS	C	A	-	-	A	-
HCM 95th %tile Q(veh)	0.8	-	-	-	0.5	-

Intersection						
Int Delay, s/veh	3					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	35	65	95	215	220	30
Future Vol, veh/h	35	65	95	215	220	30
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	38	71	103	234	239	33
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	679	239	272	0	-	0
Stage 1	239	-	-	-	-	-
Stage 2	440	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	417	800	1291	-	-	-
Stage 1	801	-	-	-	-	-
Stage 2	649	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	384	800	1291	-	-	-
Mov Cap-2 Maneuver	384	-	-	-	-	-
Stage 1	737	-	-	-	-	-
Stage 2	649	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	11.8	2.5		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1291	-	384	800	-	-
HCM Lane V/C Ratio	0.08	-	0.099	0.088	-	-
HCM Control Delay (s)	8	-	15.4	9.9	-	-
HCM Lane LOS	A	-	C	A	-	-
HCM 95th %tile Q(veh)	0.3	-	0.3	0.3	-	-

Intersection						
Int Delay, s/veh	3.4					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	85	65	245	125	60	225
Future Vol, veh/h	85	65	245	125	60	225
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	273	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	92	71	266	136	65	245
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	641	266	0	0	402	0
Stage 1	266	-	-	-	-	-
Stage 2	375	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	439	773	-	-	1157	-
Stage 1	779	-	-	-	-	-
Stage 2	695	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	414	773	-	-	1157	-
Mov Cap-2 Maneuver	414	-	-	-	-	-
Stage 1	779	-	-	-	-	-
Stage 2	656	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	15.1	0	1.7			
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	518	1157	-	
HCM Lane V/C Ratio	-	-	0.315	0.056	-	
HCM Control Delay (s)	-	-	15.1	8.3	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1.3	0.2	-	



Intersection												
Int Delay, s/veh	2.4											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	4	50	0	0	80	45	0	0	0	50	0	4
Future Vol, veh/h	4	50	0	0	80	45	0	0	0	50	0	4
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	4	54	0	0	87	49	0	0	0	54	0	4
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	136	0	0	54	0	0	176	198	54	174	174	112
Stage 1	-	-	-	-	-	-	62	62	-	112	112	-
Stage 2	-	-	-	-	-	-	114	136	-	62	62	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1448	-	-	1551	-	-	786	698	1013	789	719	941
Stage 1	-	-	-	-	-	-	949	843	-	893	803	-
Stage 2	-	-	-	-	-	-	891	784	-	949	843	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1448	-	-	1551	-	-	780	696	1013	787	717	941
Mov Cap-2 Maneuver	-	-	-	-	-	-	780	696	-	787	717	-
Stage 1	-	-	-	-	-	-	946	840	-	890	803	-
Stage 2	-	-	-	-	-	-	887	784	-	946	840	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.6			0			0			9.9		
HCM LOS							A			A		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	-	1448	-	-	1551	-	-	797				
HCM Lane V/C Ratio	-	0.003	-	-	-	-	-	0.074				
HCM Control Delay (s)	0	7.5	0	-	0	-	-	9.9				
HCM Lane LOS	A	A	A	-	A	-	-	A				
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.2				







HCM 6th TWSC  
1: S. 1st Street & E. Colfax Avenue

2042 Total  
AM Peak

Intersection						
Int Delay, s/veh	4.9					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↗	↖	↑	↖	↗
Traffic Vol, veh/h	65	85	187	80	55	142
Future Vol, veh/h	65	85	187	80	55	142
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	71	92	203	87	60	154
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	163	0	564	-
Stage 1	-	-	-	-	71	-
Stage 2	-	-	-	-	493	-
Critical Hdwy	-	-	4.12	-	6.42	-
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	-
Pot Cap-1 Maneuver	-	-	1416	-	487	0
Stage 1	-	-	-	-	952	0
Stage 2	-	-	-	-	614	0
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1416	-	417	-
Mov Cap-2 Maneuver	-	-	-	-	417	-
Stage 1	-	-	-	-	952	-
Stage 2	-	-	-	-	526	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		5.6		15.1	
HCM LOS					C	
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	417		-	-	-	1416
HCM Lane V/C Ratio	0.143		-	-	-	0.144
HCM Control Delay (s)	15.1		0	-	-	8
HCM Lane LOS	C		A	-	-	A
HCM 95th %tile Q(veh)	0.5		-	-	-	0.5

HCM 6th TWSC  
2: S. 1st Street & Centennial Drive

2042 Total  
AM Peak

Intersection						
Int Delay, s/veh	3					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	44	68	67	153	217	55
Future Vol, veh/h	44	68	67	153	217	55
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	48	74	73	166	236	60
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	548	236	296	0	-	0
Stage 1	236	-	-	-	-	-
Stage 2	312	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	497	803	1265	-	-	-
Stage 1	803	-	-	-	-	-
Stage 2	742	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	468	803	1265	-	-	-
Mov Cap-2 Maneuver	468	-	-	-	-	-
Stage 1	756	-	-	-	-	-
Stage 2	742	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	11.4	2.4		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1265	-	468	803	-	-
HCM Lane V/C Ratio	0.058	-	0.102	0.092	-	-
HCM Control Delay (s)	8	-	13.6	9.9	-	-
HCM Lane LOS	A	-	B	A	-	-
HCM 95th %tile Q(veh)	0.2	-	0.3	0.3	-	-

HCM 6th TWSC  
3: S. 1st Street & Bennett Avenue

2042 Total  
AM Peak

Intersection						
Int Delay, s/veh	3.1					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	↔↔		↑	↗	↗	↑
Traffic Vol, veh/h	95	35	185	60	30	255
Future Vol, veh/h	95	35	185	60	30	255
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	273	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	103	38	201	65	33	277
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	544	201	0	0	266	0
Stage 1	201	-	-	-	-	-
Stage 2	343	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	500	840	-	-	1298	-
Stage 1	833	-	-	-	-	-
Stage 2	719	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	488	840	-	-	1298	-
Mov Cap-2 Maneuver	488	-	-	-	-	-
Stage 1	833	-	-	-	-	-
Stage 2	701	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	13.8	0	0.8			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	550	1298	-	
HCM Lane V/C Ratio	-	-	0.257	0.025	-	
HCM Control Delay (s)	-	-	13.8	7.8	-	
HCM Lane LOS	-	-	B	A	-	
HCM 95th %tile Q(veh)	-	-	1	0.1	-	

HCM 6th TWSC  
4: Site Access/ATM Access & Centennial Drive

2042 Total  
AM Peak

Intersection												
Int Delay, s/veh	4.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	3	59	7	62	35	25	3	0	38	15	0	2
Future Vol, veh/h	3	59	7	62	35	25	3	0	38	15	0	2
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	3	64	8	67	38	27	3	0	41	16	0	2
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	65	0	0	72	0	0	261	273	68	281	264	52
Stage 1	-	-	-	-	-	-	74	74	-	186	186	-
Stage 2	-	-	-	-	-	-	187	199	-	95	78	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1537	-	-	1528	-	-	692	634	995	671	641	1016
Stage 1	-	-	-	-	-	-	935	833	-	816	746	-
Stage 2	-	-	-	-	-	-	815	736	-	912	830	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1537	-	-	1528	-	-	665	604	995	619	610	1016
Mov Cap-2 Maneuver	-	-	-	-	-	-	665	604	-	619	610	-
Stage 1	-	-	-	-	-	-	933	831	-	814	712	-
Stage 2	-	-	-	-	-	-	776	702	-	872	828	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.3			3.8			8.9			10.7		
HCM LOS							A			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	960	1537	-	-	1528	-	-	649				
HCM Lane V/C Ratio	0.046	0.002	-	-	0.044	-	-	0.028				
HCM Control Delay (s)	8.9	7.3	0	-	7.5	0	-	10.7				
HCM Lane LOS	A	A	A	-	A	A	-	B				
HCM 95th %tile Q(veh)	0.1	0	-	-	0.1	-	-	0.1				



HCM 6th TWSC  
1: S. 1st Street & E. Colfax Avenue

2042 Total  
PM Peak

Intersection						
Int Delay, s/veh	5.5					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑	↑	↑	↑	↑
Traffic Vol, veh/h	140	88	192	85	90	195
Future Vol, veh/h	140	88	192	85	90	195
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Free
Storage Length	-	175	195	-	50	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	152	96	209	92	98	212







Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	248
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.12
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.218
Pot Cap-1 Maneuver	-	-	1318
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1318
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	5.7	18.7
HCM LOS	C		

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	359	-	-	-	1318	-
HCM Lane V/C Ratio	0.272	-	-	-	0.158	-
HCM Control Delay (s)	18.7	0	-	-	8.2	-
HCM Lane LOS	C	A	-	-	A	-
HCM 95th %tile Q(veh)	1.1	-	-	-	0.6	-






HCM 6th TWSC  
2: S. 1st Street & Centennial Drive

2042 Total  
PM Peak

Intersection						
Int Delay, s/veh	4.9					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	76	124	149	209	216	64
Future Vol, veh/h	76	124	149	209	216	64
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	0	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	83	135	162	227	235	70
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	786	235	305	0	-	0
Stage 1	235	-	-	-	-	-
Stage 2	551	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	361	804	1256	-	-	-
Stage 1	804	-	-	-	-	-
Stage 2	577	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	314	804	1256	-	-	-
Mov Cap-2 Maneuver	314	-	-	-	-	-
Stage 1	700	-	-	-	-	-
Stage 2	577	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	14.2	3.5		0		
HCM LOS	B					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	1256	-	314	804	-	-
HCM Lane V/C Ratio	0.129	-	0.263	0.168	-	-
HCM Control Delay (s)	8.3	-	20.5	10.4	-	-
HCM Lane LOS	A	-	C	B	-	-
HCM 95th %tile Q(veh)	0.4	-	1	0.6	-	-

HCM 6th TWSC  
3: S. 1st Street & Bennett Avenue

2042 Total  
PM Peak

Intersection						
Int Delay, s/veh	3.8					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	85	78	280	125	75	265
Future Vol, veh/h	85	78	280	125	75	265
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	273	305	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	92	85	304	136	82	288
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	756	304	0	0	440	0
Stage 1	304	-	-	-	-	-
Stage 2	452	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	376	736	-	-	1120	-
Stage 1	748	-	-	-	-	-
Stage 2	641	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	349	736	-	-	1120	-
Mov Cap-2 Maneuver	349	-	-	-	-	-
Stage 1	748	-	-	-	-	-
Stage 2	594	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	17.4	0	1.9			
HCM LOS	C					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	466	1120	-	
HCM Lane V/C Ratio	-	-	0.38	0.073	-	
HCM Control Delay (s)	-	-	17.4	8.5	-	
HCM Lane LOS	-	-	C	A	-	
HCM 95th %tile Q(veh)	-	-	1.8	0.2	-	

HCM 6th TWSC  
4: ATM Access & Centennial Drive

2042 Total  
PM Peak

Intersection												
Int Delay, s/veh	5.7											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	4	47	12	91	77	45	13	0	103	50	0	4
Future Vol, veh/h	4	47	12	91	77	45	13	0	103	50	0	4
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	4	51	13	99	84	49	14	0	112	54	0	4
Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	133	0	0	64	0	0	375	397	58	429	379	109
Stage 1	-	-	-	-	-	-	66	66	-	307	307	-
Stage 2	-	-	-	-	-	-	309	331	-	122	72	-
Critical Hdwy	4.12	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.318
Pot Cap-1 Maneuver	1452	-	-	1538	-	-	582	540	1008	536	553	945
Stage 1	-	-	-	-	-	-	945	840	-	703	661	-
Stage 2	-	-	-	-	-	-	701	645	-	882	835	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1452	-	-	1538	-	-	547	501	1008	450	513	945
Mov Cap-2 Maneuver	-	-	-	-	-	-	547	501	-	450	513	-
Stage 1	-	-	-	-	-	-	942	837	-	701	615	-
Stage 2	-	-	-	-	-	-	649	600	-	782	832	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.5			3.2			9.5			13.8		
HCM LOS							A			B		
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1				
Capacity (veh/h)	921	1452	-	-	1538	-	-	468				
HCM Lane V/C Ratio	0.137	0.003	-	-	0.064	-	-	0.125				
HCM Control Delay (s)	9.5	7.5	0	-	7.5	0	-	13.8				
HCM Lane LOS	A	A	A	-	A	A	-	B				
HCM 95th %tile Q(veh)	0.5	0	-	-	0.2	-	-	0.4				







# THE SHOPS AT BENNETT SUBDIVISION, AMENDMENT NO.1

A REPLAT OF TRACT A, THE SHOPS AT BENNETT SUBDIVISION,  
A PART OF THE SE 1/4 OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 63 WEST  
OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF BENNETT,  
COUNTY OF ADAMS, STATE OF COLORADO  
SHEET 3 OF 3

LAND USE TABLE

GROSS ACREAGE	4.170
TRACT A ACREAGE	1/0.113
NUMBER OF LOTS / ACREAGE	5/4.057
NET ACREAGE FOR PUBLIC STREETS	0
NET ACREAGE FOR PRIVATE USE	4.057
NET ACREAGE TOWN OF BENNETT - ROW	0.113

TRACT OWNERSHIP AND MAINTENANCE

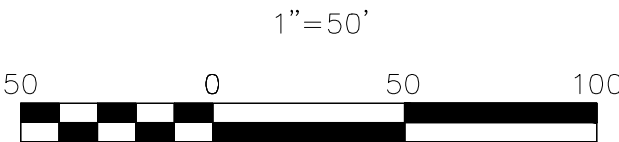
TRACT/LOT	PROPOSED USE	OWNERSHIP	MAINTENANCE
LOT 1-5	FUTURE DEVELOPMENT	SHOPS AT CIVIC CENTER PARK LLC	OWNER OR ASSIGNS
TRACT A	RIGHT-OF-WAY	TOWN OF BENNETT	OWNER OR ASSIGNS

EASEMENT COURSE TABLE

C1-( $\Delta=3^{\circ}34'21''$ ) (R=45.00') (L=2.81')
C2-( $\Delta=26^{\circ}53'14''$ ) (R=45.00') (L=21.12')
L1-(N54°16'05"E) (14.77')
L2-(N35°43'55"W) (15.00')
L3-(S54°16'05"W) (14.97')

This will not be dedicated to the Town.

The Town is willing to support the one access into the subdivision from Centennial as long as an appropriate turnaround satisfactory to Bennett-Watkins Fire is provided. We think you can avoid a full cul-de-sac; however, in return, we need an enhanced pedestrian connection to the south property line and also east to S. 1st. St./Hwy 79. This must be conceptually designed and cost estimates included in the eventual subdivision agreement (SA).

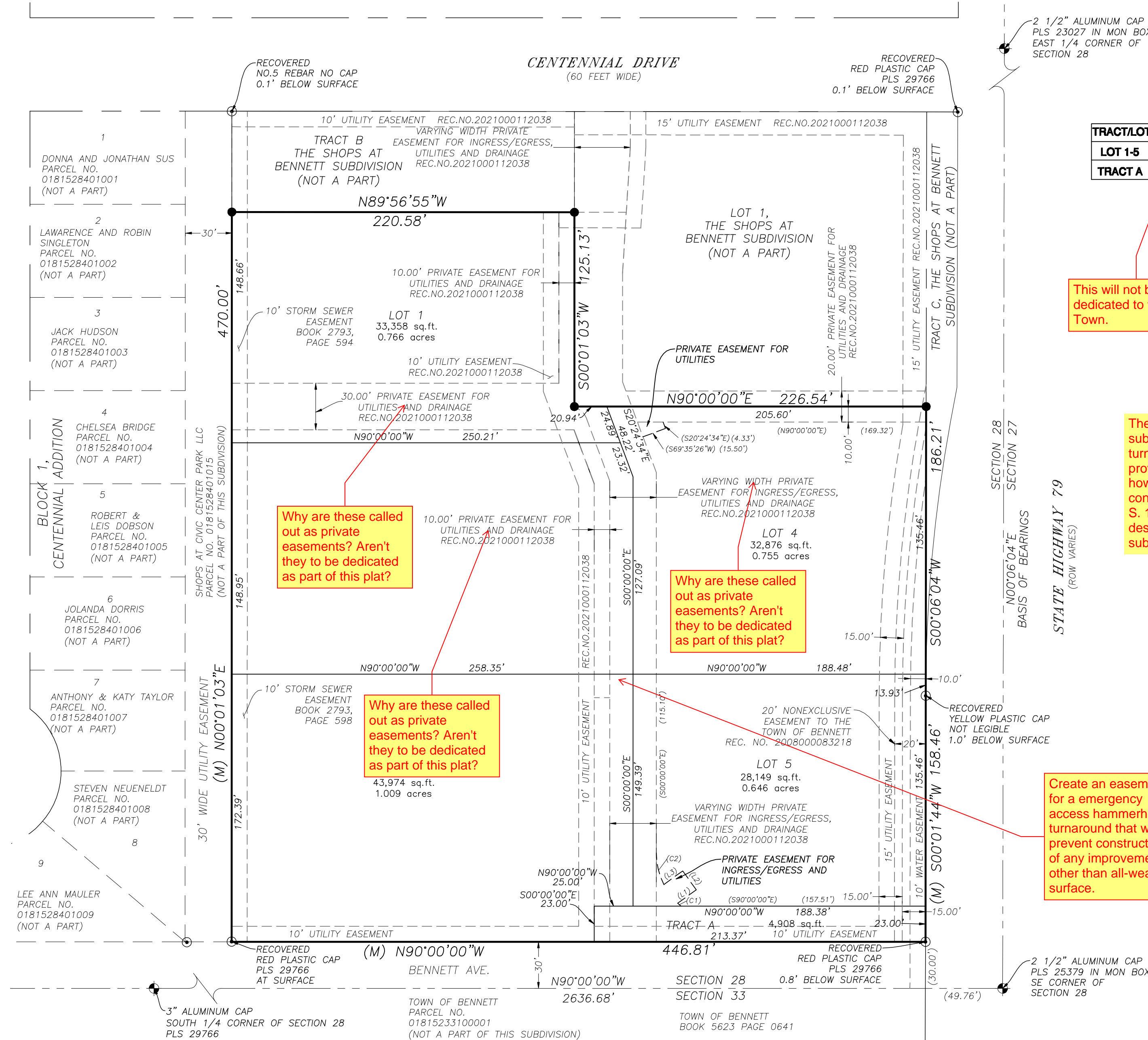


LEGEND

SECTION LINE	---
TRACT/LOT LINE	---
EXISTING EASEMENT	---
PROPOSED EASEMENT	---
EASEMENT DIMENSION	(45.94')
FOUND MONUMENT AS SHOWN	⊙
NO.4 PIN AND YELLOW CAP PLS 34583	●
PLSS CORNER (AS SHOWN)	⊕
AL - ALUMINUM	
MON - MONUMENT	
T.O.B. - TOWN OF BENNETT	
(P) - PLATTED	
(M) - MEASURED	

**Ridgeline**  
**Land Surveying**  
4345 BEVERLY STREET, UNIT C  
COLORADO SPRINGS, CO 80918  
TEL: 719.238.2917

PREPARATION DATE	1/1/2022
TOWN COMMENTS	4/5/2022



AS REPLATTED



## Engineering Review Memo

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To: Steve Hebert, Town Planning & Economic Development Director  
Sara Aragon, Community Development Manager  
From: Dan Giroux, PE, Engineering Consultant to the Town  
Date: Monday, August 22, 2022  
Case: Shops at Bennett, Major Subdivision Plat, Case 22.11 – 2<sup>nd</sup> Submittal  
Subject: Civil Engineering Review

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***Review Memo Only – no Replat redlines provided for this 2<sup>nd</sup> Submittal review.***

Per the request of the Town of Bennett, Terramax, Inc. has reviewed the 2nd submittal of the Major Subdivision Plat application materials, for the proposed Shops at Bennett Subdivision development.

This review does not constitute a contractual offer to the applicant, and does not relieve the applicant from meeting the Town's requirement that the development comply with all Town Codes and Standards. All prior comments on the development application are still considered effective and in force, until acceptably addressed.

Although every attempt has been made to be diligent, thorough and comprehensive, by the nature of review, and relative time invested versus design and plan development, the Town must reserve the right to make original comments and revision requests in subsequent submittals, even for information already submitted, until final application approval.

I have the following comments to offer on the application materials (no plan redlines included for this submittal at this time):

### **Final Plat & General**

1. Undergrounding of the SH 79 IREA-CORE power overhead lines will be addressed with the Subdivision Agreement (SA) for public improvements required with this subdivision.
2. State Highway 79 widening to full/ultimate build-out western half-section will be addressed with the Subdivision Agreement (SA) for public improvements required with this subdivision.

### **Water System**

1. Submittal 1 comments and responses to carry through to Public Improvement Construction Documents (PI CD's) and SA. No further comments.
2. Confirm 'private easement' v 'public easement' for emergency access and utility access, including sanitary sewer, water, and fire hydrants.

### **Sanitary Sewer System**

1. Submittal 1 comments and responses to carry through to PI CD's and SA. No further comments.

**Streets & Access**

1. Submittal 1 comments and responses to carry through to PI CD's and SA.
2. I am amenable to phasing of the north-south access drive extension, and Bennett Avenue connection, as warranted by Lot development traffic loading, and as reviewed by the Town Traffic Engineer.
3. Emergency vehicle access and circulation may be addressed with ensuing Lot development Site Plans, including parking lots and potential drive lane circulation.
4. These terms can be addressed with the SA provisions for development phasing proposals.
5. Based on observed Filing 1 Punch List and close-out conditions, the west utility corridor is expected to require a new Centennial Drive service driveway cut, sidewalk crossing, and all-weather surfacing, for utility access, maintenance and service.
  - Maintenance of this area will remain with the property owner.
6. The Centennial Drive driveway cut and sidewalk crossing reconstruction should incorporate a stormwater inlet to intercept and divert Centennial Drive street flows into the existing 36-inch south-to-north CSP storm sewer.
7. With Centennial Drive-79 intersection upgrades, existing affected and adjacent curb & gutter conditions should be reviewed, and deteriorated curb & gutter removed and replaced.

**Stormwater**

1. Submittal 1 comments and responses to carry through to PI CD's and SA.
2. Based on observed Filing 1 Punch List and close-out conditions, the west utility corridor is expected to require storm inlets to collect surface flows and protect adjacent residential lots to the west.
  - A drain pan with all-weather surfacing may also be acceptable.
3. Based on observed Filing 1 Punch List and close-out conditions, the stormwater detention pond will require future expansion to attain full build-out volume capacity, unless final lot development hardscape areas are reduced from initial subdivision estimates, and related original pond design.
4. Based on observed Filing 1 Punch List and close-out conditions, the stormwater detention pond overflow will be re-evaluated for outflow near the subdivision north-south drive lane, to Centennial Drive, to better protect the west utility corridor and residential lots further west.

Steve, Sara, this concludes my civil engineering review of the 2nd Submittal application materials for the Shops at Bennett Major Subdivision Plat. Please let me know if you have any questions, or require additional information pertaining to the submitted information, or my review.

9191 Jamaica Street  
Englewood, CO 80112  
United States  
T +1.303.771.0900

[www.jacobs.com](http://www.jacobs.com)

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Subject            The Shops at Bennett Subdivision, Amendment No. 1

Attention        Steve Hebert, AICP, Bennett Planning & Economic Development Manager  
                     Sara Aragon, Community Development Manager

From             Mike Heugh, PE  
                     Town Traffic Engineer

Date              August 17, 2022

Copies to        Dan Giroux, PE, Engineering Consultant to the Town

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The Shops at Bennett Subdivision Replat, Amendment No. 1 (04/05/22) – Town Traffic Comments

1. No comments

Shops at Bennett Square TIA (dated 07/12/22) – Town Traffic Comments

1. I'm concerned with the left-turn lanes on SH 79 and what CDOT is going to allow and what is in the best interest of the Town. Looking at the CDOT data provided (pages 20 & 21), the 35mph to 45 mph change is somewhere along the frontage of Shops. State Highway Access Code says that for deceleration lanes, the speed at the beginning of the lane should dictate the length. Can it be determined where this speed change takes place to better stripe the left-turn lanes on SH 79? 35 mph would allow the left turn lane to be taper + storage, shorter than what is being proposed. Also, SHAC says that the taper should be reduced first when overall length requirements can't be met. If requirements can't be met, is there a recommendation to reduce the taper and provide more? I'm happy to discuss further if needed.
2. Civil construction drawings show center left turn lanes are 14'. The 162' taper shown within this report is based on a 12' shift. This comment was made on civil plans. Please coordinate with designers on what that shift actually is. This ties to previous comment on speed limit where these tapers are taking place.
3. For future reports please detail recommended improvements in your conclusion section. Using this report as a specific example, the report simply says, "with recommended improvements shown in Figure 10." It is easier for reviewer and other readers of these reports that the conclusion section states the recommendations. Specific details, such as turn lane lengths, etc. can be shown in figures. No revision to this report is necessary and I don't see this as a consistent issue in reports by this author. Simply stating my preference as the reviewer.



### The Shops at Bennett Subdivision Amendment No. 1, Construction Drawings (07/18/22) – Town Traffic Comments

#### General Comments

1. Please add a signing and striping sheet in the plan set which gives a clearer view of what is happening with traffic control. The details for signing and striping elements should be removed from other sheets unless they are needed for some reason.
2. With the new curb return at Centennial Ave, the existing stop sign needs to be reset. Please add this to the plans.
3. Is there crosswalk striping across Centennial Ave? Aerial photos don't show it. If it is existing and being extended as shown on sheet 10, this needs to be called out and detailed.
4. Is striping being proposed on Centennial Ave? Page 10 shows striping in bold so I'm assuming this is proposed. This needs to be detailed with stationing and line types

#### Page 9

1. Stop signs at the roadway bend aren't needed. Please remove.

#### Page 10

1. Change callout for SBR at Bennett Ave to "Lane Drop" from "Dashed". This should be 8" instead of 4".
2. Turn arrows need to be called out and stationed. Locations based on CDOT standards.
3. Removal of existing striping required to stripe the NBL at Bennett Ave should be callout out. New striping needs callout.
4. Add "Right Lane Must Turn Right" sign (R3-7) to the SBR lane at Bennett Ave. To be placed where drop line turns to channelizing.
5. Plan shows the re-direct taper to be 162' which is based on 13.5:1 and a 12' shift. The center left turn lanes are 14' which would increase this re-direct taper. Please verify what the shifting distance is and revise if necessary.

# STATE OF COLORADO

## Traffic & Safety

Region 1

2829 W. Howard Place

Denver, Colorado 80204



COLORADO  
Department of Transportation

Project Name: **Shops at Bennett Square**

Print Date: 8/15/2022

Highway:

079

Mile Marker:

### Drainage Comments:

No new comments; previous comments still stand

### Environmental Comments:

#### **For ANY ground disturbance/work within CDOT ROW---**

##### **Required:**

##### Arch/History/Paleo:

Since this is a permit, a file search for Arch and History is required. If the file search identifies anything, a more extensive report will be required. If nothing is identified, then the file search should be sufficient. For the file search contact:

Cultural/History File Search: <http://www.historycolorado.org/oahp/file-search>

email: [hc\\_filesearch@state.co.us](mailto:hc_filesearch@state.co.us)

Paleo File Search: <https://www.colorado.edu/cumuseum/research-collections/paleontology/policies-procedure> and  
<https://www.dmns.org/science/earth-sciences/earth-sciences-collections/>

The ECIS will be used to support HazMat requirements.

Non-historic 4f does not apply.

If any non-historic 6f properties will be impacted or disturbed applicant shall coordinate with Veronica McCall  
[veronica.mccall@state.co.us](mailto:veronica.mccall@state.co.us)

##### Info for Applicant/Contractor:

The Permittee shall complete a stormwater management plan (SWMP) which must be prepared with good engineering, hydrologic, and pollution control practices and include at a minimum the following components: qualified stormwater manager; spill prevention and response plan; materials handling; potential sources of pollution; implementation of control measures; site description; and site map.

In addition, the Permittee shall comply with all local/state/federal regulations and obtain all necessary permits. Permittee shall comply with CDOT's MS4 Permit. When working within a local MS4 jurisdictional boundary, the permittee shall obtain concurrence from the local MS4 that the local MS4 will provide construction stormwater oversight. The local MS4 concurrence documentation shall be retained with the SWMP.

**Clear Zone:** It is the responsibility of the engineer/architect who stamps the plans to ensure that: any new landscaping/trees are outside of the clear zones for any State Highway/CDOT ROW and that the new landscaping/trees do not interfere with site lines from any State Highway/CDOT ROW.

**Landscape:** Any new or changes to existing landscaping within CDOT ROW must be reviewed and approved by CDOT. Landscaping plans should be submitted and should include details of all proposed plant species and seed mixes/ratios.

**8/1/2022:** Once the above mentioned items are received Environmental review will continue.

**Traffic Comments:**

Why is there a stop sign at Station 13+50? This seems not needed.

In the TIS provide Queue analysis. Use methodology per NHCPR 457 for left turn queues.

We need some discussion in the TIS about the spacing of the full movement intersection. This doesn't meet the 1/2 mile spacing based on the State Highway Access Code. The discussion should include safety and operations on why this can be allowed.

**Jason Igo 8/11/2022**

**Right of Way Comments:**

**Resident Engineer Comments:**

**8/8/22 CLJ**

-Please provide a typical section showing the proposed SH-79 configuration.

-If the project intends to change the profile of SH-79 in this area, curves will be required for any grade difference greater than 0.2%.

**Permits Comments:**

Need CDOT details for all work in the CDOT ROW. Label ramp types. Include pavement section detail. All thermoplastic is inlaid. CDOT ROW varies is not correct. Show and label CDOT ROW and label as such. 3rd party inspection required. **RLW Aug 1 2022**



Planning Town Of Bennett &lt;planning@bennett.co.us&gt;

## RE: Shops at Bennett, Major Subdivision Plat

**Brooks Kaufman** <BKaufman@core.coop>  
To: Town of Bennett Planning <planning@bennett.co.us>

Wed, Mar 30, 2022 at 11:16 AM

Steve

CORE Electric Cooperative has no comments.

Respectfully

**Brooks Kaufman**

Lands and Rights of Way Manager

800.332.9540 MAIN

720.733.5493 DIRECT

303.912.0765 MOBILE

[www.core.coop](http://www.core.coop).



**From:** Town of Bennett Planning <planning@bennett.co.us>

**Sent:** Monday, March 14, 2022 10:59 AM

**To:** United States Postal Service <sarah.e.zawatzki@usps.gov>; Bennett School District 29J ATTN: Robin Purdy <robinp@bsd29j.com>; Bennett School District 29J: ATTN: Jennifer West <jenniferw@bsd29j.com>; Bennett School District 29J: ATTN: Keith Yaich <keithy@bsd29j.com>; Robin Price <rprice@bennett.co.us>; Daymon Johnson <djohnson@bennett.co.us>; Bennett Rec District <director@bennettrec.org>; Victoria Flamini <VictoriaFlamini@bennettfirerescue.org>; Bennett Watkins Fire Rescue <calebconnor@bennettfirerescue.org>; Marilyn Cross - CDOT <Marilyn.Cross@state.co.us>; Colorado Department of Transportation (CDOT) Assistant Access Manager <david.dixon@state.co.us>; JGutierrez@summitutilitiesinc.com; GVanderstraten@summitutilitiesinc.com; Brooks

Page 191

Kaufman <[BKaufman@core.coop](mailto:BKaufman@core.coop)>; Jehn Water Consultants Inc <[gburke@jehnwater.com](mailto:gburke@jehnwater.com)>; Melinda Culley <[melinda@kellypc.com](mailto:melinda@kellypc.com)>; Daniel Giroux <[dangiroux@terramax.us](mailto:dangiroux@terramax.us)>; Steve Hebert <[shebert@bennett.co.us](mailto:shebert@bennett.co.us)>; Heugh, Michael <[Michael.Heugh@jacobs.com](mailto:Michael.Heugh@jacobs.com)>

**Subject:** Shops at Bennett, Major Subdivision Plat

**CAUTION:**

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello All,

Below is a Dropbox link to the Shops at Bennett, Major Subdivision Plat referral package. We appreciate your review and comments. Please send your comments back via this email address or by mail to Town Hall by April 4, 2022.

<https://www.dropbox.com/sh/1w1od7fliyy9yja/AACZijfPPfgXVKZ5NweWr-Uma?dl=0>

If you have any questions, please email or call Steve Hebert at [shebert@bennett.co.us](mailto:shebert@bennett.co.us) or the phone number below.



**Planning Department**  
207 Muegge Way | Bennett CO, 80102  
(303)644-3249 | [planning@bennett.co.us](mailto:planning@bennett.co.us)  
[townofbennett.colorado.gov](http://townofbennett.colorado.gov)





**Melinda A. Culley**

(303) 298-1601 tel

(303) 298-1627 fax

*melinda@kellypc.com*

**MEMORANDUM**

TO: Bennett Planning Department

FROM: Melinda Culley /s/

DATE: August 16, 2022

RE: Shops at Bennett Subdivision, Amendment No. 1

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I reviewed the Final Plat for the Shops at Bennett, and have the following comments:

1. Notes 11 and 12 are confusing. One note states that the will own Tract A while the other note indicates that Tract A will be dedicated to the Town. Note 11 mentions that Tract B will be owned and maintained by the , but Sheet 3 indicates that Tract B is not part of this subdivision.
2. Has the Town received an updated title commitment for the property? If not, please provide one.

**BENNETT PLANNING AND ZONING COMMISSION**

**RESOLUTION NO. 2022-17**

**A RESOLUTION RECOMMENDING APPROVAL OF  
A FINAL PLAT FOR THE SHOPS AT BENNETT SUBDIVISION, AMENDMENT NO. 1**

**WHEREAS**, there has been submitted to the Planning and Zoning Commission of the Town of Bennett a request for approval of a Final Plat for the Shops at Bennett Subdivision, Amendment No. 1; and


**WHEREAS**, all materials related to the proposed Final Plat have been reviewed by Town Staff and found with conditions to be in compliance with Town of Bennett subdivision and zoning ordinances; and

**WHEREAS**, after a noticed public hearing, at which evidence and testimony were entered into the record, the Planning and Zoning Commission finds that the proposed Final Plat should be approved subject to certain conditions.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF BENNETT, COLORADO:**

**Section 1.** The Planning and Zoning Commission hereby recommends approval of the proposed Final Plat for the Shops at Bennett Subdivision, Amendment No. 1, subject to the conditions set forth on Exhibit A, attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED this 19th DAY OF SEPTEMBER 2022.**

  
Chairperson

ATTEST:

  
Christina Hart, Secretary



**EXHIBIT A**  
**Final Plat for the Shops at Bennett Subdivision, Amendment No. 1**  
**Conditions of Approval**

1. Approval of a subdivision agreement (SA) that identifies and guarantees public improvements, including but not limited to streets, sidewalks/trails, water, sanitary sewer, storm water management and undergrounding utilities prior to the issuance of an infrastructure permit.
2. Before recording the final plat, the applicant shall:
  - a. Update plat notes related to easements; maintenance and required site plan review;
  - b. Make other minor modifications as directed by Town Staff, the Town Engineer and Town Attorney

**RESOLUTION NO. 937 -22**

**A RESOLUTION APPROVING A FINAL PLAT FOR  
SHOPS AT BENNETT SUBDIVISION, AMENDMENT NO. 1**

**WHEREAS**, there has been submitted to the Board of Trustee of the Town of Bennett a request for approval of a Final Plat for the Shops at Bennett Subdivision, Amendment No. 1; and

**WHEREAS**, all materials related to the proposed Final Plat have been reviewed by Town Staff and found with conditions to be in compliance with Town of Bennett land use and development ordinances; and

**WHEREAS**, after a noticed public hearing, at which evidence and testimony were entered into the record, the Board of Trustees finds that the proposed Final Plat should be approved subject to certain conditions.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE  
TOWN OF BENNETT, COLORADO:**

**Section 1.** The Board of Trustees hereby approves the proposed Final Plat for the Shops at Bennett Subdivision, Amendment No. 1, subject to the condition set forth on Exhibit A, attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED THIS 11<sup>th</sup> DAY OF OCTOBER 2022.**

TOWN OF BENNETT, COLORADO

\_\_\_\_\_  
Royce D. Pindell, Mayor

ATTEST:

\_\_\_\_\_  
Christina Hart, Town Clerk

**EXHIBIT A**  
**Shops at Bennett Subdivision, Amendment No. 1 Final Plat**  
**Conditions of Approval**

1. Approval of a subdivision agreement (SA) that identifies and guarantees public improvements, including but not limited to streets, sidewalks/trails, water, sanitary sewer, storm water management and undergrounding utilities prior to the issuance of an infrastructure permit.
2. Before recording the final plat, the applicant shall:
  - a. Update plat notes related to easements; maintenance and required site plan review;
  - b. Make other minor modifications as directed by Town Staff, the Town Engineer and Town Attorney



### **Suggested Motion**

I move to approve Resolution No. 937-22 - A resolution approving a final plat for Shops at Bennett Subdivision, Amendment No. 1, subject to the condition set forth on Exhibit A.

TO: Mayor and Town of Bennett Board of Trustees  
FROM: Rachel Summers, Deputy Town Administrator  
DATE: October 11, 2022  
SUBJECT: Public-Private Partnership Lease Agreement for Animal Shelter Services

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## Background

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In June 2022, the Town of Bennett (Bennett) Board of Trustees directed Staff to issue a request for proposals to provide Animal Sheltering and Control Services. The RFP was published on the Town website on July 13, 2022. The objective of the RFP partnership is primarily to provide better animal-centered services through a public-private partnership locally. It is also expected that programs and services will continue to improve with such a partnership promoting and protecting the health, safety and welfare of animals and people in Bennett; where no animal suffers because of abuse, neglect, or ignorance; and all residents, their property and neighborhoods are safe from the dangers and nuisances of irresponsible pet guardianship.

The following are desired outcomes of a contract(s) with an animal services provider(s) in no particular order:

- Improve program efficiencies and reduce agency costs by ensuring the most effective leveraging of organization resources and time.
- Increase program revenue through a more proactive licensing program fund development, grant opportunities, increased volunteer support, etc.
- Continue the improvement trend for animal welfare and outcomes through best practices, including but not limited to:
  - High level of animal care while in the shelter.
  - Robust adoption rates.
- Maintain a partnership with Riverdale Animal Shelter in Adams County, who serves as a backup as needed.
- Robust connections to rescue organizations.
- Enhance a Trap Neuter Return program.
- Enhance a spay/neuter program.
- Creating a formal community humane education program
- Develop field services into a more proactive education and outreach program.
- Expand the volunteer base and program.
- Create a positive community presence through events programming, education, website, social media, branding, etc.
- Display a commitment to operational transparency and accountability.
- Display a commitment to customer service and improving the shelter's user experience.

The following are areas of operating responsibilities that will be required of the successful bidder(s). If there are any issues with the bidder meeting these expectations, the bidder shall please indicate so in the proposal.

Animal Services:

- Shelter Operation
- Animal Intake
- Veterinary Care
- Euthanasia and Disposal (for not treatable and unadoptable animals only)
- Adoption, Placement, or Transfer of Animals
- Community Partnership and Involvement
- License Canvassing
- Limited Field Response to Stray and Feral Cats
- Testimony or medical attention on bite cases
- Performs Spay/Neuter Clinics
- Holds Low-cost Rabies Vaccination and Microchip Clinics

The animal facility will be located at 47300 County Road 38, Bennett, CO 80102. The existing facility is outdated and in need of upgrades. The intent is to rebate rent to offset the capital needed to update the facility for appropriate animal care.

## Staff Recommendation

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Staff recommends the approval of the Lease Agreement between Broken and Beautiful of Bennett and the Town of Bennett at the property at 47300 County Road 38 in the Town of Bennett. To seek a creative, innovative animal services organization to provide better animal-centered services through a local public-private partnership. In exchange for providing animal-centered services and making certain improvements to the Premises, the Town wishes to lease the Premises to the Lessee for a term of fifteen (15) years.

## Attachments

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1. Lease Agreement
2. Ordinance No. 759-22

## LEASE AGREEMENT

**THIS LEASE AGREEMENT** (hereinafter " Lease") is made and entered into effective the \_\_\_\_ day of \_\_\_\_, 2022, by and between the Town of Bennett, Colorado, a municipal corporation (hereinafter "Town") and Broken and Beautiful Bennett (hereinafter "Lessee").

**WHEREAS**, the Town is the owner of the property at 47300 County Road 38 in the Town of Bennett, County of Adams, State of Colorado, which property is more particularly described and depicted on Exhibit A, attached hereto and incorporated herein by reference and is hereinafter referred to as the " Premises;" and

**WHEREAS**, the Town of Bennett is seeking a creative, innovative animal services organization primarily to provide better animal-centered services through a public-private partnership locally; and

**WHEREAS**, the public-private partnership is expected to provide programs and services that continue to improve in protecting the health, safety, and welfare of animals and people in Bennett; and

**WHEREAS**, in exchange for providing animal-centered services and for making certain improvements to the Premises, the Town wishes to lease the Premises to the Lessee for a term of fifteen (15) years, with such lease to be upon the terms, covenants and conditions of this Lease; and

**WHEREAS**, the Town is authorized to enter into this Lease pursuant to state law, including but not limited to C.R.S. §31-15-713(1)(c).

**NOW, THEREFORE, The Town and Lessee agree as follows:**

1. **Demise.** In consideration of the performance of the covenants and agreements set forth in this Lease, the Town leases to Lessee that certain real property described and depicted on Exhibit A, attached hereto and incorporated herein by reference (hereinafter the " Premises").

2. **Term.** The term of this Lease shall be for a period of fifteen (15) years commencing on the 1st day of January 2023 and shall terminate on the 31st day of December 2037, unless sooner terminated by the mutual written consent of the Town and Lessee or as provided in this Lease. The parties may renew the Lease by written agreement for an additional term of ten years, or for a shorter period agreed to in writing by the parties ("Renewal Term"). All of the terms and provisions of this Lease shall apply to the Renewal Term, unless amended by written agreement of the parties.

3. **Rent.** As consideration for this Lease, Lessee shall pay the Town rent in the amount of two thousand dollars (\$2,000) per month, payable on the 1st day of each month. Rent shall be payable to the Town of Bennett, 207 Muegge Way, Bennett, CO, 80102, or to such other address as directed by the Town. Rent shall be due beginning the first month during which Lessee obtains a certificate of occupancy for the facility and sheltering operations.

4. **Purposes.** The parties agree the Premises are to be used solely as an animal shelter and for the animal-centered services described in Section 6, below.

5. **Alterations and Improvements.** Lessee, at its sole expense, shall be responsible for the

design, construction and installation of the facility, sheltering, operations and related improvements on the Premises. If Lessee fails to obtain a certificate of occupancy for the facility and sheltering operations on or before December 31, 2023, the Town may terminate this Lease in accordance with Section 21, below. All Lessee improvements to the Premises shall be in accordance with the Town-approved site plan, which will be approved administratively and incorporated herein by reference. No changes to the site plan shall be made by Lessee without the prior written approval of the Town. Lessee shall not place, build, expand, alter or add to any structures or other improvements on the Premises without the Town's prior written consent, which consent may be granted or denied in the Town's sole discretion.

**6. General Responsibilities of the Lessee.** The following terms and conditions shall apply during the term of the Lease:

A. Prior to the construction of any improvements on the Premises, Lessee shall obtain, at its expense, all permits required under the Bennett Municipal Code.

B. Lessee shall not permit its owners, agents, employees, consultants, affiliates, guests and invitees to park on the Premises until the improvements are constructed and approved by the Town.

C. Lessee shall own and keep all improvements constructed upon the Premises in good condition and repair, all at the Lessee's expense. Lessee's maintenance obligations shall include, but are not limited to: maintenance, repair, and control of the parking lot, access drives, paths and ways; removal of snow; mowing, watering and otherwise maintaining all turf and landscaping; removal of trash and debris from the Premises; and other maintenance as required by the Town. Lessee shall use reasonable care and caution against damage or destruction of the Premises, and shall use reasonable care to prevent waste, damage or injury to the Premises. Lessee shall comply with all applicable ordinances, resolutions, rules, and regulations in Lessee's use and occupancy of the Premises.

D. Lessee shall allow representatives of the Town to enter upon the Premises at any reasonable hour, upon notice from the Town to inspect the Premises and improvements, to assure compliance with this Lease.

E. All signs proposed to be placed on the Premises shall be subject to review and approval by the Town. Signage shall comply with all applicable laws, ordinances and regulations.

F. Lessee agrees to not permit or suffer any use of the Premises which may constitute a nuisance or result in a violation of any federal, state, or local law, ordinance or rule; or any activity which may be hazardous or result in the discharge of any fumes or hazardous materials.

**7. Animal Shelter Responsibilities of Lessee.** The Lessee, at its sole expense, agrees to provide the following services:

A. Accept for impoundment animals from Town officials or private citizens of the Town, the object being to release such animals back to their owners, or to any other person after service fees have been paid.

B. Accept deceased animals from any authorized Town representative.

C. Accept feral cats from citizens of the Town and Town personnel, the object being to vaccinate, spay or neuter, and subsequently release such feral cats back to the general area from which the feral cat was found.

D. Furnish and maintain facilities and equipment in a clean and sanitary condition for the housing, shelter, care, of the animals.

E. Ensure that at least one vacant pen or other method of confinement is available at the facility for the purposes of confinement at all times.

F. Permit access by Town employees for the purposes of impoundment 24 hours a day, seven days a week.

G. Not release any impounded animals until all fees prescribed under the Bennett Municipal Code and applicable state laws have been satisfied.

H. Assist owners of impounded animals with reclaiming such animals during the impoundment period upon verification of ownership and paying required fees pursuant to the Bennett Municipal Code. In the case of dogs, the owner must first show proof of current, valid rabies vaccination as required under the Bennett Municipal Code or in the alternative, must purchase a Rabies Voucher to be used to obtain a current vaccination.

I. Establish, keep and maintain a daily register of all animals placed by the Town or a citizen of the Town into the animal shelter and released from the animal shelter and allow the Town access to such records as reasonably requested. In addition, Lessee shall submit to the Town by the tenth (10th) calendar day of each month for the month prior a summary report of animals received and the disposition thereof, which contains the following information: animals reclaimed/unclaimed(stray)/quarantined, disposed of; the name and address of any person reclaiming an animal; and any fees collected for such reclaimed animal.

J. Provide whatever form(s) deemed necessary by Lessee for recording information on all animals.

K. Employ any and all personnel necessary to perform the duties and functions that are the responsibility of Lessee under this Agreement.

L. Obtain and/or maintain any and all licenses required by Colorado Revised Statute (C.R.S.) § 35-80-101, et seq.

M. Any animal impounded for more than five (5) days during which the Lessee is open to the public and not reclaimed by its owner may be made available for adoption or transferred for rescue pursuant to Colorado Revised Statute (C.R.S.) §35-80-106.3, as amended, or other relevant statutory provision in effect at the time.

N. Unless ownership of a released animal is specifically acknowledged by the releasing individual, any animals brought to the Lessee will be considered to be a stray by Lessee. The animals will be held for five (5) days during which the Lessee is open to the public and will be



processed in accordance with C.R.S. §35-80-106.3.

O. Have the right to immediately and humanely euthanize any animal impounded at its facility if such animal is diagnosed by a licensed veterinarian as being terminally ill, injured, or diseased.

P. Quarantine animals for rabies observation and report all suspected rabid animals to the Health Department.

Q. Maintain a telephone answering service to receive inquiries on impounded animals from 10:00 a.m. to 6:00 p.m. on weekdays, and from 9:00 a.m. to 5:00 p.m. on Saturdays and Sundays. Lessee will be closed on Town-designated holidays.

R. No animal impounded at the shelter shall be sold or given away to any person, organization, company, or other entity for the purposes of medical research or experimentation.

S. Provide veterinary care, including but not limited to holding spay/neuter clinics and low-cost rabies vaccination and microchip clinics.

T. Perform licensing canvassing and assist Town Community Service Officers with animal hoarding and animal abuse/neglect cases.

U. Provide testimony in court cases related to bite cases.

**8. Utilities and Other Costs.** Lessee shall be solely responsible for payment of, and shall pay when due, all charges and costs for water, electricity, sewer, trash removal, and other utilities and services from time to time furnished to, or consumed in or upon, the Premises. Lessee shall have 100% responsibility for all costs and expenses related to its use of the Premises, including, but not limited to, the design, installation, maintenance, repair and operation of the parking lot, access drive and all other Lessee improvements; installation and maintenance of all improvements necessary for the animal shelter and to perform the animal related services hereunder; installation and maintenance of electric and other utility connections; and any and all other charges, costs and expenses arising out of or relating to its development, occupancy or use of the Premises or the conduct of its operations thereon.

**9. Security Deposit.** At the time of its execution hereof, Lessee shall deposit with the Town, in good funds, a security deposit in the amount of \$1,000.00, to serve as security for the performance by Lessee of all of the terms, covenants, and conditions required to be performed by it under this Lease. The undisputed portion of such sum shall be returned to Lessee within 30 days following the expiration of the Lease term and delivery of possession of the Premises to Lessee if, at such time, Lessee has fully performed all such terms, covenants and conditions. Prior to the time when Lessee is entitled to the return of the security deposit, the Town shall be entitled to intermingle such deposit with its own funds. Lessee shall not be entitled to any interest on the security deposit. In the event of default by Lessee in performing any of its obligations under this Lease, Town may, in addition to any other right or remedy available to Town hereunder and after giving 15 days' notice to Lessee, use, apply, or retain all or any part of this security deposit for the payment of any unpaid rent or for any other amount which Town may be required to expend by reason of the default of Lessee. If a portion of the security deposit is used or applied by the Town during the term hereof, Lessee shall, upon 10 days' written demand, deposit with the Town an amount sufficient to restore the security deposit to its original amount.

10. **Removal and Restoration Upon Termination.** Upon termination of this Lease by lapse of time or otherwise, all buildings and fixtures on the Premises shall become the property of the Town, with no payments for such buildings or other fixtures due to the Lessee by the Town. Additionally, upon such expiration, the Town shall have the option of purchasing, at fair market value, the equipment and personal property associated with the veterinary clinic and animal shelter. The Town shall also have the right, in the Town's sole discretion, to require that the Lessee, at the Lessee's sole cost and expense, remove any improvements from the Premises and to deliver up possession of the Premises in as good a condition as when Lessee took possession.

11. **Holding After Termination.** Lessee is strictly forbidden from holding over under this Lease. If after the termination of this Lease Lessee shall remain in possession of the Premises, then such holding shall be deemed and taken to be a continued holding of the Premises upon a tenancy from month to month at two times the rental rate, and Lessee shall be liable for such rent in addition to all other damages incurred by Lessor as a result of such unauthorized holding over.

12. **Hazardous Materials.** Lessee shall not keep any hazardous materials in or about the Premises. "Hazardous material" includes but is not limited to asbestos, other asbestotic material (which is currently or may be designated in the future as a hazardous material), any petroleum base products, pesticides, paints and solvents, polychlorinated biphenyl, lead, cyanide, DDT, acids, ammonium compounds, and other chemical products (excluding commercially used cleaning materials in ordinary quantities) and any substance or material defined or designated as a hazardous or toxic substance, or other similar term, by any federal, state, or local law.

13. **Compliance Costs.** If Lessee fails to comply with any of its obligations under this Lease, the Town may at its option terminate this Lease as provided herein or take such measures as it determines necessary to bring the Premises into compliance with the terms hereof, and the cost of any such measures shall be paid by Lessee within fifteen (15) days of demand from the Town.

14. **General Acceptance.** Lessee accepts the Premises in its present "as is" condition with all faults, whether patent or latent, and without warranties or covenants, express or implied. Lessee acknowledges the Town shall have no obligation to repair, replace, improve or maintain any portion of the Premises.

15. **Taxes; Non-Subordination.** The Premises are presently exempt from any real property taxation. In the event the Assessor determines that the Premises are subject to the lien of general property taxes due to Lessee 's use or occupancy, Lessee shall be responsible for the payment of taxes. The Town's interest in the Premises shall at no time be subordinated to any lien or other interest in connection with Lessee 's use and occupancy of the Premises.

16. **Liens.** Lessee shall be solely responsible for and shall promptly pay for all services, labor or materials furnished to the Premises at the instance of Lessee. The Town may at Lessee' s expense discharges any liens or claims arising from the same.

17. **Lessee's Property.** The Town shall have no responsibility, liability, or obligation with respect to the safety or security of any personal property or improvements of Lessee placed or located on, at, or in the Premises, it being acknowledged and understood by Lessee that the safety and security of any such personal property and improvements is the sole responsibility and risk of Lessee.

**18. Indemnity and Release.** Lessee shall be solely responsible for any damages suffered by the Town or others as a result of Lessee's use and occupancy of the Premises. Lessee agrees to indemnify and hold the Town, its elected and appointed officers, employees and agents, from and against all liability, claims, damages, losses, and expenses, including but not limited to attorney fees, arising out of, resulting from, or in any way connected with: (a) Lessee's use and occupancy of the Premises; (b) any liens or other claims made, asserted or recorded against the Premises as a result of Lessee's use or occupancy thereof; or (c) the rights and obligations of Lessee under this Lease. Lessee shall investigate, handle, respond to, and provide defense for and defend against any such liability, claims, demands, losses and expenses. Lessee releases and agrees to hold harmless and make no claim against the Town or its elected or appointed officers, employees or agents, for any damages which may be caused by the acts of any such released entities or persons, to Lessee's interests or Lessee's improvements located upon the Premises; however, this release shall not apply with respect to wanton and willful acts by the Town.

**19. Insurance.**

A. Lessee shall procure and maintain and cause each of its contractors to procure and maintain the minimum insurance coverages listed below.

i. Workers' Compensation insurance to cover obligations imposed by the Workers' Compensation Act of Colorado and any other applicable laws for any employee engaged in the performance of Work under this contract.

ii. Comprehensive General Liability insurance with minimum combined single limits of ONE MILLION DOLLARS (\$1,000,000) each occurrence and TWO MILLION DOLLARS (\$2,000,000) aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual, independent contractors, products, and completed operations. The policy shall contain a severability of interest's provision.

iii. Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than FIVE HUNDRED THOUSAND DOLLARS (\$500,000) each occurrence and ONE MILLION DOLLARS (\$1,000,000) aggregate with respect to each of contractor's and any subcontractors' owned, hired and/or non-owned vehicles assigned to or used in the performance of any of the services provided hereunder or any work related to the construction of the improvements. The policy shall contain a severability of interest's provision.

B. The policies required above, except for the Workers' Compensation insurance, shall be endorsed to include the Town and its officers and employees as additional insureds. Every policy required above shall be primary insurance, and any insurance carried by the Town, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Lessee. The additional insured endorsement for the Comprehensive General Liability insurance required above shall not contain any exclusion for bodily injury or property damage arising from completed operations. The insurance holder shall be solely responsible for any deductible losses under each Page 206 the policies required above.

C. Certificates of insurance shall be completed by the insured's insurance agent as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject review and approval by the Town. Lessee shall ensure that each certificate shall provide that the coverages afforded under the policies shall not be cancelled, terminated or materially changed until at least 30 days' prior written notice has been given to the Town. If the words "endeavor to" appear in the portion of the certificate addressing cancellation, those words shall be stricken from the certificate by the agent(s) completing the certificate. The Town reserves the right to request and receive a certified copy of any policy.

D. Failure on the part of the Lessee to procure or maintain and to cause its contractors to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of this Lease upon which the Town may immediately terminate the Lease, or at its discretion may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith. All monies so paid by the Town shall be repaid by Lessee to the Town upon demand. Lessee shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Lease by reason of its failure to procure or maintain insurance, or by reason of its failure to cause any contractor to procure or maintain insurance in sufficient amounts, durations, or types.

**20. No Waiver of Immunity or Impairment of Other Obligations.** The Town, its officers and employees are relying on and do not waive or intend to waive by any provision of this Lease the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. §24-10-101 et seq., as from time to time amended, or otherwise available to the Town, and their respective officers and employees.

**21. Termination.** At the Town's option, it shall be deemed a breach of this Lease if the Lessee defaults in the payment of the rent, or defaults in the performance of any other term or condition of this Agreement. In the event the Town elects to declare a breach of this Agreement, the Town shall give the Lessee fifteen (15) days written notice requiring payment of the rent or compliance with the other terms and conditions of this Lease. In the event any default remains uncorrected after fifteen (15) days written notice, the Town, at the Town's option, may terminate the Lease, repossess the Premises and expel the Lessee without being deemed guilty of a trespass or of a forcible entry and detainer and without prejudice to any other remedies to which the Town may be entitled.

**22. Destruction by Casualty.** In the event that the Premises may be rendered untenable by reason of fire, flood or other casualty, Lessee at its option may terminate this Lease effective on the date of casualty by giving written notice to the Town within thirty (30) days of the date of casualty.

**23. Contingencies.** This Lease is contingent upon the adoption by the Bennett Board of Trustees and final effectiveness of an ordinance authorizing this Lease. Lessee acknowledges and agrees that such contingency is subject to the legislative discretion of the Board of Trustees of the Town of Bennett, and that no representations or assurances of any approvals respecting such contingencies have been or will be made by the Town, or have been or will be relied upon by Lessee.

**24. Notices.** Any notices or communication required or permitted hereunder shall be given in writing and shall be personally delivered, or sent by facsimile transmission or by United States mail, postage prepaid, registered or certified mail, return receipt requested, addressed as follows:

The Town:

Lessee:

Town of Bennett  
Attn: Town Administrator  
207 Muegge Way  
Bennett, CO 80102  
Fax: 303-644-3249

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

or to such other address or the attention of such other person(s) as hereafter designated in writing by the parties. Notices given in the manner described above shall be effective, respectively, upon personal delivery, upon facsimile receipt, or upon mailing.

**25. Representations Respecting Premises.** Lessee affirms that the Town and the Town's agents have made no representations or promises with respect to the Premises, or the condition thereof, or the making or entry into this Lease except as in this Lease expressly set forth, and that no claim or liability shall be asserted by Lessee against the Town, and that the Town shall not be liable, for breach of any representations or promises not expressly stated in this Lease. Specifically, the Lessee agrees that the Town has made no warranties or representations that the Premises are suitable for any purpose.

**26. No Waiver.** Waiver by the Town of any breach of any term of this Lease shall not be deemed a waiver of any subsequent breach of the same or any other term or provision thereof.

**27. No Assignment.** This Lease is personal to the parties hereto. Lessee shall not sublease the Premises, or transfer or assign any rights under this Lease, for monetary or any other consideration, without the prior written approval of the Town, which approval is solely at the discretion of the Town.

**28. Force Majeure.** If either party is prevented from performing due to acts of God or other conditions beyond its control, such performance shall be excused so long as the condition exists.

**29. No Partnership.** This Lease shall not be deemed to give rise to a partnership, and neither party shall have authority to obligate the other without written consent, except as specifically provided in the Lease.

**30. Independent Contractor.** In providing services under this Lease, Lessee acts as an independent contractor and not as an employee of the Town. Lessee shall be solely and entirely responsible for its acts, and the acts of its employees, agents, servants, and subcontractors during the term and performance of this Agreement. No employee, agent, servant, or subcontractor of the Lessee shall be deemed to be an employee, agent, or servant of the Town because of the performance of any services or work under this Agreement. Lessee, at its expense, shall procure and maintain workers' compensation insurance and unemployment compensation insurance as stated in this Agreement. **Pursuant to the Workers' Compensation Act, § 8-40-202(2)(b)(IV), C.R.S., as amended, Lessee understands that it and its employees and servants are not entitled to workers' compensation benefits from the Town. Lessee further understands that it is solely obligated for the payment of federal and state income tax on any moneys earned pursuant to this Lease.**

**31. Governing Law and Venue.** This Lease shall be deemed entered into in Adams County, Colorado, and shall be governed by and interpreted under the laws of the State of Colorado. Any action

arising out of, in connection with, or relating to this Lease shall be filed in the District Court of Adams County of the State of Colorado, and in no other court.

32. **Attorney Fees and Costs.** Should the Town commence an action for collection of rent or other sums payable under this Lease, or to compel performance of any of the terms or conditions of this Lease, or for damages for failure of Lessee to perform under this Lease, the Town shall collect from Lessee all reasonable attorney fees in respect thereof.

33. **Captions.** The captions hereof shall be deemed and construed to be informative only and shall have no legal effect upon the interpretations of the terms and conditions of this Lease.

34. **Entire Agreement.** This Lease is the entire agreement between the Town and Lessee and may be amended only by written instrument subsequently executed by the Town and Lessee.

35. **Survival.** All of the terms and conditions of this Lease concerning release, indemnification, termination, remedies and enforcement shall survive termination of this Lease.

**IN WITNESS WHEREOF,** the parties have entered into this Lease on the date first above written.



TOWN OF BENNETT, COLORADO

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Royce D. Pindell, Mayor

ATTEST:

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Christina Hart, Town Clerk

**LESSEE:**

\_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

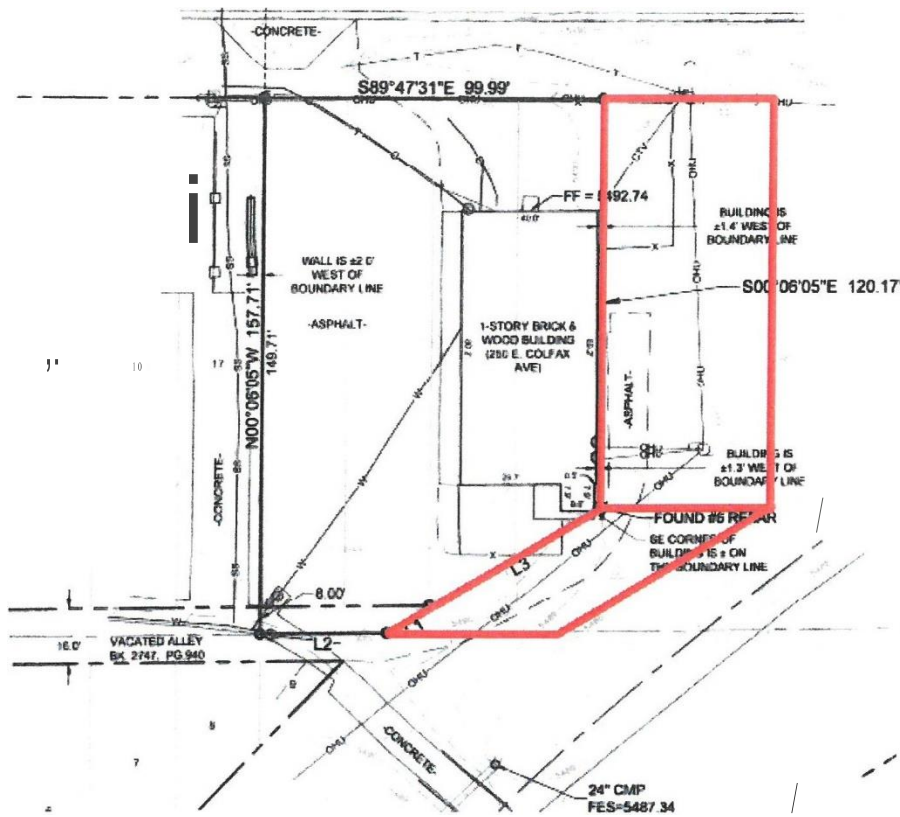
Title: \_\_\_\_\_

**Exhibit A**  
Legal Description and Depiction of Premises

**Exhibit B**  
Site Plan



# East Colfax Avenue





**ORDINANCE NO. 759-22**

**AN ORDINANCE APPROVING A LEASE AGREEMENT WITH BROKEN AND BEAUTIFUL BENNETT**

**WHEREAS**, the Board of Trustees has the power pursuant to Section 31-15-713(1)(c), C.R.S., to lease real estate owned by the municipality when deemed by the Board of Trustees to be in the best interest of the Town; and

**WHEREAS**, any lease for more than one year shall be approved by ordinance; and

**WHEREAS**, there has been proposed a lease between the Town of Bennett and Broken and Beautiful Bennett for the lease of the Town-owned property located at 47300 County Road 38, which will be used as an veterinary clinic and animal shelter; and

**WHEREAS**, the Board of Trustees has determined that the proposed lease is in the best interests of the Town and desires to enter into such lease.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BENNETT, COLORADO:**

**Section 1.** The proposed Lease Agreement between the Town of Bennett and Broken and Beautiful Bennett for a veterinary clinic and animal shelter at 47300 County Road 38 (“Agreement”) is hereby approved in essentially the same form as the copy of such Agreement accompanying this Ordinance.

**Section 2.** The Mayor is hereby authorized to execute the Agreement, except that the Mayor is hereby further granted the authority to negotiate and approve such revisions to said Agreement as the Mayor determines are necessary or desirable for the protection of the Town, so long as the essential terms and conditions of the Agreement are not altered.

**Section 3.** The Mayor and Town Staff are further authorized to do all things necessary on behalf of the Town to perform the obligations of the Town under the Agreement.

**INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED BY TITLE ONLY THIS 11<sup>th</sup> DAY OF OCTOBER 2022.**

TOWN OF BENNETT, COLORADO

\_\_\_\_\_  
Royce D. Pindell, Mayor

ATTEST:

\_\_\_\_\_  
Christina Hart, Town Clerk

### **Suggested Motion**

I move to approve Ordinance No. 759-22 – An ordinance approving a lease agreement with Broken and Beautiful Bennett.

# STAFF REPORT



welcome neighbors.

TO: Mayor and Town of Bennett Board of Trustees  
FROM: Trish Stiles, Town Administrator  
DATE: October 11, 2022  
SUBJECT: Intergovernmental Agreement (IGA) with Adams County for Animal Shelter/Adoption Center Services

## Background

The Town of Bennett has a long standing relationship with Adams County for Animal Shelter/Adoption Center Services and an IGA outlines those services and costs. Several years ago, Adams County moved to an agreement based on previous years' usage rates to set a flat rate for updated contracts.

The County is proposing updates to the IGA with new 2023 and 2024 flat rates at \$6,148.00.

The IGA has very few changes and mainly includes:

- Using new name/address of Riverdale Animal Shelter instead of Adams County Animal Shelter/Adoption Center;
- Eliminating the use of the Consumer Price Index (CPI) when calculating the annual flat-rate fee and adding a clearer description of how the County continues to assess the flat-rate annual fee every two years. (Eliminating the CPI means the newly assessed flat-rate fee will be exactly the same for both years 2023 and 2024). Other than eliminating the CPI, the County is calculating the annual fees the same way as before;
- Moving the date Adams County sends Bennett's monthly usage statement from the 15<sup>th</sup> to the 20<sup>th</sup>; and
- Changes to a few outdated animal welfare words/terms.

While the Town is engaging in shelter services, the Town will still need to have this IGA in place for times when there is an emergency or when a vicious animal attack occurs as those animals are best served in the County facility for longer periods as court dates await.

## Staff Recommendation

Staff recommends the Board of Trustees approve Resolution 940-22 approving the IGA between Adams County and the Town of Bennett for Animal Shelter/Adoption Center Services.

## Attachments

1. 2023-2024 Riverdale Animal Shelter Cost of Care Analysis
2. Exhibit B Annual Flat Rate Fee Schedule
3. Adams County, Colorado Intergovernmental Agreement Animal Shelter/Adoption Center Services
4. Resolution 940-22

**Riverdale Animal Shelter**  
**Cost of Care Analysis**  
**Town of Bennett**

Billing History (Annual)	2019	2020	AVERAGE (2019 - 2022)
	\$ 830	\$ 853	\$ 2,802
	2021	2022	AVERAGE (2021 - 2022)
Total Annual Invoiced Amount (ACTUAL)	\$ 4,717	\$ 4,809	\$ 4,763
Expenses	2020	2021	AVERAGE
Salaries & Related (Kennel & Clinic)	\$ 1,146,619	\$ 1,263,835	\$ 1,205,227
Salaries & Related (Administrative & Volunteer)	\$ 850,432	\$ 923,804	\$ 887,118
Operation Expenses (Kennel)	\$ 83,635	\$ 81,806	\$ 82,721
Operation Expenses (Clinic)	\$ 135,297	\$ 157,884	\$ 146,591
Operation Expenses (Admin)	\$ 118,407	\$ 76,610	\$ 97,508
Operation Expenses (Volunteer)	\$ 9,870	\$ 21,032	\$ 15,451
Clinic Vaccines, Microchips, Tests (Operation Expense Offset)	\$ (40,480)	\$ (69,490)	\$ (54,985)
Donations Applied (Operation Expense Offset)	\$ (5,393)	\$ (14,924)	\$ (10,159)
Total Annual Expenses (ACTUAL)	\$ 2,298,386	\$ 2,440,557	\$ 2,369,472
Total Sheltering Days and Cost Per Day (ACTUAL)			
Sheltering Days	46,674	81,641	64,158
Cost Per Day	\$ 49	\$ 30	\$ 40
STRAYS, DISPOSALS, QUARANTINE & PROTECTIVE CUSTODY			
Total Strays (LESS Reclaims)	32	14	23
Mandatory Stray Hold Period (Days)	6	6	6
Total Stray Days	192	84	138
Total Cost of Animals on Stray Hold	\$ 9,455	\$ 2,511	\$ 5,983
Total Strays Reclaimed	8	3	6
Reclaim Fee per Animal	\$ 30	\$ 30	\$ 30
Total Cost of Reclaim Fee	\$ 240	\$ 90	\$ 165
Total Number of Disposals	-	-	-
Cost Per Disposal	\$ 35	\$ 35	\$ 35
Total Cost of Disposals	\$ -	\$ -	\$ -
Total Number of Bite Quarantine (Strays) LESS Reclaims	-	-	-
Mandatory Bite Quarantine Hold (Days)	10	10	10
Cost Per Day (Boarding Rate)	\$ 15	\$ 15	\$ 15
Total Cost of Animals on Bite Quarantine	\$ -	\$ -	\$ -
Total Number of Days on Protective Custody	-	-	-
Cost Per Day (Boarding Rate)	\$ 15	\$ 15	\$ 15
Total Cost of Animals on Protective Custody	\$ -	\$ -	\$ -
Total Cost of Strays, Disposals, Quarantines, and Protective Custodies	\$ 9,695	\$ 2,601	\$ 6,148
% Inc/(Dec) from Annual Invoiced Amount (ACTUAL)	106%	-46%	27.84%
COURT HOLDS, POLICE HOLDS, AND BITE COURT			
Total Number Days of Court Hold	-	-	-
Cost Per Day (Boarding Rate)	\$ 15	\$ 15	\$ 15
Total Cost of Animals on Court Hold	\$ -	\$ -	\$ -
SHELTER, NEUTER, RETURN (SNR)			
Total Number of Cats SNR	-	-	-
SNR Fee Per Cat	\$ 30	\$ 30	\$ 30
Total Cost of Animals on Court Hold	\$ -	\$ -	\$ -

**Exhibit B: Annual Flat Rate Fee Schedule**  
Between Riverdale Animal Shelter and the Town of Bennett

**January 1, 2023 - December 31, 2023:**

The Annual Flat Rate Fee for Shelter Services for the Town of Bennett in 2023 will be **\$6,148.00**. This annual flat rate fee will be payable in four (4) payments. Invoices will be issued as follows and payable within thirty days of the invoice date.

January 1, 2023	\$1,537.00
April 1, 2023	\$1,537.00
July 1, 2023	\$1,537.00
October 1, 2023	\$1,537.00

**January 1, 2024 - December 31, 2024:**

The Annual Flat Rate Fee for Shelter Services for the Town of Bennett in 2024 will be **\$6,148.00**. This annual flat rate fee will be payable in four (4) payments. Invoices will be issued as follows and payable within thirty days of the invoice date.

January 1, 2024	\$1,537.00
April 1, 2024	\$1,537.00
July 1, 2024	\$1,537.00
October 1, 2024	\$1,537.00

**ADAMS COUNTY, COLORADO  
INTERGOVERNMENTAL AGREEMENT  
ANIMAL SHELTER/ADOPTION CENTER SERVICES**

THIS INTERGOVERNMENTAL AGREEMENT FOR ANIMAL SHELTER/ ADOPTION CENTER SERVICES (IGA) is made this \_\_\_\_ day of \_\_\_\_\_, 2022 by and between the Adams County Board of County Commissioners, located at 4403 S. Adams County Parkway, Suite C5000A, Brighton, CO 80601, hereinafter referred to as the “County,” and the Town of Bennett, located at 355 4<sup>th</sup> Street, Bennett, CO 80102, hereinafter referred to as “Bennett.” This IGA is for animal control, shelter, and adoption services to be provided by the Riverdale Animal Shelter, (RAS) located at 12155 Park Blvd., Brighton, CO 80601.

In consideration of the mutual promises and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the County and Bennett agree to be legally bound as follows:

**SECTION I. DEFINITIONS**

- A.     **Adoption fee:** Means the amount charged to a person adopting an animal for the costs of administrative services associated with the adoption.
- B.     **Animal:** Means a dog, cat, or other small domestic creature.
- C.     **Boarding fee:** Means the daily amount charged for the care of an animal while at RAS.
- D.     **Care:** Means regularly providing food and water to animals in the RAS.
- E.     **Impoundment fee:** Means the amount, in addition to the boarding fee, charged for costs associated with impounding an animal at RAS.
- F.     **Service fees:** Means other fees charged for services provided by RAS, not otherwise specified herein, such as fees for euthanizing animals, disposing of dead animals, etc.
- G.     **Shelter:** Means providing an enclosed kennel or pen that is regularly cleaned and maintained for an animal.

**SECTION II. RESPONSIBILITIES OF THE COUNTY**

- A.     RAS, along with Law Enforcement Officers acting on Bennett’s behalf, shall enforce Bennett Municipal Code, Article VII, Section 7, Animal Control, as it pertains to animal control, a copy of which is attached hereto and incorporated herein as Exhibit A. It is however understood, that the RAS will provide such services only as they pertain to dogs, cats, fowl, small farm animals and/or other small domestic creatures. The fees charged by RAS for adoption, boarding, impoundment, and other services are as specified in Exhibit B, which is attached hereto and incorporated herein by this reference.



B. RAS shall provide for the shelter, care, adoption, reclaims, euthanasia, and/or disposal of animals impounded because of violations of Bennett Municipal Code, Article VII, Section 7, Animal Control, and will obtain and/or maintain any and all licenses required by Colorado Revised Statute (C.R.S.) § 35-80-101, *et seq.*

C. Any animal impounded for more than five (5) days during which the RAS is open to the public and not reclaimed by its owner may be made available for adoption, transferred for rescue, or may be humanely euthanized, at the sole discretion of the RAS Executive Director, Veterinarian, and/or designated shelter personnel. However, feral cats may be humanely euthanized after having been impounded for three (3) days during which the RAS is open to the public, as the circumstances at RAS may require based on the sole discretion of its Executive Director, Veterinarian, and/or designated shelter personnel consistent with Colorado Revised Statute (C.R.S.) §35-80-106.3, as amended, or other relevant statutory provision in effect at the time.

D. Unless ownership of a released animal is specifically acknowledged by the releasing individual, any animals brought to the RAS will be considered to be a stray by RAS. These animals will be held for five (5) days during which the RAS is open to the public and will be processed in accordance with Colorado Revised Statute (C.R.S.) §35-80-106.3.

E. RAS shall have the right to immediately and humanely euthanize any animal impounded at its facility if such animal is diagnosed by a licensed veterinarian as being terminally ill, injured, or diseased.

F. RAS shall quarantine animals for rabies observation and shall report all suspected rabid animals to the local Health Department.

G. Any dog or cat impounded at RAS, except for aggressive animals, which cannot be safely handled, shall be inoculated with appropriate vaccines as indicated by protocol established by the shelter veterinarian.

H. RAS shall maintain a telephone answering service to receive inquiries on impounded animals from 10:00 a.m. to 6:00 p.m. on weekdays, and from 9:00 a.m. to 5:00 p.m. on Saturdays and Sundays. RAS will be closed on County-designated holidays.

I. RAS shall maintain records on all impounded animals, including a record of each animal's disposal, and shall allow Bennett access to such records as reasonably requested. In addition, RAS shall submit to Bennett by the twentieth (20<sup>th</sup>) calendar day of each month, for the month prior, a summary report of animals received and the disposition thereof, which contains the following information: animals reclaimed/unclaimed(stray)/quarantined, disposed of; the name and address of any person reclaiming an animal; and any fees collected for such reclaimed animal.

J. Fees charged to Bennett residents for services provided hereunder shall not exceed

the fees charged to other residents of Adams County for the same or similar services.

K. The County will employ qualified personnel as necessary to perform the services to be provided hereunder.

L. No animal impounded at RAS shall be sold or given away to any person, organization, company, or other entity for the purposes of medical research or experimentation.

M. RAS personnel will regularly assist in completing the routine impoundment functions including: getting impound numbers from the computer; vaccinating animals; placing identification collars on animals; taking pictures of animals; placing animals in kennels; and completing associated impoundment documentation (i.e. scanning animals and entering the scanned number on the impound cards, entering the animal's age, weight, and rabies tag number on the impound cards, etc.).

N. Before releasing an animal, RAS shall collect the applicable fees as set forth by the shelter and include the receipt for fees collected with the monthly billing statement for the Town of Bennett.

### **SECTION III. RESPONSIBILITIES OF BENNETT**

A. Bennett hereby expressly authorizes RAS to enforce Bennett Municipal Code, Article VII, Section 7, Animal Control, as it pertains to animal licensing and control. It is, however, understood that the County will provide such services only as they pertain to dogs, cats, other small domestic animals, small farm animals, and fowl.

B. Bennett agrees to notify the RAS, at least 48 hours prior to the effective date thereof, of any changes or amendments to Bennett Municipal Code, Article VII, Section 7, Animal Control.

C. Bennett's animal control or law enforcement officers shall cooperate with and provide assistance whenever possible to RAS concerning routine impoundment functions including: getting impound numbers from the computer; vaccinating animals; placing identification collars on animals; taking pictures of animals; placing animals in kennels; and completing associated impoundment documentation (i.e. scanning animals and entering the scanned number on the impound cards, entering the animal's age, weight, and rabies tag number on the impound cards, etc.).

D. As RAS does not always have a veterinarian onsite or available, all sick and injured animals that Bennett animal control or law enforcement officers pick up must be taken to a veterinarian before impounding it into the shelter. A veterinarian report must be attached to the impound card. Sick animals are defined as animals that may be highly contagious to the rest of the animals and are showing signs such as diarrhea, bloody stools, lethargy, etc. Injured animals are defined as animals with signs of injuries including any limping as there may be a fracture, draining/infected skin wounds, appearance of mange (hair loss, especially

around the head, and crusting skin), deep gashes that may need sutures, any animal that has been hit by a car, and any animal that otherwise appears to be in pain by vocalizing, whining or tensing. It is acceptable for Bennett law enforcement or animal control officers to contact the shelter prior to taking a sick or injured animal to an outside veterinarian or clinic. If the shelter veterinarian is available to consult with the law enforcement or animal control officer, he/she may approve for the officer to bring the sick or injured animal directly to the shelter.

#### **SECTION IV. PAYMENTS, FEES, AND ADDITIONAL EXPENSES**

##### **A. Fee Schedule and Fee Assessment**

1. Commencing January 1, 2023, for all animals found in Bennett and brought to the RAS by either City officials or private citizens, Bennett shall pay the County according to the current fee structure for that calendar year. A copy of the current fee structure for 2023 is attached hereto and incorporated herein as Exhibit B.
2. Two Year Assessment. The County will reassess Bennett's flat-rate fee every two years, on the even years, based on the average of two full years of Bennett's usage data and the shelter's daily cost of care average for the prior two-year period. The fee schedule will be adjusted every two years based on this assessment.
3. Notice of Fee Schedule. The fee schedule for each following year that this agreement is renewed will be provided to Bennett's along with Bennett's usage summary by no later than September 1<sup>st</sup>. The fee structure for each calendar year shall be fully incorporated into this IGA and shall supersede and replace the current Exhibit B.

A.

B. The County will invoice Bennett according to the current fee structure for that calendar year on the date specified in Exhibit B. Payment shall be made in full by Bennett to the County within thirty (30) days of the invoice date.

C. The County shall retain all impoundment, boarding, adoption, service and/or other fees collected in association with this IGA. The County shall also retain all gifts or contributions received in association with any services provided in association with this IGA.

D. In the rare event that an animal(s) is delivered from Bennett as a court hold, police hold, or protective custody case, and said animal is deemed by staff to be too dangerous or in need for specialized care, RAS shall notify Bennett if the animal will be transferred to a separate entity. The separate entity will be a state-licensed animal care provider. Bennett will be responsible for all costs associated with the transfer and care of the animal by the separate entity.

#### **SECTION V. TERM**

The initial term of this IGA shall be for a period of twelve (12) months, commencing on January 1, 2023, and terminating on December 31, 2023, and will automatically renew for successive one-year terms beginning January 1, 2024 according to the terms and conditions herein subject to the termination provisions set forth in Section XI in this IGA of this IGA.

#### **SECTION VI. FUND AVAILABILITY**

Bennett has appropriated sufficient funds for this IGA for the current fiscal year. Payment pursuant to the IGA, is subject to and contingent upon the continuing availability of Bennett funds for the purposes hereof. In the event funds become unavailable, Bennett may terminate this IGA in accordance with Section XI of this IGA.

#### **SECTION VII. INDEPENDENT CONTRACTOR**

In providing services under this IGA, the County acts as an independent contractor. As such, the County shall be solely and entirely responsible for its acts, and the acts of its employees, agents, servants, and contractors during the term and performance of this IGA. No employee, agent, servant, or contractor of the County shall be deemed to be an employee, agent, or servant of Bennett because of the performance of any services or work under this IGA. The County, at its expense, shall procure and maintain workers' compensation insurance and unemployment compensation insurance as required under Colorado law. Pursuant to the Workers' Compensation Act, § 8-40-202(2)(b)(IV), C.R.S. as amended, the County understands that it and its employees and servants are not entitled to workers' compensation benefits from Bennett. The County further understands that it is solely obligated for the payment of federal and state income tax on any moneys earned pursuant to this IGA.

#### **SECTION VIII. NONDISCRIMINATION**

The County shall not discriminate against any employee or qualified applicant for employment because of age, race, color, religion, marital status, disability, sex, or national origin. The County agrees to post in conspicuous places, available to employees and applicants for employment, notices provided by the local public agency setting forth the provisions of this nondiscrimination clause.

#### **SECTION IX. INDEMNIFICATION**

To the extent permitted by law, each Party agrees to indemnify and hold harmless the other, its officers, agents, and employees for, from, and against any and all claims, suits, expenses, damages, or other liabilities, including reasonable attorney fees and court costs, arising out of damage or injury to persons, entities, or property caused or sustained by any person(s) as a result of the its own performance or failure to perform pursuant to the terms of this IGA. Nothing herein shall be deemed by either party as a waiver of the rights, protections, defenses and limitations afforded both in accordance with the Colorado Governmental Immunity Act C.R.S. § 24-10-101, *et seq.*, as same may be amended from time to time.

## **SECTION X. INSURANCE**

The County is a “public entity” within the meaning of the Colorado Governmental Immunity Act (“Act”), § 24-10-101, *et seq.*, C.R.S., as amended, and shall at all times during the term of this IGA maintain such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the Act

## **SECTION XI. TERMINATION**

### **A. For Cause**

If, through any cause the County fails to fulfill its obligations under this IGA in a timely and proper manner, or if it violates any of the covenants, conditions, or stipulations of this IGA, Bennett shall thereupon have the right to immediately terminate this IGA, upon giving written notice to the County of such termination and specifying the effective date thereof.

### **B. For Convenience**

Either party may terminate the IGA at any time by giving written notice as specified herein to the other party, which notice shall be given at least sixty (60) days prior to the effective date of the termination. If the IGA is terminated by Bennett, the County will be paid in full for any services provided hereunder prior and up to the date of termination.

## **SECTION XII. MUTUAL UNDERSTANDINGS**

### **A. Jurisdiction and Venue**

The laws of the State of Colorado shall govern as to the interpretation, validity, and effect of this IGA. The parties agree that jurisdiction and venue for any disputes arising under this IGA shall be with the 17th Judicial District, Colorado.

### **B. Compliance with Laws**

During the performance of this IGA, the parties agree to strictly adhere to all applicable federal, state, and local laws, rules and regulations, including all licensing and permit requirements. The Parties hereto acknowledge that they are familiar with § 18-8-301, *et seq.*, C.R.S. (Bribery and Corrupt Influences), as amended, and § 18-8-401, *et seq.*, C.R.S. (Abuse of Public Office), as amended, and that no violations of such provisions are present.

### **C. Record Retention**

The parties shall maintain records and documentation of the services provided under this IGA, including fiscal records, and shall retain the records for a period of three (3) years from the date this IGA is terminated. Said records and documents shall be subject at all

reasonable times to inspection, review, or audit by authorized federal, state, County, or Bennett personnel.

D. Assignability

Neither this IGA, nor any rights hereunder, in whole or in part, shall be assignable or otherwise transferable by either party without the prior written consent of the other party.

E. Waiver

Waiver of strict performance or the breach of any provision of this IGA shall not be deemed a waiver, nor shall it prejudice the waiving party's right to require strict performance of the same provision, or any other provision in the future, unless such waiver has rendered future performance commercially impossible.

F. Force Majeure

Neither party shall be liable for any delay or failure to perform its obligations hereunder to the extent that such delay or failure is caused by a force or event beyond the control of such party including, without limitation, war, embargoes, strikes, governmental restrictions, riots, fires, floods, earthquakes, or other acts of God.

G. Notice

Any notices given under this IGA are deemed to have been received and to be effective: (1) three (3) days after the same shall have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that a facsimile or electronic mail transmission was received. For the purposes of this agreement, any and all notices shall be addressed to the contacts listed below:

For the County:

Adams County Animal Shelter  
12155 Park Blvd, Brighton, CO 80601  
Attn.: Stephanie Wilde  
Phone No.: (720) 523-7907  
Facsimile No.: (303) 523-7988  
swilde@adcogov.org

and

Adams County Attorney's Office  
4430 S. Adams County Parkway, Suite C5000B, Brighton, CO 80601  
Attn: Christine Fitch and Heidi Miller  
Phone No.: (720) 523-6116  
Facsimile No.: (720) 523-6114



cfitch@adcogov.org  
hmiller@adcogov.org

For Bennett:

Town of Bennett  
207 Muegge Way, Bennett, CO 80102  
Attn: Christina Hart, Town Clerk  
Phone No.: 303-644-3249 ext. 1001  
Facsimile No.: (303) 644-4125  
chart@bennett.co.us

H. Integration of Understanding

This IGA contains the entire understanding of the parties hereto and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by the parties.

I. Paragraph Headings

Paragraph headings are inserted for the convenience of reference only.

J. Counterparts

This IGA may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

K. Parties Interested Herein

Nothing expressed or implied in this IGA is intended or shall be construed to confer upon or to give to, any person other than the parties, any right, remedy, or claim under or by reason of this IGA or any covenant, terms, conditions, or provisions hereof. All covenants, terms, conditions, and provisions in this IGA, by and on behalf of the County and Bennett, shall be for the sole and exclusive benefit of the County and Bennett.

L. Severability

If any provision of this IGA is determined to be unenforceable or invalid for any reason, the remainder of this agreement shall remain in effect, unless otherwise terminated in accordance with the terms contained herein.

M. Authorization

Each party represents and warrants that it has the power and ability to enter into this IGA, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the parties hereto have caused their names to be affixed.

BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, COLORADO

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

ATTEST:  
JOSH  
CLERK AND RECORDER

Approved as to form:

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Adams County Attorney's Office

JOSH ZYGIELBAUM

BOARD OF TRUSTEES  
TOWN OF BENNETT, COLORADO

\_\_\_\_\_  
Royce D. Pindell, Mayor

\_\_\_\_\_  
Date

ATTEST: TOWN CLERK

Approved as to form:

\_\_\_\_\_  
Christina Hart

\_\_\_\_\_  
Attorney for Town of Bennett

## **RESOLUTION NO. 940-22**

### **A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF ADAMS FOR ANIMAL SHELTER/ADOPTION CENTER SERVICES**

**WHEREAS**, C.R.S. Section 29-1-203 authorizes governments to contract with each other to provide any function or service lawfully authorized to each of the contracting units; and

**WHEREAS**, the Town of Bennett and Adams County are authorized to provide animal control services in their respective jurisdictions, and are authorized to contract with one another respecting such services; and

**WHEREAS**, the Town of Bennett wishes to contract for and Adams County will provide animal shelter/adoption center services to the Town of Bennett; and

**WHEREAS**, the Board of Trustees has determined that the proposed Intergovernmental Agreement for animal shelter/adoption center services is in the best interests of the Town and its citizens and desires to enter into such Intergovernmental Agreement with the County of Adams.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BENNETT, COLORADO, AS FOLLOWS:**

**Section 1.** The proposed Intergovernmental Agreement with the County of Adams for animal shelter/adoption center services is hereby approved in essentially the same form as the copy of such Intergovernmental Agreement accompanying this Resolution.

**Section 2.** The Mayor is hereby authorized to execute the Intergovernmental Agreement, except that the Mayor is hereby further granted the authority to negotiate and approve such revisions to said Intergovernmental Agreement as the Mayor determines are necessary or desirable for the protection of the Town, so long as the essential terms and conditions of the Intergovernmental Agreement are not altered.

**Section 3.** The Mayor and Town Staff are further authorized to do all things necessary on behalf of the Town to perform the obligations of the Town under the Intergovernmental Agreement and to execute and deliver any and all documents necessary to effect the terms and conditions of such Intergovernmental Agreement.

**INTRODUCED, ADOPTED AND RESOLVED THIS 11<sup>th</sup> DAY OF OCTOBER 2022.**

TOWN OF BENNETT, COLORADO

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Royce D. Pindell Mayor

ATTEST:

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Christina Hart, Town Clerk

### **Suggested Motion**

I move to approve Resolution No. 940-22 – A resolution approving an Intergovernmental Agreement with the County of Adams for animal shelter/adoption center services.

TO: Mayor and Town of Bennett Board of Trustees  
FROM: Robin Price, Public Works Director  
DATE: October 11, 2022  
SUBJECT: Bennett Regional Park and Open Space Fishing Pond Shelter Amenities

## Background

Town of Bennett secured a grant from Arapahoe County Open Space to help design and construct a fishing pond at Bennett Regional Park and Open Space (BRPOS) Lower Pond. The purpose of the grant project was to turn the Lower Pond at BRPOS into a recreational fishing pond that would be open and free to the public while still providing adequate storage for existing and future storm water drainage.

The Town issued a request for proposal (RFP) on January 13, 2022 for BRPOS Lower Pond Fishing Improvements. In the first initial request, the bids were higher than the allocated funds. Town Staff worked diligently with Kuhn Construction to carefully and thoughtfully reduce the base scope of the original RFP and made the critical improvement of providing an entirely new, earth-protected and UV-ray resistant liner for the final fishing pond area.

During this time of construction, Town Staff was able to secure a Fishing is Fun Grant to help with the additional amenities, such as the two shade structures, that were not completed in the first construction grant due to the budget.

The Town had only two contractors respond to the first RFP in January 2022. After obtaining the Fishing is Fun Grant, Town Staff researched companies that install shade structures to obtain additional pricing to compare to the two initial bids for the shade structures. Below is a summary of all the bids received for the shade structures.

## Summary of RFP Bids

The Town received the following responses from the initial January 2022 RFP:

- **Kuhn Construction Inc.:** Kuhn Construction Inc. is a local company that has worked on numerous projects throughout the Town including the most recent BRPOS trail construction and upper pond repurposing. Kuhn Construction, Inc. met all the RFP criteria and also gave some additional insight and recommendations on the existing liner recommendations.
- **Anson Excavating:** Anson Excavating is located in Craig, Colorado and have worked with the Town on a few utility and concrete projects. Anson Excavating met all of the RFP criteria.

Company	Bid
Kuhn Construction Inc.	\$111,865
Anson Excavating	\$108,000



- **Altitude Recreation:** To compare shade structure pricing, Town Staff researched and solicited pricing from a company that **only** does shade and playground amenities in order to best utilize our grant funding.

Company	Bid
Altitude Recreation	\$66,160

## Staff Recommendation

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Staff recommends the Board authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with Altitude Recreation for an amount not to exceed \$66,160.00.

## Attachments

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1. Kuhn Construction, Inc. Proposal
2. Anson Excavating Proposal
3. Altitude Recreation Proposal Shelter #1
4. Altitude Recreation Proposal Shelter #2
5. Altitude Recreation Example of Shelter

# Kuhn Construction Inc.

## Proposal # 1093-1

Project Name: **BRPS Lower Pond**

Owner/GC: **Town of Bennett**

Attn: **Robin Price**

Bid Date: **Thursday, February 10, 2022**

Base Bid	#	Description of Work	Quantity	Unit	Unit Rate	Total
		Mobilization/ Permits	1	LS	\$ 11,927.00	\$ 11,927.00
		Survey	1	LS	\$ 6,260.00	\$ 6,260.00
		Silt Fence	2100	LF	\$ 1.55	\$ 3,255.00
		Diversion Ditches and Check Dams	1	LS	\$ 3,865.00	\$ 3,865.00
		Pothole Ex Utilities	8	HRs	\$ 175.00	\$ 1,400.00
		Clear and Grub	1	LS	\$ 3,325.00	\$ 3,325.00
		Remove Ex Riprap and Stockpile	610	SY	\$ 6.70	\$ 4,087.00
		Strip Topsoil and Stockpile	4505	CY	\$ 3.65	\$ 16,443.25
		Site Grading- Cut to Fill	11360	CY	\$ 4.45	\$ 50,552.00
		Site Grading- Excess Cut to Berms	8544	CY	\$ 4.45	\$ 38,020.80
		Replace Topsoil	4505	CY	\$ 3.40	\$ 15,317.00
		24" CMP Culvert	200	LF	\$ 98.60	\$ 19,720.00
		24" CMP FES	8	EA	\$ 455.00	\$ 3,640.00
		6" Thick Class 5 Roadbase Parking Lot/ Access Road	3070	SY	\$ 9.35	\$ 28,704.50
		6" Thick Class 6 Pond Perimeter Trail	8560	SF	\$ 1.32	\$ 11,299.20
		8' Wide Trail Connection	933	SY	\$ 6.60	\$ 6,157.80
		CMU Block Retaining Walls	680	FF	\$ 36.20	\$ 24,616.00
		Shoreline Fishing Boulder Edge	105	LF	\$ 207.00	\$ 21,735.00
		Replace Stockpiled Riprap- (Buried)	600	TN	\$ 7.15	\$ 4,290.00
		Import and Place Type L Riprap	420	TN	\$ 68.65	\$ 28,833.00
		6" Thick Concrete Shelter Pads W Thickened Edge	1000	SF	\$ 13.35	\$ 13,350.00
		4" Thick Concrete Overlook	1080	SF	\$ 10.35	\$ 11,178.00
		Small Shelter- 16X16	1	EA	\$ 37,273.00	\$ 37,273.00
		Large Shelter- 24X24	1	EA	\$ 61,242.00	\$ 61,242.00
		Bike Racks	3	EA	\$ 975.00	\$ 2,925.00
		Boardwalk Footings	34	EA	\$ 998.00	\$ 33,932.00
		Boardwalk Railings- (Budget)	300	LF	\$ 102.00	\$ 30,600.00
		Boardwalk- 8' PermaTrak	150	LF	\$ 921.00	\$ 138,150.00
		Expose Ex Liner and Clean for Patch	222	LF	\$ 8.30	\$ 1,842.60
		30ML PVC Liner Material	10197	SF	\$ 0.86	\$ 8,769.42
		Installation of 30ML PVC Liner- (Welds to EX material are not Warrantied)	1	LS	\$ 25,547.00	\$ 25,547.00
		Install 12" Cover Material over Liner	385	CY	\$ 15.60	\$ 6,006.00
		Install Type L Riprap over Cover Material	1340	TN	\$ 26.50	\$ 35,510.00
		6" Class 5 Base Pond Access Rd	185	SY	\$ 9.35	\$ 1,729.75
		3 Rail Wood Fence	550	LF	\$ 30.00	\$ 16,500.00
		Erosion Control Blanket	15645	SY	\$ 2.05	\$ 32,072.25
		Seed and Hydromulch	7.4	AC	\$ 3,446.00	\$ 25,500.40
<b>Base Bid Total</b>						<b>\$ 785,574.97</b>

Inclusions/ Exclusions

- #1 Proposal Price includes only items specifically referenced- additional prices can be provided for additional work requested by Owner/GC
- #2 Plans Provided for Bid: Terramax 1/13/22 Davis Bacon/ Prevailing Wage Included: No
- #3 Specs Provided: None Addenda: 1 Soils Report: None
- #4 Export: Not included Import: Not included. Site Must Balance. All quantities to be field measured
- #5 Erosion Control Included in Proposal. Additional pricing can be provided upon request.
- #6 Cost of Water Not included. Water source to be provided onsite by Owner/GC
- #7 No Traffic Control or Utility Relocation Included
- #8 Unseen Conditions including- ground water, storm water, rock, frost, mud, trash, debris etc.... will be addressed as a change order or T&M.
- #9 No back charges will be accepted unless Kuhn Construction Inc. has been notified in writing, been given the option of repairing and or correcting the problem or a signed change order is issued
-

# REQUEST FOR PROPOSALS

Cover Sheet



welcome neighbors.

Date of RFP Issuance: 1/13/22  
 Project Number: 22-002  
 RFP Title: Bennett Regional Park and Open Space Lower Pond Fishing Improvements  
 Proposals Due: February 10, 2:00 p.m., Local Time  
 Submit Proposals to: [rprice@bennett.co.us](mailto:rprice@bennett.co.us)

Town Hall, 207 Muegge Way, Bennett, CO 80102-7806

For Additional Information Please Contact: Dan Giroux  
 (303) 644-3249 Ext. 1009  
 Email: [dangiroux@terramax.us](mailto:dangiroux@terramax.us)

Documents Included in This Package:  
 RFP Cover Sheet  
 Project Background and Specifications  
 RFP Instructions  
 Terms and Conditions  
 Special Terms and Conditions  
 Pricing Form  
 Submission Form  
 Substitute Form W-9  
 Sample Agreement

If any of the documents listed above are missing from this package, they may be requested via email or picked up at Town Hall, 207 Muegge Way, Bennett, Colorado.

The undersigned hereby affirms that (1) he/she is a duly authorized agent of the Proposer, (2) he/she has read all terms and conditions and technical specifications which were made available in conjunction with this RFP and fully understands and accepts them unless specific variations have been expressly listed in his/her offer, (3) the offer is being submitted on behalf of the Proposer in accordance with any terms and conditions set forth in this RFP, and (4) the Proposer will accept any awards made to it as a result of the offer submitted herein for a minimum of ninety calendar days following the date of submission.

## PRINT OR TYPE YOUR INFORMATION

Name of Company: Anson Excavating Fax: 970-824-0536  
 Address: 789 Stock Dr. City/State: Craig CO Zip: 81625  
 Contact Person: Mike Miles Title: Estimator Phone: 970-824-0382  
 Authorized Representative's Signature: [Signature] Phone: 970-824-0382  
 Printed Name: Mike Anson Title: President Date: 2-8-2022  
 Email Address: mike@ansonexcavating.com



## Anson Excavating and Pipe Inc.

P.O. Box 777

Craig Co. 81626

Contact: Mike Anson

Phone: (970) 824-0382

Fax: (970) 824-8536

Quote To:

Town of Bennett  
Dan Giroux, PE  
207 Muegge Way, Bennett, CO, 80102  
303-644-3249

Job Name:

BRPOS Pond Improvements

Date of Plans:

1/13/2022

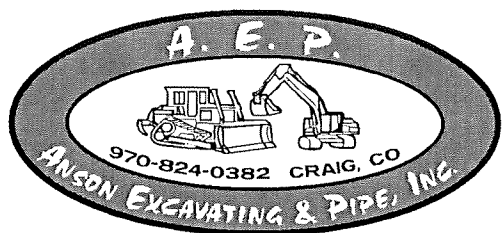
Phone:

Fax:

Revision Date:

Please see additional sheets, as they are part of this proposal.

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
100	Mobilization	1.00	LS	48,000.00	48,000.00
200	Initial Erosion Control	1.00	LS	12,250.00	12,250.00
300	Pond Grading and Shaping	1.00	LS	177,500.00	177,500.00
350	Culverts, 24"	4.00	EA	10,500.00	42,000.00
400	Entry Road & Parking	1.00	LS	147,000.00	147,000.00
500	16x16 shelter, complete	1.00	EA	42,500.00	42,500.00
550	24x24 shelter, complete	1.00	EA	65,500.00	65,500.00
600	Riprap	900.00	TN	24.05	21,645.00
700	Raven liner & splicing	1.00	LS	47,000.00	47,000.00
800	Pedestrian walkway, complete	150.00	LF	1,894.00	284,100.00
900	Trails	1.00	LS	27,000.00	27,000.00
950	16' Maintenance access	1.00	LS	7,550.00	7,550.00
1000	Boulders	100.00	TN	199.50	19,950.00
1100	Erosion Control Final	1.00	LS	55,800.00	55,800.00
<b>GRAND TOTAL</b>					<b>997,795.00</b>



PO Box 777 Craig, CO 81626 (970) 824-0382 Fax (970) 629-8536

Solicitation ID BRPS Lower Pond, Town of Bennett  
Anson Excavating & Pipe, Inc. Proposal Notes and Conditions

Feb 10, 2022

These notes are a part of the proposal pricing tabulated on a separate sheet.

*No bond cost has been included with this proposal because it is assumed that the final contract price will be different. The owner should expect a 3% addition to the final contracted price to account for bonding.*

Item 350

Estimated 360 LF 24" CMP and 4 FES

Item 400

1400 tons imported Class 6

325 tons imported recycled asphalt

300 LF 3-rail 1 1/2" steel pipe fence, painted -- \$150/lf budgeted, actual cost may be different.

Items 500 & 550

Price increase expected at time of ordering due to commodity market.

Item 600

Imported riprap estimated at 150 tons. Unit cost for placing additional is \$52.00/ton, full semi truckloads only.

Item 700

Raven Industries estimated 10,000+ SF of new liner

Item 800

Handrail budgeted at \$200/lf. This is the same style as the parking area fence. Installation accounts for the price difference. The fabrication shop would not install, so the rail is proposed as 10-20 LF sections bolted to the concrete walkway. More posts are required with this design.

Permatrak design calls for 18" x 42" piers, 34 total.

Item 900

Imported Class 6 – 160 ton

Imported asphalt millings – 75 ton

Item 950

Imported Class 6 – 60 tons

Imported asphalt millings – 20 ton



Item 1000

100 tons placed along the new bank, within machine reach. Actual tons placed will vary, but only full semi loads will be utilized.

Item 1100

Estimated 5 acres to be reseeded and hydromulched.

Estimated 10,000 SF of RECP in the drainages and outflow areas.

## PRICING FORM

## I PRICING (FOR EACH PARTICIPANT)

ITEM	QTY	UNIT	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1			See Construction Plans		\$0.00
2					\$0.00
3					\$0.00
4					\$0.00
5					\$0.00
6					\$0.00
7					\$0.00
8					\$0.00
9					\$0.00
10					\$0.00
Total					\$0.00

Not to Exceed Total: \$1,027,728.85

(bid tab "Not to exceed" plus 3% bond cost)

**SUBMISSION FORM**

**SUBMISSION:** It is imperative, when submitting a bid/proposal, that you address the envelope as follows:

Town of Bennett  
ATTN: Purchasing  
207 Muegge Way  
Bennett, CO 80102

Attn: Robin Price  
Public Works Director  
RFP: 22-002 BRPOS Lower Pond Fishing Improvements

Does your proposal comply with all the terms and conditions? If no, indicate exceptions

YES / NO

Does your proposal meet or exceed all specifications? If no, indicate exceptions

YES / NO

State percentage of prompt payment discount, if offered

2 %

State total bid price (include all items bid)

\$ 1,027,728.85

State total bid price with discount

\$ 1,007,174.27

The Town of Bennett must have on file a completed W-9 prior to doing business with Contractors. Please submit the attached form with your Proposal.



720 Austin Avenue., Suite 200  
Erie, CO 80516  
1-800-235-2440

09/22/2022  
Quote #  
102360-01-02

## FISHING POND - SHELTER 1

TOWN OF BENNETT  
Attn: ROBIN PRICE  
207 MUEGGE WAY  
BENNETT, CO 80102  
Phone: 303-378-3392  
rprice@bennett.co.us

Ship to Zip 80102

Quantity	Part #	Description	Unit Price	Amount
1	RHS1616	CEDAR FOREST PRODUCTS - Rectangular Hip Shelter, 16X16- Price Includes: <ul style="list-style-type: none"><li>• Roof pitch is 4:12, designed for a standard 30 PSF live load &amp; 90 MPH wind speed</li><li>• Powder coated steel frame</li><li>• 24 ga. multi-rib metal roofing</li><li>• Zinc plated fasteners</li><li>• Tubular steel frame utilizes hidden bolts &amp; fasteners where possible</li></ul>	\$12,485.00	\$12,485.00
1	ENG	CEDAR FOREST PRODUCTS - SEALED DRAWINGS, FOOTING DETAILS	\$850.00	\$850.00
1	INSTALL	CEDAR FOREST PRODUCTS - SHELTERS INSTALLATION	\$7,565.00	\$7,565.00
1	INSTALL	GameTime - CONCRETE PAD 17'X17'	\$2,895.00	\$2,895.00
			<b>Sub Total</b>	\$23,795.00
			<b>Freight</b>	\$2,550.00
			<b>Total</b>	<b>\$26,345.00</b>

### Comments

**SITE PREP, STORAGE, PERMITS NOT INCLUDED**

**PLEASE ADD TAX IF APPLICABLE**

OUR QUOTATION IS BASED ON SHIPMENT OF ALL ITEMS AT ONE TIME TO A SINGLE DESTINATION, UNLESS NOTED, AND CHANGES ARE SUBJECT TO PRICE ADJUSTMENT. PURCHASES IN EXCESS OF \$1,000.00 TO BE SUPPORTED BY YOUR WRITTEN PURCHASE ORDER MADE OUT TO **ALTITUDE RECREATION**.

Pricing: f.o.b. factory. **Pricing Firm for 30 Days from the day of this quotation.**

Payment terms: Net 30 days for tax supported governmental agencies. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Retainage not accepted. Payment via credit card: If you elect to pay by credit card, GameTime charges a 2.50% processing fee that is assessed on the amount of your payment. This fee is shown as a separate line item and included in the total amount charged to your credit card. You have the option to pay by check, ACH or Wire without any additional fees.

Shipment: Standard playground and furnishings order shall ship within 10-12 weeks, Custom Panels 10-12 weeks, Vista Ropes Climbers 12-18 weeks, Standard Shades and Shelters 14-16 weeks, Surfacing 1-2 weeks after GameTime's receipt and acceptance of your purchase order, color selections, approved submittals, and receipt of deposit, if required. All orders remaining staged for shipment, with the manufacturer, after 10 business days, will be applicable to a minimum storage fee of \$125.00, as well as an additional \$125.00 per week, per order. The customer will be responsible to pay these fees once the equipment ships. Flatbed and Forklift requests would be additional charge (not included)

Freight charges: Allowed & prepaid

**Page 243**



720 Austin Avenue., Suite 200  
Erie, CO 80516  
1-800-235-2440

09/22/2022  
Quote #  
102360-01-02

## FISHING POND - SHELTER 1

**Installation: shall be by a Certified GameTime Installer. Customer shall be responsible for scheduling coordination and site preparation. Site should be level and permit installation equipment access.**

**PURCHASER SHALL ABSORB ALL COSTS INCURRED FROM UNKNOWN SOIL CONDITIONS SUCH AS ROCK REMOVAL, POOR DIGGING CONDITIONS (BEDROCK), OR POOR SOIL BEARING CAPACITY, INCLUDING BUT NOT LIMITED TO JACKHAMMER, BACKHOE OR BULLDOZER, SONOTUBES (PLUS DELIVERY, OPERATOR AND INSTALLATION IF REQUIRED)**

**Exclusions: unless specifically included, this quotation excludes all bonds, prevailing wages, site work and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; equipment assembly and installation; safety surfacing; borders and drainage provisions.**



720 Austin Avenue., Suite 200  
Erie, CO 80516  
1-800-235-2440

09/22/2022  
Quote #  
102360-01-02

## FISHING POND - SHELTER 1

BILL TO CUSTOMER:

SHIP TO CUSTOMER:

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

EMAIL FOR ORDER ACKNOWLEDGEMENT: \_\_\_\_\_

COLORS: \_\_\_\_\_ (PALETTE)

UPRIGHTS: \_\_\_\_\_

DECKS: \_\_\_\_\_

ACCENTS: \_\_\_\_\_

ARCHES: \_\_\_\_\_

PLASTIC: \_\_\_\_\_

METAL ROOFS: \_\_\_\_\_

ROCK PLASTIC: \_\_\_\_\_

GRIPS: \_\_\_\_\_

ROOFS: \_\_\_\_\_

TUBES: \_\_\_\_\_

HDPE: \_\_\_\_\_

2 HDPE: \_\_\_\_\_

SWINGS: \_\_\_\_\_

\_\_\_\_\_  
Sales Associate's Signature

\_\_\_\_\_  
Customer's Signature

\_\_\_\_\_  
Date

**ALL CEDAR FOREST SHELTERS ARE MADE TO ORDER.  
25% DOWN PAYMENT IS REQUIRED WHEN PLACING ORDER.**





720 Austin Avenue., Suite 200  
Erie, CO 80516  
1-800-235-2440

## FISHING POND - SHELTERS 2

TOWN OF BENNETT  
Attn: ROBIN PRICE  
207 MUEGGE WAY  
BENNETT, CO 80102  
Phone: 303-378-3392  
rprice@bennett.co.us

Ship to Zip 80102

Quantity	Part #	Description	Unit Price	Amount
1	RHS2424	CEDAR FOREST PRODUCTS - Rectangular Hip Shelter, 24X24	\$22,600.00	\$22,600.00
1	ENG	CEDAR FOREST PRODUCTS - SEALED DRAWINGS, FOOTING DETAILS	\$850.00	\$850.00
1	INSTALL	CEDAR FOREST PRODUCTS - SHELTERS INSTALLATION	\$7,565.00	\$7,565.00
1	INSTALL	GameTime - 25'X25' CONCRETE PAD	\$6,250.00	\$6,250.00
			<b>Sub Total</b>	\$37,265.00
			<b>Freight</b>	\$2,550.00
			<b>Total</b>	<b>\$39,815.00</b>

### Comments

**SITE PREP, STORAGE, CONCRETE PADS, PERMITS NOT INCLUDED  
PLEASE ADD TAX IF APPLICABLE**

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Freight charges: Allowed & prepaid

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**Exclusions: unless specifically included, this quotation excludes all bonds, prevailing wages, site work and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; equipment assembly and installation; safety surfacing; borders and drainage provisions.**



720 Austin Avenue., Suite 200  
Erie, CO 80516  
1-800-235-2440

09/22/2022  
Quote #  
102360-01-03

## FISHING POND - SHELTERS 2

BILL TO CUSTOMER:

SHIP TO CUSTOMER:

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PHONE NUMBER: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

EMAIL FOR ORDER ACKNOWLEDGEMENT: \_\_\_\_\_

COLORS: \_\_\_\_\_ (PALETTE)

UPRIGHTS: \_\_\_\_\_

DECKS: \_\_\_\_\_

ACCENTS: \_\_\_\_\_

ARCHES: \_\_\_\_\_

PLASTIC: \_\_\_\_\_

METAL ROOFS: \_\_\_\_\_

ROCK PLASTIC: \_\_\_\_\_

GRIPS: \_\_\_\_\_

ROOFS: \_\_\_\_\_

TUBES: \_\_\_\_\_

HDPE: \_\_\_\_\_

2 HDPE: \_\_\_\_\_

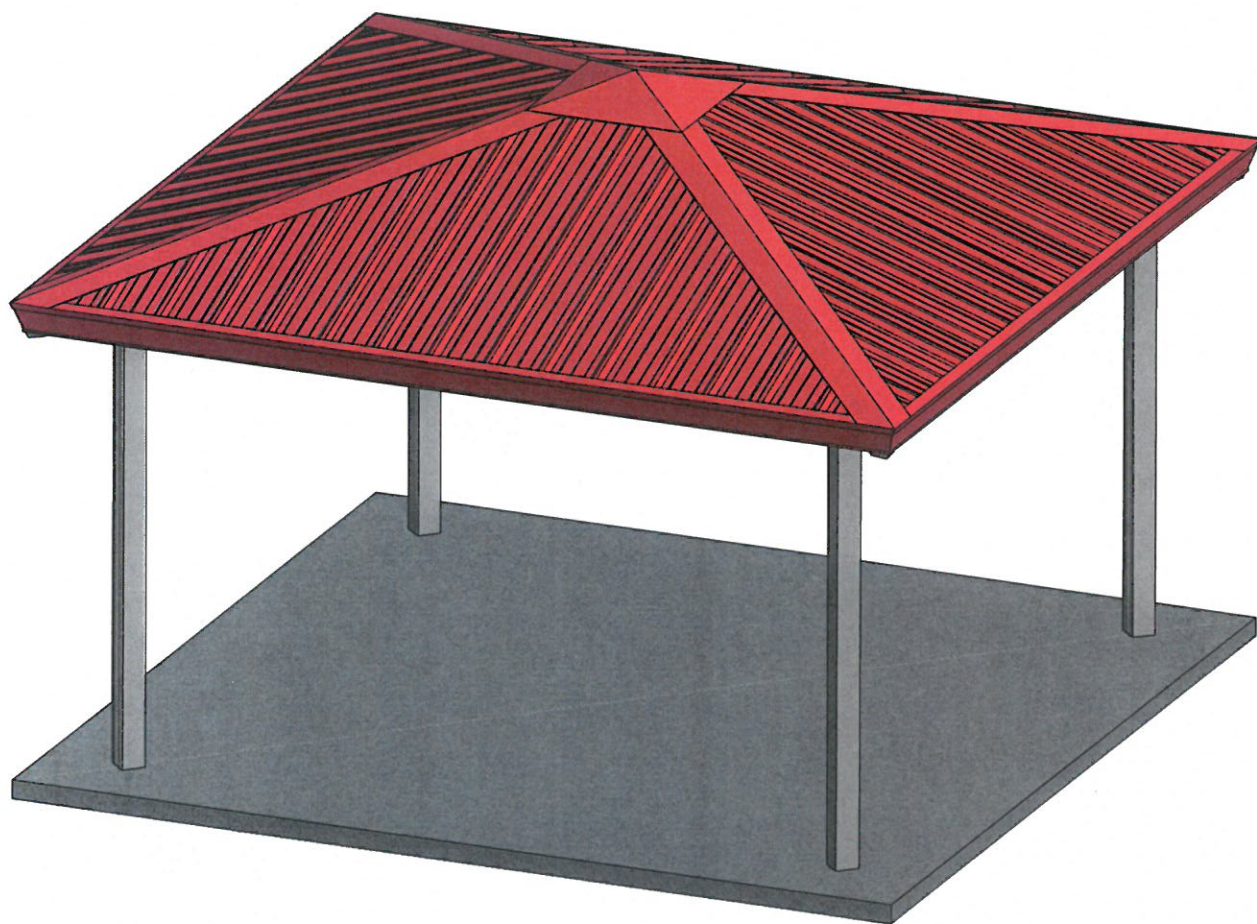
SWINGS: \_\_\_\_\_

\_\_\_\_\_  
Sales Associate's Signature

\_\_\_\_\_  
Customer's Signature

\_\_\_\_\_  
Date

**ALL CEDAR FOREST SHELTERS ARE MADE TO ORDER.  
25% DOWN PAYMENT IS REQUIRED WHEN PLACING ORDER.**

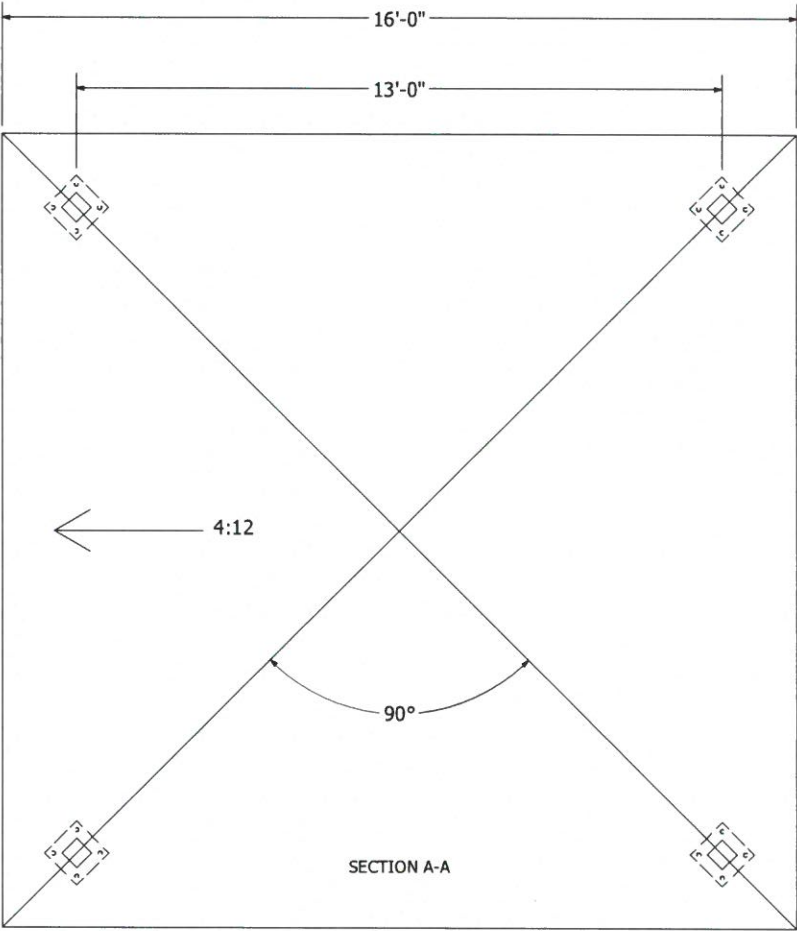
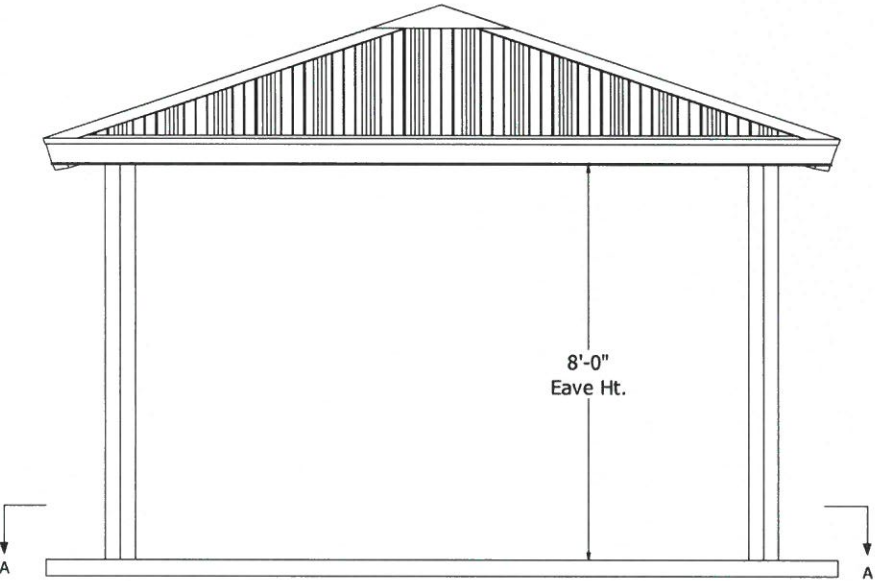


P.O. BOX 145  
WEST OLIVE, MI 49460  
800-552-9495

CEDAR FOREST PRODUCTS WWW.CEDARFORESTPRODUCTS.COM

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
16'x 16' Rect Hip Shelter	RHS1616	3/16/2022	JES	0

SCALE: NTS



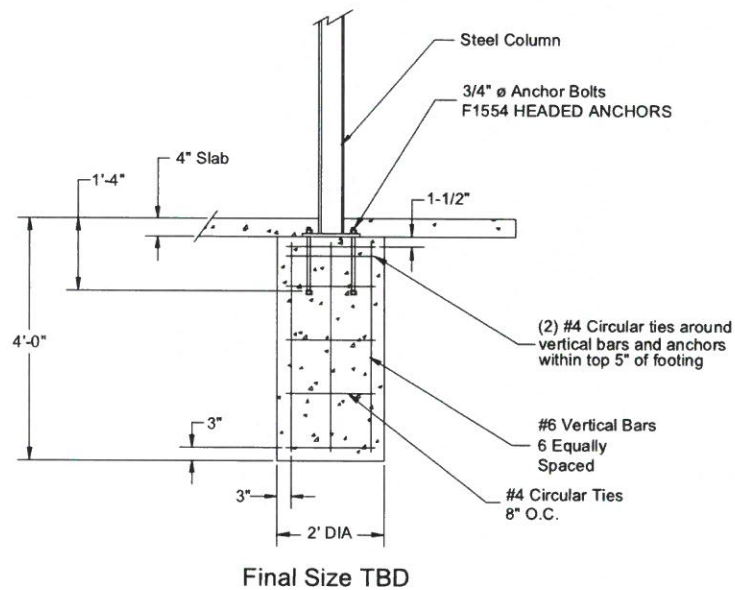
P.O. BOX 145  
WEST OLIVE, MI 49460  
800-552-9495

WWW.CEDARFORESTPRODUCTS.COM

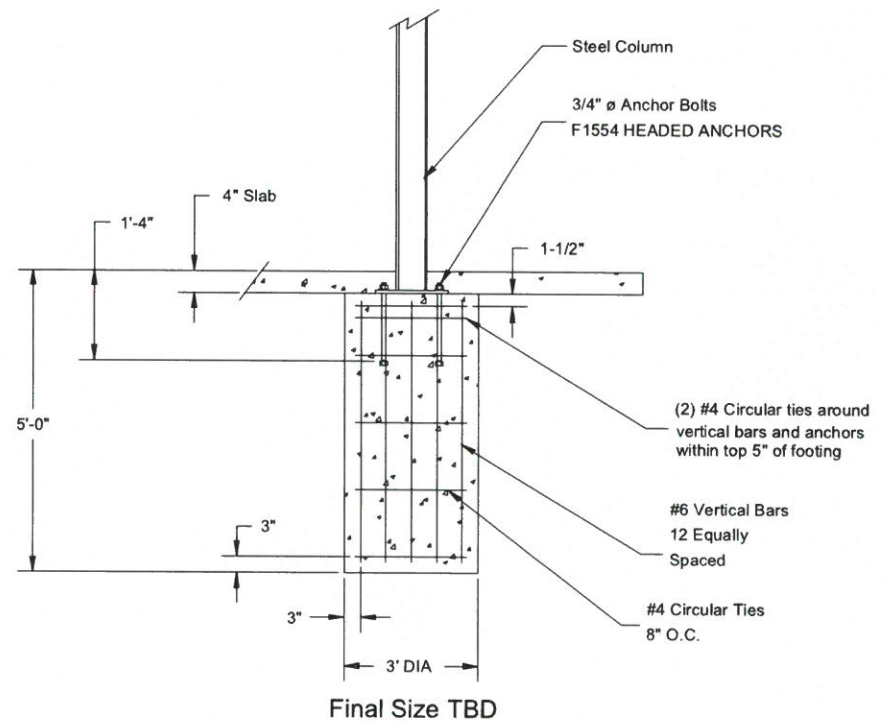
**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
16'x 16' Rect Hip Shelter	RHS1616	3/16/2022	JES	0

### PRELIMINARY MEDIUM FOOTING



### PRELIMINARY LARGE FOOTING



**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**



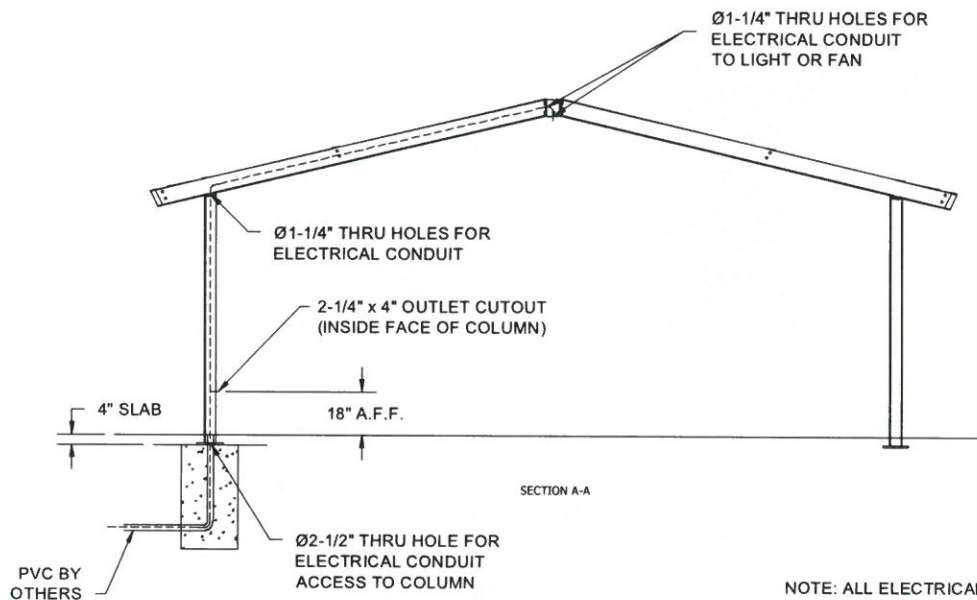
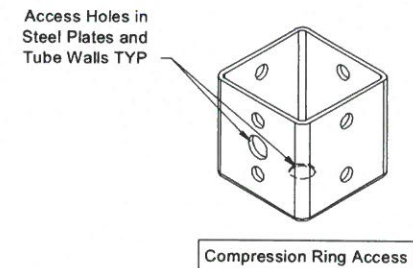
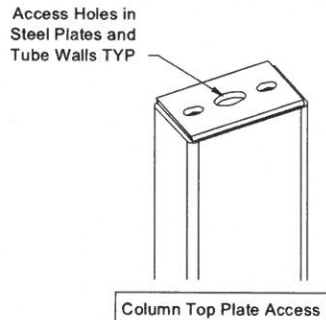
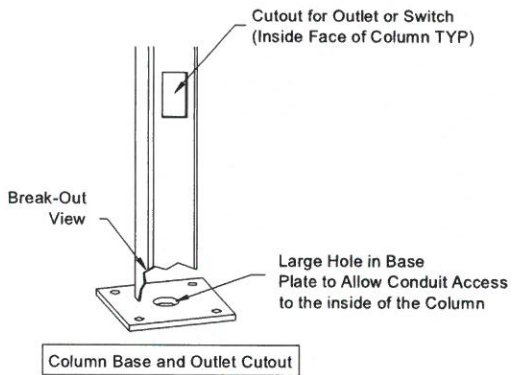
P.O. BOX 145

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800-552-9495

CEDAR FOREST PRODUCTS WWW.CEDARFORESTPRODUCTS.COM

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
16'x 16' Rect Hip Shelter	RHS1616	3/16/2022	JES	0



NOTE: ALL ELECTRICAL COMPONENTS BY OTHERS  
CFP WILL ONLY SUPPLY THE CUTOUTS/HOLES IN THE STEEL

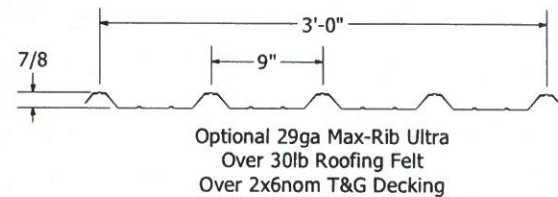
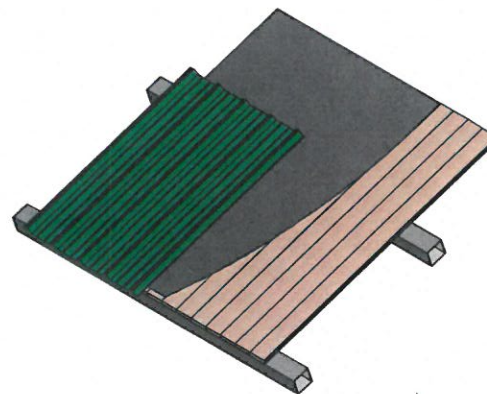
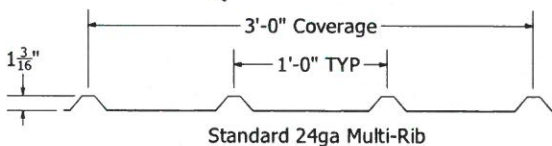
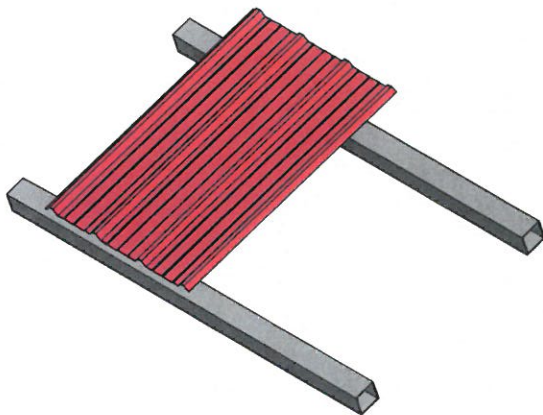
**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
16'x 16' Rect Hip Shelter	RHS1616	3/16/2022	JES	0

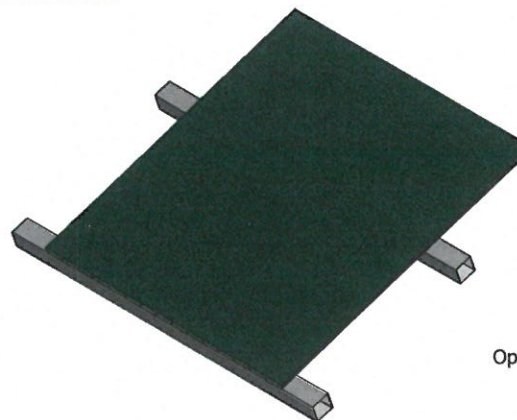
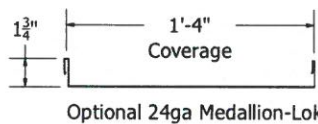
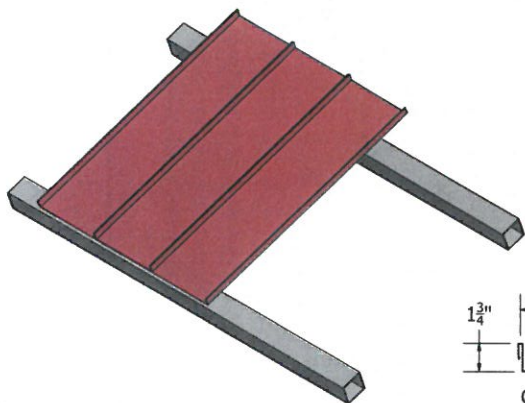


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800-552-9495  
WWW.CEDARFORESTPRODUCTS.COM





*Layouts are to Show  
the Optional Roofing,  
Not for Installation Practices*



Optional Asphalt or Cedar Shingles  
Over 30lb Roofing Felt  
Over 2x6nom T&G Decking

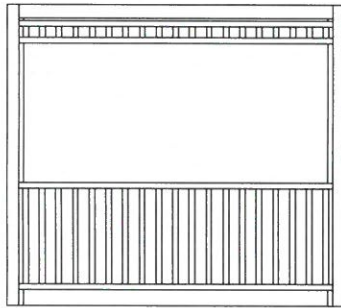


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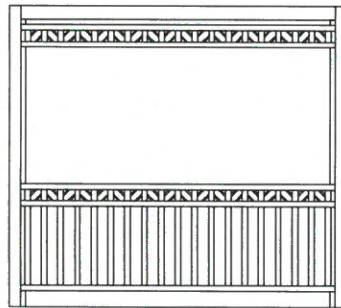
WWW.CEDARFORESTPRODUCTS.COM

**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
16'x 16' Rect Hip Shelter	RHS1616	3/16/2022	JES	0

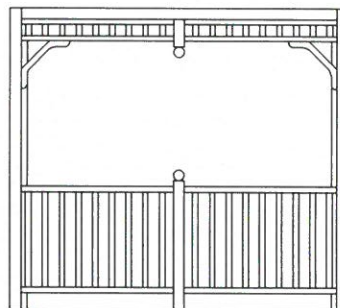


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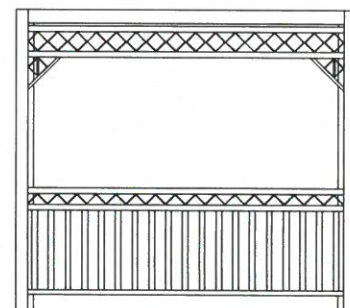


HP-2

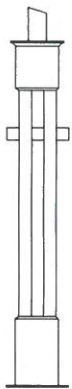
OPTIONAL PATTERNS



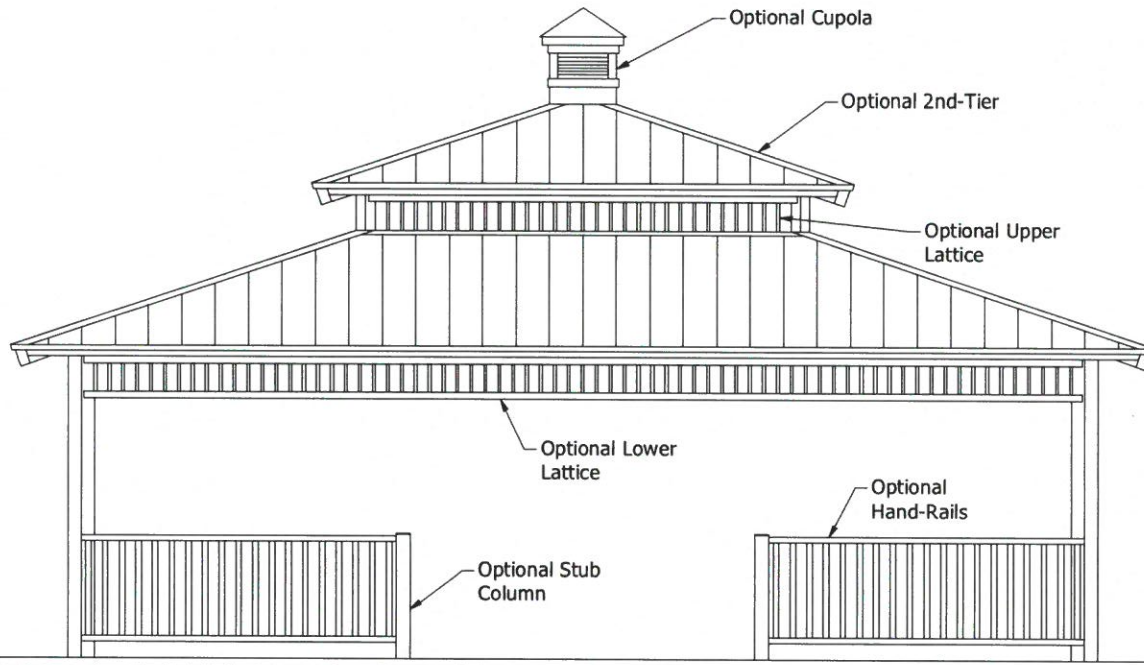
HP-3



HP-4



Optional Quad Column



Optional Round Column  
Shown w/Optional Bands



P.O. BOX 145

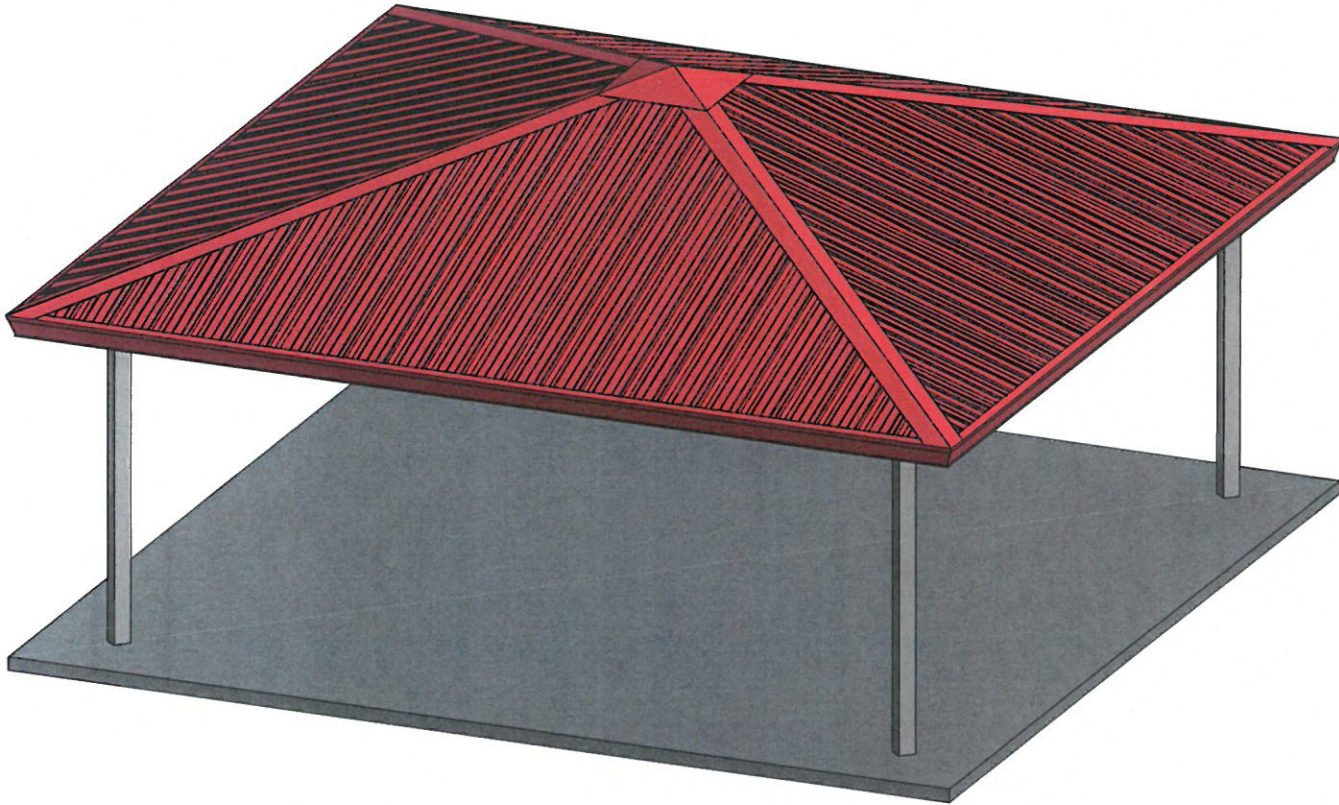
WEST OLIVE, MI 49460

800-552-9495

WWW.CEDARFORESTPRODUCTS.COM

**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
16'x 16' Rect Hip Shelter	RHS1616	3/16/2022	JES	0



P.O. BOX 145

WEST OLIVE, MI 49460

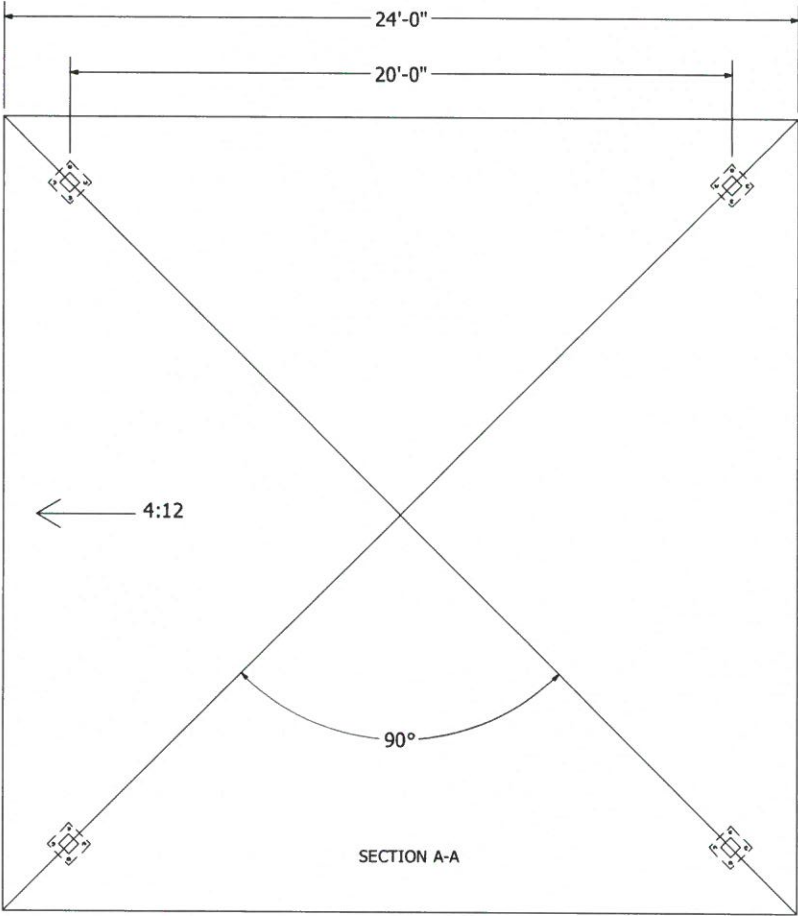
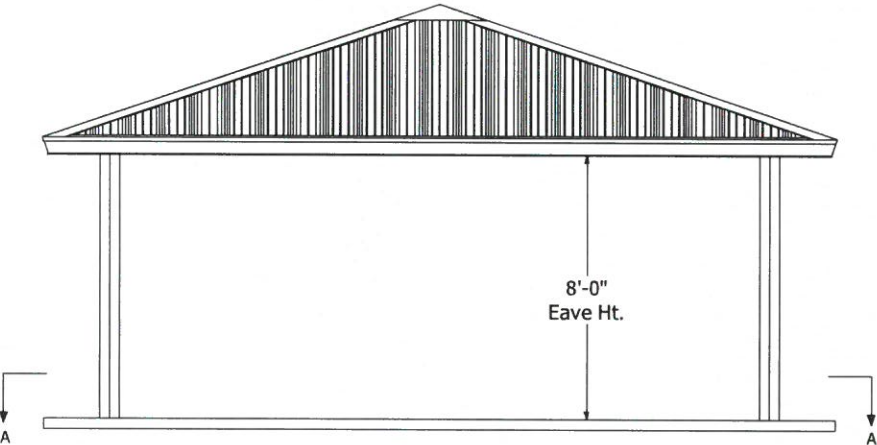
800-552-9495

CEDAR FOREST PRODUCTS WWW.CEDARFORESTPRODUCTS.COM

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
24'x 24' Rect Hip Shelter	RHS2424	3/16/2022	JES	0



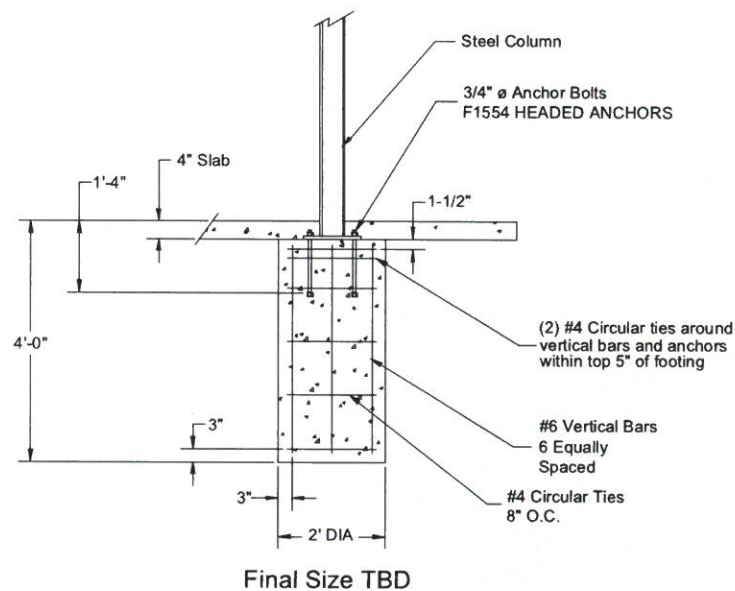
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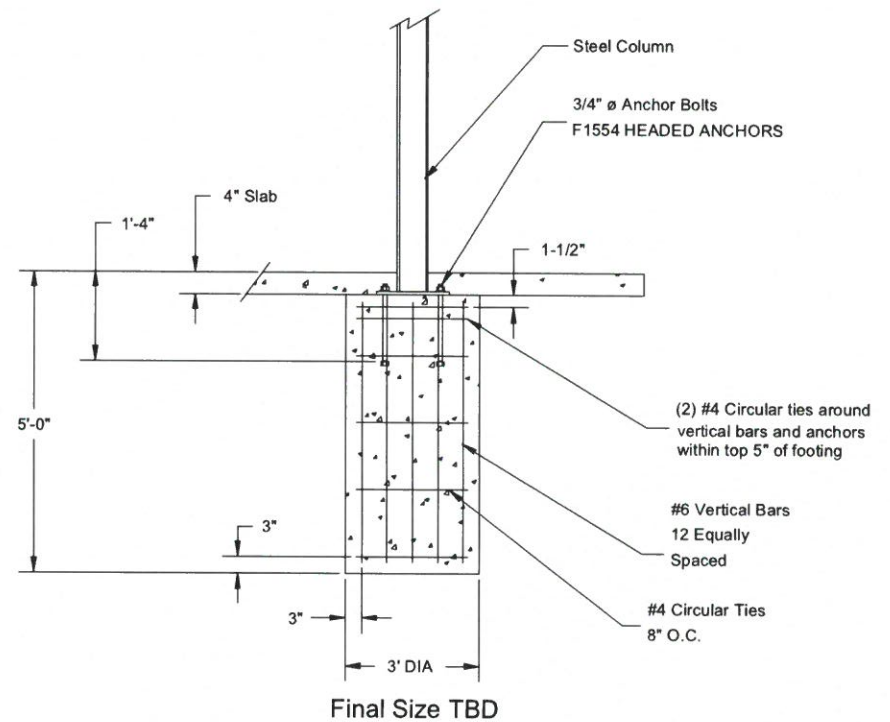
**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
24'x 24' Rect Hip Shelter	RHS2424	3/16/2022	JES	0

### PRELIMINARY MEDIUM FOOTING



### PRELIMINARY LARGE FOOTING



**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**



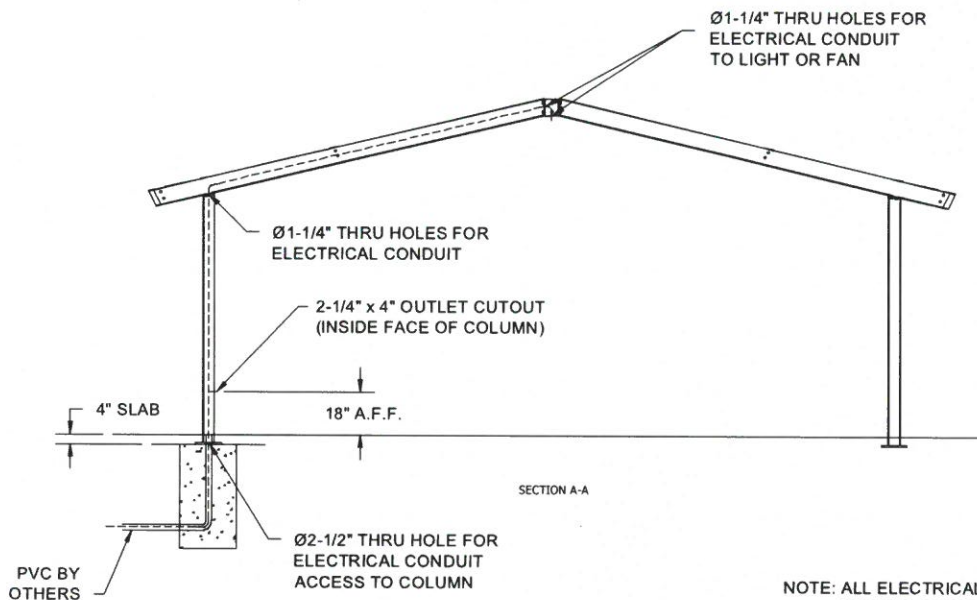
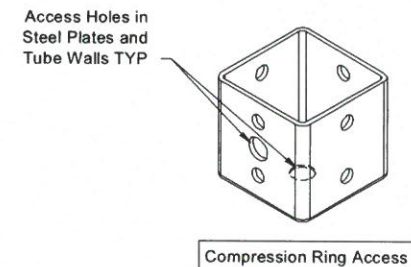
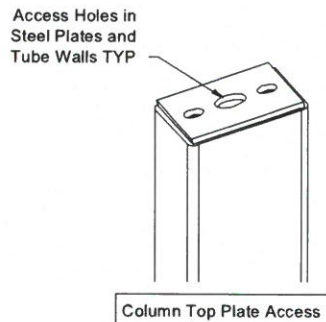
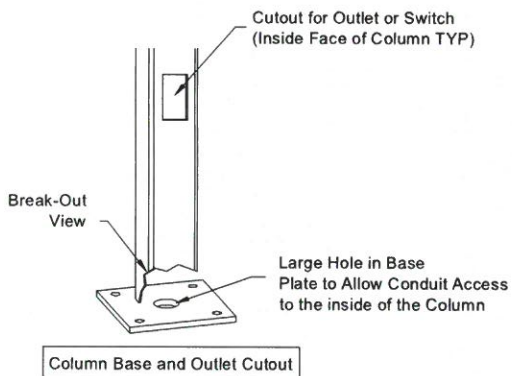
P.O. BOX 145

WEST OLIVE, MI 49460

800-552-9495

CEDAR FOREST PRODUCTS WWW.CEDARFORESTPRODUCTS.COM

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
24'x 24' Rect Hip Shelter	RHS2424	3/16/2022	JES	0

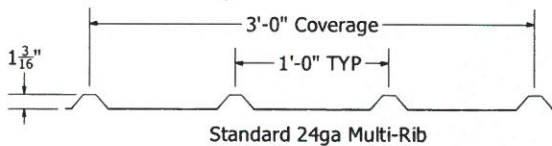
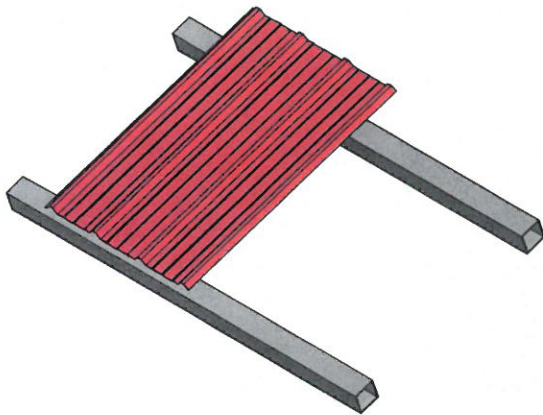


NOTE: ALL ELECTRICAL COMPONENTS BY OTHERS  
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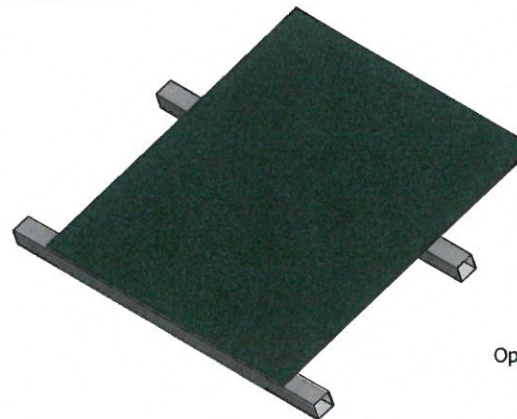
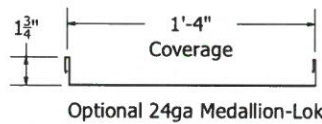
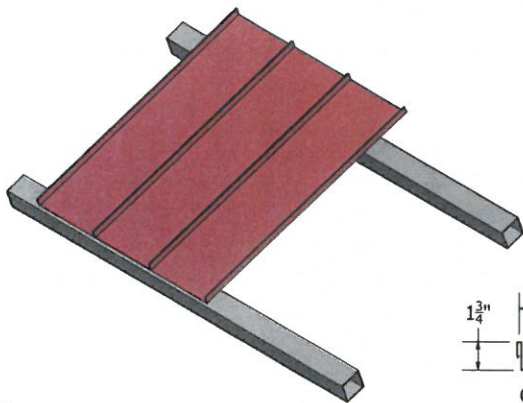
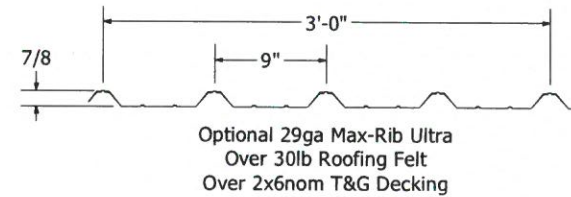
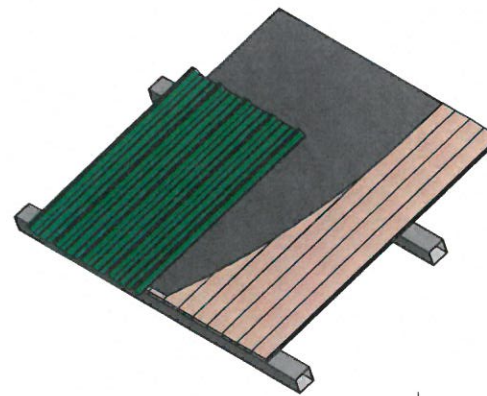
**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
24'x 24' Rect Hip Shelter	RHS2424	3/16/2022	JES	0





*Layouts are to Show  
the Optional Roofing,  
Not for Installation Practices*



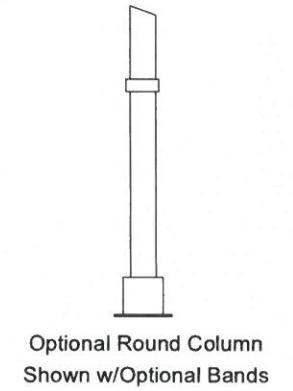
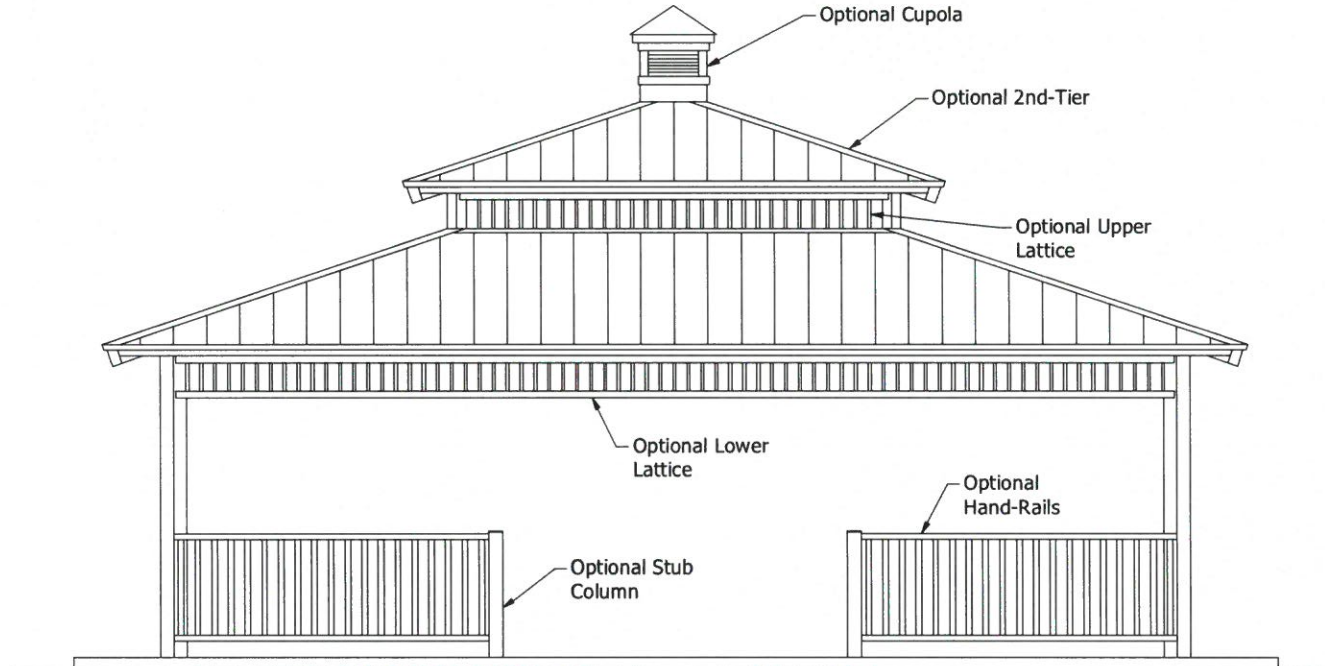
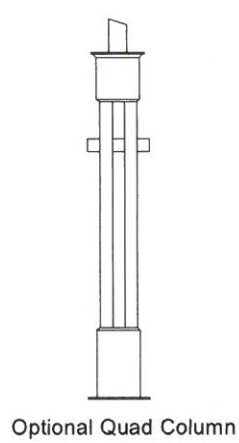
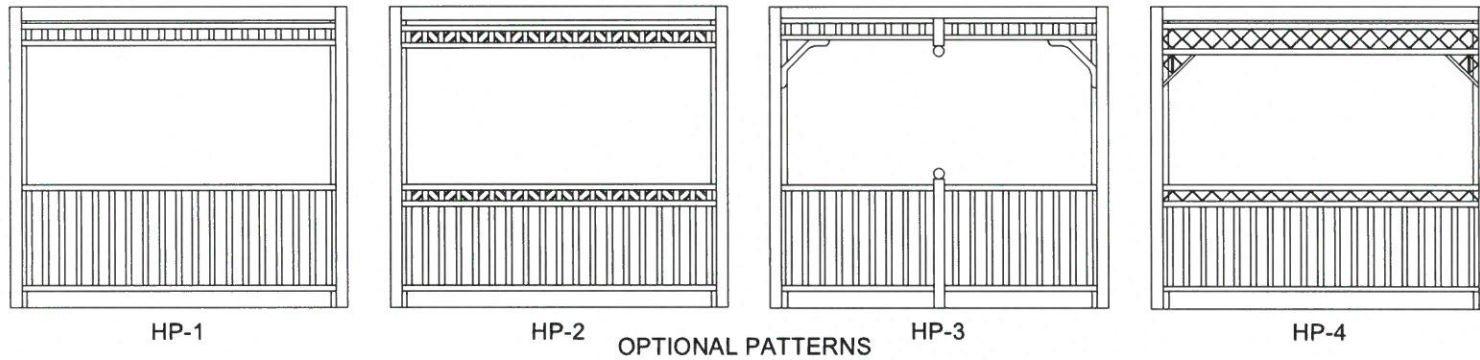
Optional Asphalt or Cedar Shingles  
Over 30lb Roofing Felt  
Over 2x6nom T&G Decking



P.O. BOX 145  
WEST OLIVE, MI 49460  
800-552-9495  
WWW.CEDARFORESTPRODUCTS.COM

**PRELIMINARY LAYOUT**  
**NOT FOR CONSTRUCTION**

DESCRIPTION:	MODEL #:	DATE:	DESIGNER:	REV:
24'x 24' Rect Hip Shelter	RHS2424	3/16/2022	JES	0







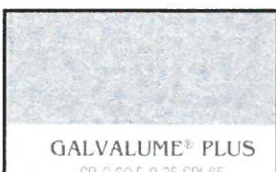
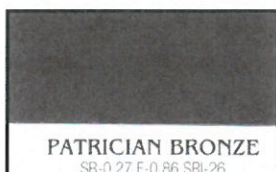
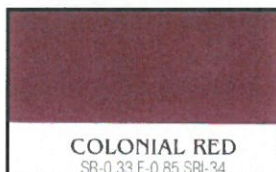
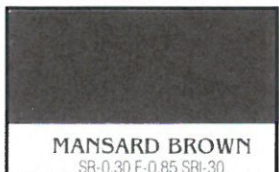
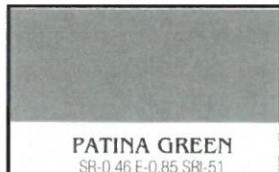
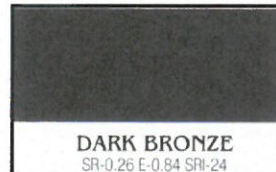
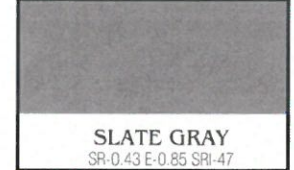
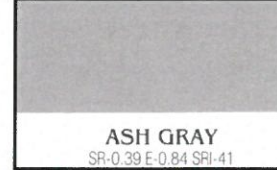
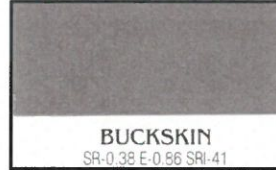
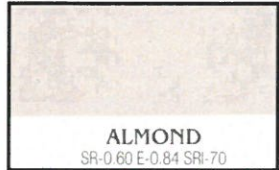
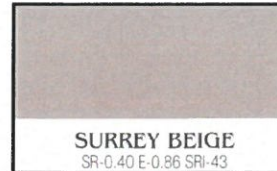
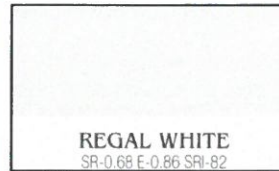
# CEDAR FOREST PRODUCTS, CO.

P. O. Box 145  
West Olive, MI 49460  
800-552-9495

www.cedarforestproducts.com

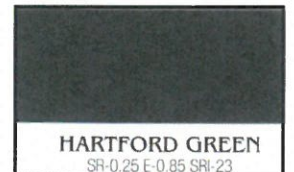
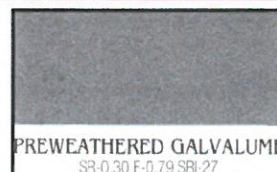
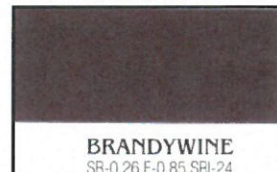
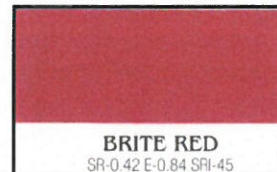
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since  
**1964!**

## Standard Colors



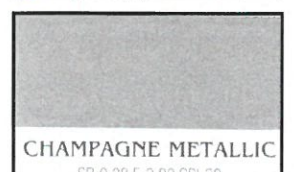
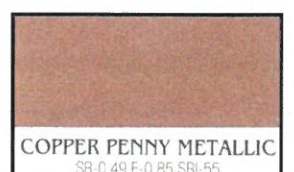
## Deep Tone Premium Colors

Additional cost will apply.



## Metallic Colors

Additional cost will apply.



SR = Solar Reflectance Value

E = Thermal Emittance Value

SRI = Solar Reflectance Index Page 260



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since  
**1964!**

### **Standard Powder Coat Colors**

 Traffic White RAL 9016	 Cream RAL 9001	 Grey White RAL 9002	 Beige RAL 1001
 Brown Gray RAL 7013	 Jet Black RAL 9005	 Terra Brown RAL 8028	 Brown Green RAL 6008
 Beige Brown RAL 8024	 Copper Brown RAL 8004	 Red Brown RAL 8012	 Telegrey RAL 7045
 Ocean Blue RAL 5020	 Brilliant Blue RAL 5007	 Mint Turquoise RAL 6033	 Mint Green RAL 6029
 Tarpaulin Grey RAL 7010	 Silk Grey RAL 7044	 Sepia Brown RAL 8014	 Stone Grey RAL 7030
 Moss Green RAL 6005	 Grey Blue RAL 5008	 Dusty Gray RAL 7037	 Traffic Red RAL 3020

- Standard Steel Colors – Cedar Forest Products offers a wide selection of long-lasting designer colors. Custom colors are available on request.
- Due to printing and manufacturing processes, colors may vary slightly.

### **Suggested Motion**

I move to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with Altitude Recreation for an amount not to exceed \$66,160.



TO: Mayor and Town of Bennett Board of Trustees  
FROM: Daymon K. Johnson, Capital Projects Director  
DATE: October 11, 2022  
SUBJECT: Morton Electric – Change Order MP-79 - 001

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## Background

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The Town issued RFP 21-011 for the Marketplace Intersection Improvements on August 26, 2021. Bids were received until Wednesday, September 22, 2021. As a result of those received bids, the Town opted to contract with Morton Electric to complete the Marketplace and Highway 79 Intersection Improvements in November 2021. The contract between Morton and the Town was dated 11/1/2021 and was for a total of \$1,173,245 (including bonding), with a date of completion of 3/22/2022.

The date of substantial completion has moved dramatically. Currently the project completion date is scheduled for the first quarter of 2023. These delays are due solely to Colorado Department of Transportation's (CDOT) inability to provide a timely review of the Access Permit application and issue a subsequent Notice to Proceed (NTP) to the Town.

The Town applied for the Access Permit on August 16, 2021 (before the project was even bid) and didn't receive final approval of that until April 25, 2022 (8 months). The following NTP wasn't issued until June 16, 2022 (2 months). By that point and because of those significant delays caused by CDOT, Morton had lost their ability to secure subcontractors and suppliers in to a committed schedule as most of them had planned an early 2022 commitment.

With the NTP not coming until June 2022, Morton was forced to allow contractors to move to other project. Getting those subcontractors scheduled after issuance of the NTP was a challenge as most had their summers and early fall booked out. Morton was finally able to secure subcontractors and suppliers for a November delivery and the schedule as of now is to have all paving operations completed by Thanksgiving.

Considering that Morton's contractors couldn't hold the pricing they provided in November of 2021 to November of 2022, there has been a cost increase, affecting multiple trades and partners.

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## Summary of Change Order MP-79 - 001

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The pending change order for Board approval is MP-79-001 in the amount of \$74,466.70. This is higher than the 5% of the contract total allowed to change without additional approval per Town policy. This change order entails a host of bid unit cost changes versus new unit cost changes, relating to the substantial delays.

Additional change order costs are broken down in the 37 line items listed in the provided attachment. Morton has tried to hold their prices as much as possible and some of the subcontractor materials saw sharper increases than others. The most notable of them is Morton's mobilization and the 36" caissons.



Prior to bringing this change order before the Board, the Town's third party inspection firm (Rock-Sol) reviewed, confirmed and approved these items as "actual costs" before issuing a Change Modification Order (CMO) to the Town for review and approval. This is the process of CMO issuance per CDOT standard operations specifications.

### **Staff Recommendation**

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Staff recommends the Board of Trustees authorize Change Order MP-79 - 001 with Morton Electric, Inc. in an amount not to exceed \$74,466.70 for contractor services to continue the construction of the Marketplace and Highway 79 Intersection Improvements.

### **Attachments**

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1. Original Access Permit and Permit Application dated 8/16/21
2. Notice to Proceed from CDOT dated 6/16/22
3. Change Order MP-79 – 001



**COLORADO**  
Department of  
Transportation

Region 1 Traffic Section  
2829 W Howard Pl, 2nd Floor  
Denver, Colorado 80204  
(720) 541-0441 Fax:

Permit No. **121100**

April 15, 2022

To:  
Daymen Johnson  
207 Muegge Way  
Bennett, Colorado 80102

Dear Permittee:

1. Please review the attached State Highway Access Permit (Form #101) and all enclosed attachments.
2. If you choose NOT to act on the permit, please return the permit unsigned.
3. If you wish to APPEAL the Terms and Conditions of the permit, please refer to the attached Form 101, Pages 2 and 3 for an explanation of the appeal procedures.
4. If you ACCEPT the Permit and its Terms and Conditions and are authorized to sign as legal owner of the property or as an authorized representative, please sign and date the Access Permit form on the line marked "PERMITTEE". Your signature confirms your agreement to all the listed Terms and Conditions.
5. **You must return the signed Access Permit, including all pages of terms and conditions and all attachments, to the Colorado Department of Transportation (CDOT) at the address noted below. The Department will return an executed copy of this permit. You may retain this cover letter for your records.**
6. If you fail to sign and return the attached Access Permit within 60 days of the date of this transmittal letter, Colorado Department of Transportation will consider this permit withdrawn.
7. **As described in the attached Terms and Conditions, you must make a written request to obtain a Notice to Proceed. DO NOT** begin any work within the State Highway Right-of-Way without a validated Access Permit and Notice to Proceed. Use of this permit without the Colorado Department of Transportation's validation shall be considered a violation of State Law.

If you have any questions please call Marilyn Cross, Access Manager at 303-514-5992.

Please return Access Permit and attachments to:

Region 1 Traffic Section  
2829 W Howard Pl, 2nd Floor  
Denver, Colorado 80204

<b>COLORADO DEPARTMENT OF TRANSPORTATION</b> <b>STATE HIGHWAY ACCESS PERMIT</b>			CDOT Permit No. <b>121100</b>
			State Highway No / Mp / Side <b>079A / 0.398 / Left</b>
Permit Fee <b>\$0.00</b>	Date of Transmittal <b>04/15/2022</b>	Region / Section / Patrol / Name <b>1 / 05 / 1 / Daniel Wahrman</b>	Local Jurisdiction <b>Bennett</b>

<b>The Permittee(s):</b>  Daymen Johnson 207 Muegge Way Bennett, Colorado 80102 (303) 644-3249 #1005	<b>The Applicant(s):</b>  Jon Larson 2000 S. Colorado Blvd. Denver, Colorado 80222 (303) 441-5417						
is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.							
Location: This City Street (W Market Place Dr) access is located on the west side of State Highway 79 a distance of 2,227 feet north of mile point 0 or mile point 0.398							
<table border="1"> <tr> <td>Access to Provide Service to: (Land Use Code)</td> <td>(Size)</td> <td>(Units)</td> </tr> <tr> <td><b>1099 - City Street (W Market Place Dr)</b></td> <td><b>1830</b></td> <td><b>DHV</b></td> </tr> </table>		Access to Provide Service to: (Land Use Code)	(Size)	(Units)	<b>1099 - City Street (W Market Place Dr)</b>	<b>1830</b>	<b>DHV</b>
Access to Provide Service to: (Land Use Code)	(Size)	(Units)					
<b>1099 - City Street (W Market Place Dr)</b>	<b>1830</b>	<b>DHV</b>					
Additional Information:  W Market Place Dr/SH 79							

<b>MUNICIPALITY OR COUNTY APPROVAL</b> Required only when the appropriate local authority retains issuing authority.			
Signature	Print Name	Date	Title
Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.			
<b>The permittee shall notify Robert Williams with the Colorado Department of Transportation, at (303) 916-3542 at least 48 hours prior to commencing construction within the State Highway right-of-way.</b>			
The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.			
Permittee Signature: <i>Trish Stiles</i> <small>A729CE676D394E3...</small>	Print Name Trish Stiles	Date 4/20/2022   9:39 AM MDT	
Co-Permittee Signature: (if applicable)	Print Name	Date	
This permit is not valid until signed by a duly authorized representative of the Department.			
<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>			
Signature: <i>Marilyn Cross</i> <small>CE5AA6081E584E5</small>	Print Name Marilyn Cross	Title Access Manager	Date (of issue) 4/20/2022   9:45 PM PDT

**Copy Distribution:**

Required:

- 1.Region
- 2.Applicant

- 3.Staff Access Section
- 4.Central Files

Make copies as necessary for:

- Local Authority
- Inspector
- MTCE Patrol
- Traffic Engineer

Previous editions are obsolete and may not be used

Page 1 of 3 CDOT Form #101 5/07

## State Highway Access Permit Form 101, Page 2

The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

### APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.

2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.

3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.

4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

### PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

### CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)

2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.

3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.

4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

#### CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

#### MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

**PERMIT # 121100**

This City Street (Market Place Dr) access is located on the west side of State Highway 79 a distance of 2,227 feet north of mile point 0 or mile point 0.398

Route: 079, Mile Post: 0.398 Side: Left  
For Permittee: Daymen Johnson

Permit  
Specifics

1. Please refer to this permit number #121100 in all communications and correspondence. READ ALL ADDITIONAL STANDARD REQUIREMENTS ON THE ATTACHED FORM 101 AND OTHER TERMS AND CONDITIONS ON THESE ATTACHED SHEETS . A COPY OF THIS PERMIT INCLUDING ALL TERMS AND CONDITIONS MUST BE ON THE JOB SITE WITH THE CONTRACTOR.
2. This permit is for a Full Movement access.
3. A "Notice to Proceed" (CDOT Form 1265) is required before beginning the construction of the access or any activity located within the State Highway right-of-way. All submittals, documents, plans, proof of insurance and other items must be completed and approved by the Colorado Department of Transportation before a "Notice to Proceed" will be issued. Request a "NOTICE TO PROCEED" in writing from the Issuing Authority.
4. If you should have any questions about this Permit, please call Marilyn Cross, 303-514-5992, Marilyn.cross@state.co.us
5. This access shall be used only for City Street (W Marketplace Dr) purposes with the vehicular volume using the access during the Peak Hour not to exceed vehicles per hour 1,830.
6. Installation of a traffic signal may be required in the future, as determined by the Department, if this access creates safety problems on the State Highway System or if the vehicular volume warrants are met and CDOT makes the determination to signalize. Then, a construction permit will be required. The improvements and signal equipment shall be provided and installed by the Permittee. Construction shall be completed in compliance to COOT Standards and Specifications, in a timely manner, and at no cost to the Department. Failure by the Permittee to provide such improvements may result in the revocation of this access permit and closure of the access approach.
7. Permittee accepts all responsibility of traffic signals and operations from the day of the start of work on the signal until the signals are in their final configuration and CDOT has accepted the signal after inspection by the traffic signal crew, City/County Police/Sheriff and State Patrol.
8. During construction, the Permittee is required to install a tracking pad on private property to mitigate the effects of mud and other debris being



tracked onto the State Highway system. Should debris tracking onto the highway become a problem, CDOT will contact the permittee who shall clean the highway within 24 hours of CDOT contact. Appropriate traffic control shall be used per the M.U.T.C.D.

9. Slopes shall be in accordance to the approved construction plans.
10. No retaining wall shall be built in the State Highway Right of Way.
11. The permittee shall engage the services of a qualified independent third-party inspector, not affiliated with the permittee or construction contractors on the project. Inspector must be traffic certified in the State of Colorado. Inspector shall remain onsite during all activities being performed by the permittee or their contractor. Inspector shall provide daily written inspection reports to CDOT and shall ensure work is in conformance with Access Permit requirements, current CDOT Standard Plans, and current CDOT Standard Specifications.

#### Drainage

12. Areas of roadway and right-of-way disturbed during this access installation shall be restored to their original condition to insure proper strength, drainage and erosion control prior to final acceptance.
13. The access shall be constructed and maintained in a manner that will not cause water to enter onto the roadway, and will not interfere with the existing drainage system within the State Highway Right-of-Way. Drainage to the State Highway right-of-way shall not exceed the historical rate of flow. Discharges to the CDOT highway drainage system from facilities authorized for construction through this Access Permit are only allowed under the following conditions: 1) The discharge is authorized by a Colorado Discharge Permit System (CDPS) permit issued by the Colorado Department of Public Health and Environment (CDPHE); or, 2) The discharge is an "allowable non-storm water discharge"; or, 3) The discharge has been specifically exempted from CDPS permitting by the CDPHE through a letter of permission or other type of written approval. Prohibited discharges include substance such as paint, automotive fluids, solvents, oils or soaps.
14. Any new curb and gutter shall be constructed to ensure proper drainage.

#### Environmental

15. It is the responsibility of the Permittee/Applicant to determine which environmental clearances and/or regulations apply to the project, and to obtain any clearances that are required directly from the appropriate agency. Please refer to or request a copy of the "CDOT Environmental Clearances Information Summary" for details. **FAILURE TO COMPLY WITH REGULATORY REQUIREMENTS MAY RESULT IN SUSPENSION OR REVOCATION OF YOUR CDOT PERMIT, OR ENFORCEMENT ACTIONS BY OTHER AGENCIES.**  
A. All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations.

Prohibited discharges include substances such as: wash water, paint, automotive fluids, solvents, oils or soaps.

B. Unless otherwise identified by the permittee or the Division as not being a source of pollutants to the waters of the State, the following non-stormwater discharges need to be prohibited from entering the MS4: landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration to separate storm sewers, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, individual residential swimming pool and hot tub discharges, individual residential street washing, water line flushing, flows from riparian habitats and wetlands, flows from emergency firefighting activities, and water incidental to street sweeping (including associated sidewalks and medians) and that is not associated with construction. Discharges from these sources may still require separate CDPs permit coverage to be obtained by the discharger.

C. ANY OTHER DISCHARGES may require Colorado Discharge Permit(s) or separate permits from CDPHE or the appropriate agency before work begins. For additional information and forms, go to the CDPHE website at: <http://www.cdphe.state.co.us/wq/PermitsUnit/wqcdpmt.html>

D. Discharges may also be subject to additional State and Local restrictions, such as MS4 (Municipal Separate Storm Water Sewerage Systems) requirements for permanent sediment control, TMDL (Total Maximum Daily Limit), TMAL (Total Maximum Annual Limit) or discharge.

16. All areas of the State Highway Right-of-Way disturbed during construction shall be covered with a minimum of 4 inches of soil conditioner (manure, not synthetic) and re-seeded according to the Department's specifications for grass seed mix as found in Section 212 of the CDOT Standards and Specifications for Road and Bridge Construction or slopes will be re-stabilized with native seeding (mix attached). Efforts to reseed disturbed right-of-way must be monitored by the permittee until revegetation reaches at least 70% of pre-existing vegetation and is accepted by the CDOT Access Inspector.

General

17. On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act CRS 43-1-401, Rules and Regulations Pertaining to Outdoor Advertising. Please contact the CDOT Inspector for any questions regarding advertising devices.
18. NOTIFY THE DEPARTMENT OF TRANSPORTATION INSPECTOR listed on the front page of the permit, TWO WORKING DAYS BEFORE STARTING THE WORK. ANY WORK INVOLVING LANE CLOSURES MUST BE REPORTED TO THE DEPARTMENT ON THE WEDNESDAY OF THE WEEK PRIOR TO THE CLOSURE TAKING PLACE. IF THE LANE CLOSURE IS NOT REPORTED THE WEDNESDAY BEFORE THE WORK IS TO TAKE PLACE, THEN NO LANE CLOSURE WILL BE ALLOWED AND THE WORK WILL NEED TO BE RESCHEDULED FOR A LATER DATE.

19. WORKER SAFETY AND HEALTH

All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment:

1. Head protection that complies with the ANSI Z89.1-1997 standard;
2. At all construction sites or whenever there is danger of injury to feet, protective footwear that complies with the ANSI Z41-1999 standard will be worn;
3. High visibility apparel as specified in the Traffic Control provisions of this permit (at a minimum, ANSI/ISEA 107-1999, Class 2). Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

20. Incorporated as part of this permit may be the following: Application for Access Permit (CDOT Form No. 137) The Permit (CDOT Form No. 101) and its two page attachment (CDOT Form No. 101B)

Notice to Proceed (CDOT Form No. 1265)

Construction Plans

Signing and Striping Plans

Drawings/Maps

Certificate of Liability Insurance (To be submitted to CDOT prior to beginning construction in CDOT Right-of-Way)

21. This Permit is issued in accordance with the State Highway Access Code, and is based upon the information submitted by the Permittee. Any changes in traffic volumes, drainage, type of traffic or other operational aspects may render this Permit void, requiring a new Permit to be issued based upon existing and anticipated future conditions. This Permit is only for the use and purpose stated in the Application and Permit. Any change in type and use and/or volume of traffic using the access may require a revised Permit.

22. If necessary, minor changes, corrections, and/or additions to this permit may be ordered by the Department inspector, other Department representatives or the local authority to meet unanticipated site conditions. Changes may not be in violation of the code and shall be at no cost to the Department or local authority.

23. The Permittee is responsible for obtaining any necessary additional federal, state, and/or city/county permits or clearances required for construction of this access. Approval of this Access Permit does not constitute verification of this action by the Permittee.

24. All costs associated with the installation of this access are the responsibility of the Permittee. This includes the design, construction, utility relocations, testing of materials, inspections and impact restoration.
25. CDOT will determine the extent of inspection services for the work. A daily inspection may be done by the Colorado Department of Transportation from the time work begins inside the highway right-of-way until the job is completed and right-of-way restored to its original condition.
26. No work within the roadway and the State Highway Right-of-Way is allowed on holidays or during adverse weather conditions without prior approval from the Department.
27. A FULLY EXECUTED COMPLETE COPY OF THIS PERMIT MUST BE ON THE JOB SITE WITH THE CONTRACTOR AT ALL TIMES DURING THE CONSTRUCTION. FAILURE TO COMPLY WITH THIS OR ANY OTHER CONSTRUCTION REQUIREMENT MAY RESULT IN THE IMMEDIATE SUSPENSION OF WORK BY ORDER OF THE DEPARTMENT INSPECTOR, THE ISSUING AUTHORITY, OR ANY REPRESENTATIVE OF THE DEPARTMENT.
28. All work is to conform to the State Highway Access Code, and to the plans on file with the Colorado Department of Transportation or as modified by this Permit. (IF DISCREPANCIES ARISE, THIS PERMIT SHALL TAKE PRECEDENCE OVER THE PLANS). The Colorado Department of Transportation plan review is only for the general conformance with the Colorado Department of Transportation design and Code requirements . The Colorado Department of Transportation is not responsible for the accuracy and adequacy of the design. Dimensions, and elevations shall be confirmed and correlated at the job site. The Colorado Department of Transportation, through the approval of this document, assumes no responsibility other than stated above for the completeness and/or accuracy of the plans.
29. Survey markers or monuments must be preserved in their original positions. Notify the Department at 303-757-9212 immediately upon damage to or discovery of any such markers or monuments at the work site. Any survey markers or monuments disturbed during the execution of this permit shall be repaired and/or replaced immediately at the expense of the Permittee.
30. Construction Plans must be approved by the Colorado Department of Transportation, Region I, prior to the issuance of a Notice to Proceed.
31. Upon Completion of the work, and no later than 45 days after CDOT's project acceptance, the Permittee/Contractor/Engineer shall submit an "As Built" plan, showing in detail all construction changes, modifications and revisions. All changes, modifications, and revisions shall be sealed and signed by a Colorado Registered Professional Engineer. The

Submittals shall be placed in a box labeled with all its contents and shall be submitted to the Department Representative.

32. The Department will require the permittee to retain a Professional Engineer (PE) to be in Responsible Charge of Construction Observation. The PE's responsibilities include, but are not limited to: 1. The PE in Responsible Charge of Construction Observation shall evaluate compliance with plans and specifications with regard to the roadway improvements within the State Highway Right-of-Way. The PE's responsibilities shall be defined in Section 5 of the BYLAWS AND RULES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS and the relevant sections of the latest CDOT Standard and Specifications for Road and Bridge Construction. The PE shall carefully monitor the contractor's compliance on all aspects of construction including Construction Work Zone Traffic Control. 2. Engineering Certification: After inspection and before conditional acceptance, the PE shall certify to CDOT, in writing, that all inspections, materials, materials testing, and construction methods conform to the plans, specifications, and purpose of the design. The PE shall be experienced and competent in road and bridge construction management and inspection and materials testing. Certification is defined as a statement that includes all of the following:
  - a. Is sealed and signed by a PE representing that the engineering services addressed therein have been performed by the PE, or under the Professional Engineer in Responsible Charge;
  - b. Is based upon the PE's knowledge, information, and belief; and
  - c. Is in accordance with all applicable CDOT standards and the approved construction plans. The letter of certification and a copy of all test results shall be sent to the Colorado Department of Transportation, Region I Permits Unit, at 2829 West Howard Place, Denver, CO 80204.
33. The Permittee must have available for review at the time of conditional acceptance, all documents relating to construction (i.e.: plans, project correspondence, materials testing and survey notes).
34. In accordance with Section 2.5 (6) of the State Highway Access Code, final acceptance of the access improvements by CDOT, Region 1 will be provided to the Permittee in writing two (2) years from the date of construction completion and conditional acceptance. If you have not received a final acceptance letter in two years, please contact the Permit Unit Office, CDOT Region 1 at 303-512-4272.
35. Any damage to any present highway facilities including traffic control devices shall be repaired immediately at no cost to the Department, or issuing authority and prior to continuing any other work. Any mud or other material tracked or otherwise deposited on the roadway shall be removed daily or as ordered by any representative of the Department or issuing authority. Removal shall be achieved using a "pick up broom" or a vacuum. Washing of the pavement is not allowed due to potential environmental concerns.

36. Call for an inspection of forms at least one working day prior to placing any concrete.
37. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow and ice upon the access even though deposited on the access in the course of Department snow removal operations.
38. Any improvements outside the flow line or beyond the edge of asphalt of the state highway, including but not limited to sidewalks and landscaping, which are installed at the direction of the local land use jurisdiction shall be maintained by the permittee, their heirs or assign
39. This Permit hereby replaces all previous access permit(s) for this ownership, which now become null and void.
40. Where necessary to remove, add, or relocate a State Highway traffic control device, including striping, for the construction of an access approach, such additions, relocation or removals shall be accomplished by the applicant at its own expense and at the direction of the Department.
41. CDOT retains the right to perform any necessary maintenance work in this area.

#### Insurance

42. The State Requires a Certificate of Liability Insurance naming the Colorado Department of Transportation (CDOT) as additionally insured prior to commencing any work on Highway right-of-way. All vendors, contractors, and utility companies shall procure, at their own expense, and maintain for the duration of the work period, the following coverage:
  - A. Standard Workman's Compensation and Employer's Liability, including occupational disease, covering all employees engaged in performance of the work at the site, in the amounts required by State Statutes. Employer's Liability Insurance at a minimum of \$500,000 each accident and \$500,000 each disease.
  - B. Comprehensive General Liability at a minimum of \$1,000,000 each occurrence; \$1,000,000 Personal Injury; \$2,000,000 Products/Completed Operations; \$2,000,000 General Aggregate. CDOT will be endorsed as an Additional Insured by the contractor and all subcontractors. Completed Operations coverage will be provided for a minimum period of two years following the conditional acceptance of work.
  - C. Commercial Automobile Liability will cover all owned, non-owned, and hired vehicles with a minimum of \$1,000,000 combined single limit bodily injury and property damage. The policy will protect CDOT as an Additional Insured and be written on an Occurrence form.



D. Professional Liability Insurance. The Contractor will ensure that all subcontractors procure and maintain a minimum of \$1,000,000 Each Occurrence and \$1,000,000 Annual Aggregate.

E. Umbrella or Excess Liability at a minimum of \$1,000,000. The policy will contain a clause stating that it takes effect (drops down) in the event the primary limits are impaired or exhausted. The policy will be written on an Occurrence form.

#### Traffic

43. No interference with traffic will be allowed after 12:00 Noon the day before a 3- or 4-day holiday weekend, as listed under 108.08 of the Standard Specifications for Road and Bridge Construction
44. Traffic control and work hours on state highways, interstates and freeways will be allowed as determined by the CDOT Inspector for this permit and area only. All work that requires lane closures must be reported to CDOT inspector by the Wednesday the week before the work is to take place.
45. Closing ONE through lane/s on state highways, interstates and freeways will be allowed as follows, unless otherwise approved by CDOT: From 9 a.m.to 2 p.m., OR From 7 p.m.to 6 a.m., for this permit and area only.
46. The Permittee shall coordinate all traffic control operations with any special events in the area. The Permittee shall not schedule operations that interfere with traffic from 2 hours before until 2 hours after any such event.
47. Signing and Striping Plans must be approved by the Colorado Department of Transportation, Region I, prior to the issuance of a Notice to Proceed.
48. Construction Traffic control plans (TCP's) and Methods of Handling Traffic (MHT's) are to be reviewed and accepted before mobilization begins for that construction phase.
49. No equipment will be allowed in the main lanes of the roadway during construction.
50. Any construction equipment with outriggers shall use street pads.
51. No open cuts will be allowed within 30 feet of the edge of the traveled way at night, on weekends, or on holidays.
52. New above ground installations shall be placed outside of roadway "clear zone" as defined by the latest AASHTO Roadside Design Guide or the installation shall have a breakaway system reviewed and approved by CDOT.

#### Traffic

53. Compliance with NCHRP 350 Crashworthiness Certification for Work Zone

## Control

Traffic Control Devices is required. Work zone devices designated by the FHWA as Category I, including but not limited to single-piece drums, tubes, cones and delineators shall meet NCHRP 350 crash test requirements. The Permittee, or their contractor, shall obtain and make available upon request, the manufacturer's written NCHRP 350 certification for each type of Category I device. Work zone devices designated by FHWA as Category II, including but not limited to barricades, vertical panels with light, drums or cones with light, portable sign supports, intrusion detectors and Type III barricades shall meet NCHRP 350 crash test requirements. However, the Permittee may use Category II devices originally purchased prior to October 1, 2002 in accordance with Table 1 for Phased Implementation of Work Zone Devices. The Permittee, or their contractor, shall obtain and make available upon request, the manufacturer's written NCHRP 350 FHWA Acceptance Letter for each type of Category II device, or shall certify that the Category II device was originally purchased prior to October 1, 2002. Work zone devices designated by the FHWA as Category III, including but not limited to barricades, fixed sign supports, crash cushions, and other work zone devices not meeting the definitions of Category I or II shall meet NCHRP 350 crash test requirements. However, the Permittee may use Category III devices originally purchased prior to October 1, 2002 in accordance with Table 1 for Phased Implementation of Work Zone Devices. The Permittee, or their contractor, shall obtain and make available upon request, the manufacturer's written NCHRP 350 FHWA Acceptance Letter for each type of Category III device or shall certify that the Category III device was originally purchased prior to October 1, 2002. FHWA Acceptance Letters for Category II or III Work Zone Devices may be accessed through the FHWA website at <http://safety.fhwa.dot.gov/roadwaydept/roadhardware/wzd.htm>

54. All work that requires traffic control shall be supervised by a registered professional engineer or by a traffic control supervisor certified by the American Traffic Safety Services Association (ATSSA) or the Colorado Contractors Association (CCA). When flagging personnel are required, they shall be certified by the contractor in accordance with the Department standards.
55. The use of appropriate advanced warning and construction traffic control signs, flashers, barricades and flagging is required at all times during construction. These devices shall be located within the State Highway Right-of-Way and be in conformance with the Manual on Uniform Traffic Control Devices, Part, VI and other applicable standards.
56. Construction signs when not in use shall be turned away from the traffic. All work that requires traffic control shall be supervised and implemented by a traffic control supervisor certified by the American Traffic Safety Services Association (ATSSA) or the Colorado Contractors Association (CCA). When flag persons are required they shall be certified.
57. Whenever the work will affect the movement or safety of traffic, the

Permittee shall develop and implement a traffic control plan, and utilize traffic control devices as necessary to ensure the safe and expeditious movement of traffic around and through the work site, and the safety of the work force. The traffic control plan and the application of traffic control devices will conform to the Manual on Uniform Traffic Control Devices (M.U.T.C.D.) and Colorado Supplement thereto, and with the Department's construction traffic control Standards S-630-1, S-630-2 and S-630-3. Permittee's construction traffic control plan is subject to Colorado Department of Transportation approval prior to commencing work on the highway right-of-way. A copy of the approved construction traffic control plan must be available on site during work.

#### Utilities

58. Minimum cover for buried utilities shall be 48 inches.
59. It shall be the responsibility of the Permittee to verify the location of the existing utilities and notify all utility owners or operators of any work that might involve utilities within the State Highway Right-of-Way. Any work necessary to protect existing permitted utilities, such as an encasement, will be the responsibility of the Permittee. Any damage or disruption to any utilities during the construction shall be the Permittee's responsibility and shall be repaired or replaced at no cost to the Department, the issuing authority, or the local jurisdiction. Utilities cannot remain under asphalt or concrete without prior approval from CDOT.
60. Water, traffic signals, sanitary sewer, gas, electrical, landscaping, telephone and fiber optic installations will require individual additional permits. Please contact CDOT inspector for requirements for these permits.
61. Per Senate Bill 18-167, for all Access Permits meeting the following requirements, then an ASCE 38 SUE Level B design investigation must be shown on the plan sheets:
  - a. Installation involves either an underground bore or 1000 contiguous square feet of trenching at greater than 2-foot depth.
  - b. Installation requires the oversight and stamp of a licensed Colorado Professional Engineer per Colorado Revised Statutes §9-1.5-102 (6.8)

If a SUE Level B investigation plan sheet cannot be provided, a licensed Colorado Professional Engineer must justify the rational why in a signed and sealed justification letter to accompany the CDOT Utility Permit application.

#### Design

62. Valve and manhole covers shall be set 1/4 inch minimum to 1/2 inch maximum below finished grade.
63. Consult with the CDOT Project Manager if the existing asphalt adjacent to all new pavement shall be saw cut and removed a minimum of one foot back from the existing edge, or until an acceptable existing cross slope is

achieved, to assure a straight edge for the joint.

64. Permittee shall verify the depth of existing pavement in shoulder areas, and report findings to Inspector prior to widening. Any depths that prove to be less than 9 inches must be removed and replaced.
65. Any new joints in asphalt or concrete shall be within 6 inches of the existing or proposed lane striping. No patch back without CDOT direction.
66. The Permittee is required to comply with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) for any curb ramp construction/alteration/retrofit in CDOT ROW. In addition, the permittee is required to have the PE in responsible charge provide written confirmation of compliance with the PROWAG. Should an existing physical or site constraint be a factor in a curb ramp being built to CDOT specifications the permittee shall use the CDOT Curb Ramp Variance Request Form.

Existing Physical Constraints in the right-of-way include, but are not limited to, underlying terrain, right-of-way availability (justification/documentation for not obtaining ROW is required), underground structures, adjacent developed facilities, drainage, or the presence of a notable natural or historic feature.

The Curb Ramp Standards can be found on the Design and Construction Project support web page at:  
<https://www.codot.gov/business/designsupport/standard-plans>

#### Earthwork

67. All excavations for utility lines, culverts, trenches or tunnels shall meet the requirements of OSHA or the Colorado Department of Transportation, whichever applies.
68. No storage of materials or equipment will be allowed within 30.00 feet of the edge of traveled way.

#### Materials

69. All Materials, equipment, installation, construction and design, including the auxiliary lane(s) and intersection improvement(s) within the State Highway Right-of-Way shall be in accordance with the following Department standard references, and CDOT and local jurisdictions standards as applicable:
  - a. Pavement Design Manual
  - b. Materials Manual
  - c. Construction Manual
  - d. Standard Specifications for Road and Bridge Construction, latest edition and associated standard special provisions
  - e. Colorado Standard Plans (M&S Standards)
  - f. Manual On Uniform Traffic Control Devices (MUTCD) for streets and highways and the latest Colorado Supplements
  - g. A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials

(AASHTO), latest edition

h. Institute of Transportation Engineer's Trip Generation Manual, latest edition

i. State Highway Access Code (2 CCR 601-1)

j. Roadway Design Manual

k. Erosion Control and Stormwater Quality Guide (CDOT, 2002)

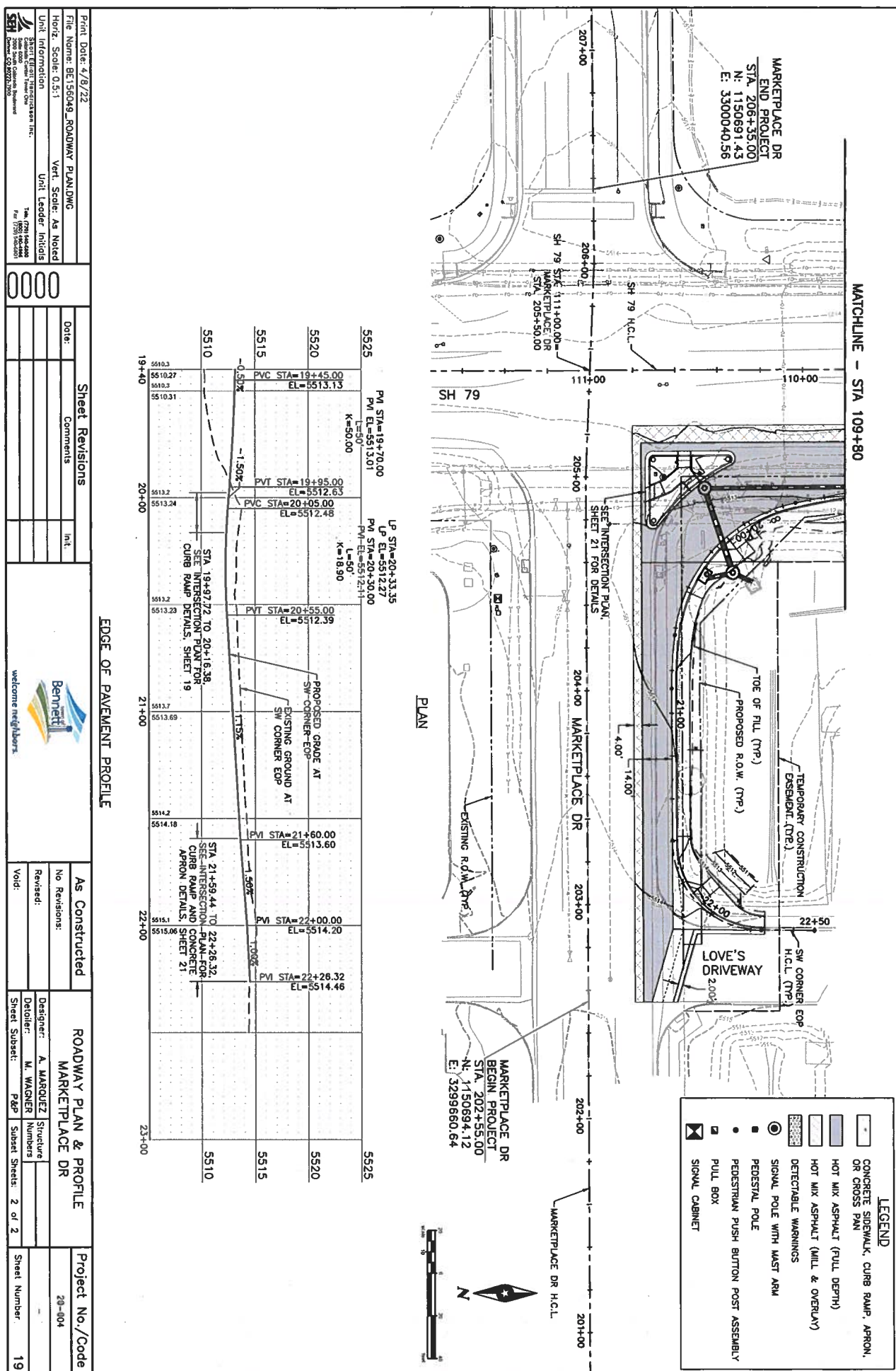
Some of the references listed above may be found at the following links:

<https://www.codot.gov/library/manuals>

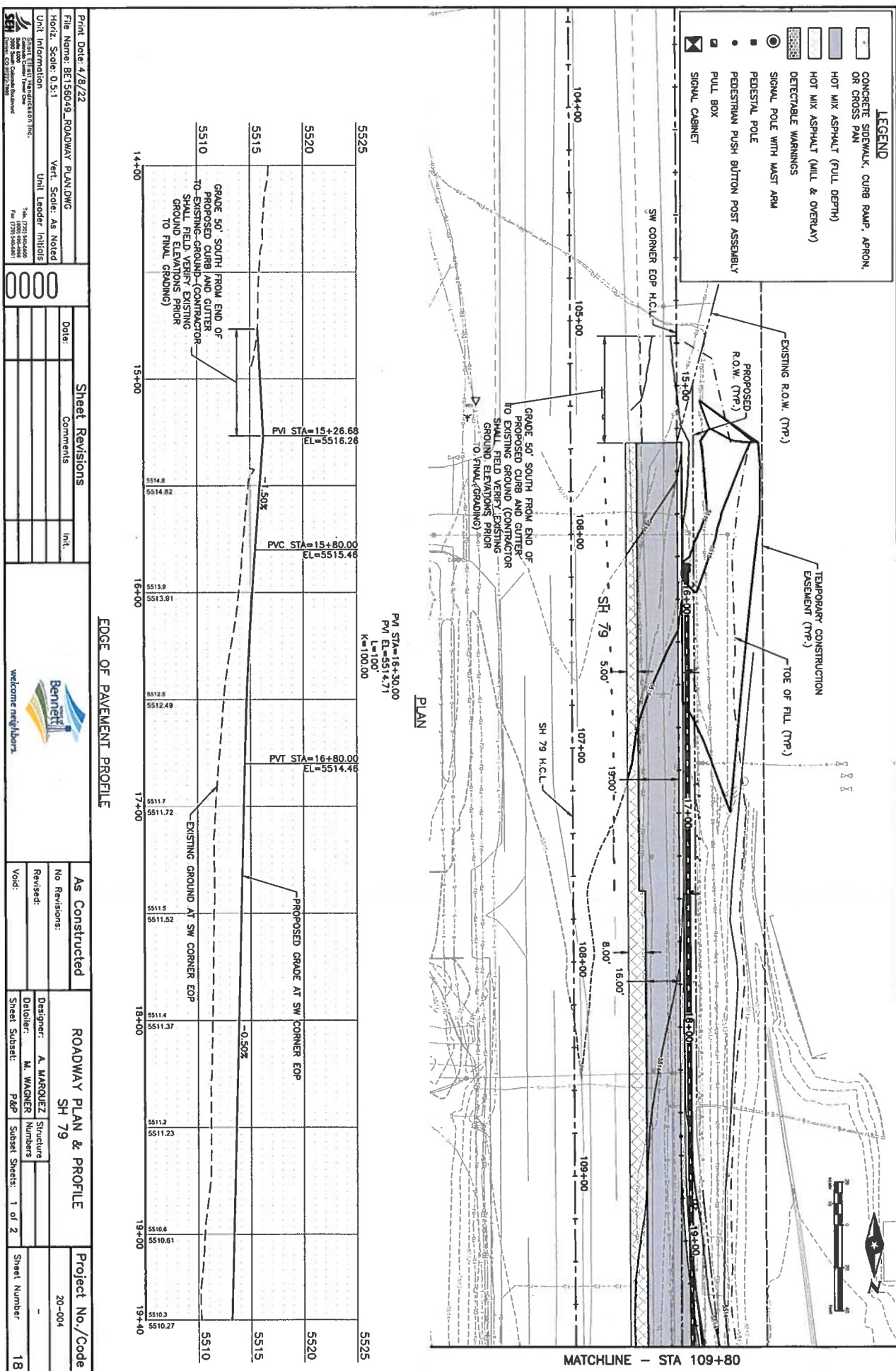
<https://www.codot.gov/business/designsupport/>

<https://www.codot.gov/business/permits/accesspermits/references>

70. Pavement design required for new asphalt. New asphalt shall be placed per the approved pavement design and application lifts as defined in the plans and specifications.
71. All new auxiliary lanes shall be designed in accordance with CDOT Pavement Design Manual and be of the same pavement type as the existing highway.
72. Permittee must obtain cores of both the existing asphalt and the subgrade materials at every location where the roadway surface and subsurface is disturbed to determine existing conditions. This information must be provided to CDOT along with a signed accepted Form 43 for the asphalt mix being utilized for final patching. After review, CDOT will provide a site-specific requirement for remediation of the roadway within CDOT right of way.









## Clearances Information Summary

**PURPOSE** - This summary is intended to inform entities external to CDOT that may be entering the state highway right-of-way to perform work related to their own facilities (such as Utility, Special Use or Access Permitees), about some of the more commonly encountered environmental permits/clearances that may apply to their activities. This listing is not all-inclusive - additional environmental or cultural resource permits/clearances may be required in certain instances. Appropriate local, state and federal agencies should be contacted for additional information if there is any uncertainty about what permits/clearances are required for a specific activity. **IMPORTANT – Please Review The Following Information Carefully – Failure to Comply With Regulatory Requirements May Result In Suspension or Revocation of Your CDOT Permit, Or Enforcement Actions By Other Agencies.**

**CLEARANCE CONTACTS** - As indicated in the permit/clearance descriptions listed below, the following individuals or agencies may be contacted for additional information:

- Colorado Department of Public Health and Environment (CDPHE): General Information – (303) 692-2035  
Water Quality Control Division (WQCD): (303) 692-3500  
Environmental Permitting Website <https://www.colorado.gov/pacific/cdphe/all-permits>
- CDOT Water Quality Program Manager: (303) 757-9343 <https://www.codot.gov/programs/environmental/water-quality>
- CDOT Asbestos Project Manager: Phil Kangas, (303) 512-5519
- Colorado Office of Archaeology and Historic Preservation: (303) 866-5216
- U.S. Army Corps of Engineers, District Regulatory Offices: Omaha District (NE CO), Denver Office (303) 979-4120  
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>  
Sacramento Dist. (Western CO), Grand Junction Office (970) 243-1199  
<http://www.spk.usace.army.mil/Missions/Regulatory.aspx> Albuquerque  
District (SE CO), Pueblo Office (719)-543-9459  
<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>
- CDOT Utilities, Special Use and Access Permitting: (303) 757-9654 <https://www.codot.gov/business/permits>

**Wildlife Resources** - Disturbance of wildlife shall be avoided to the maximum extent practicable. Entry into areas of known or suspected threatened or endangered species habitat will require special authorization from the CDOT permitting office. If any threatened or endangered species are encountered during the progress of the permitted work, work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Information about threatened or endangered species may be obtained from the CDOT website, <http://www.codot.gov/programs/environmental/wildlife/guidelines>, or the Colorado Parks and Wildlife (CPW) website, <http://www.cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>. Additional guidance may be provided by the appropriate Region Planning and Environmental Manager (RPEM).

**Cultural Resources** - The applicant must request a file search of the permit area through the Colorado Office of Archaeology and Historic Preservation (OAH), Denver, to ascertain if historic or archaeological resources have previously been identified (<http://www.historycolorado.org/oahp/file-search>). Inventory of the permit area by a qualified cultural resources specialist may be necessary, per the recommendation of CDOT. If archaeological sites/artifacts or historic resources are known to exist prior to the initiation of the permitted work or are encountered as the project progresses, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office and RPEM. **Contact Information:** Contact the OAH for file searches at (303) 866-5216.

**Paleontological Resources** - The applicant must request a fossil locality file search through the University of Colorado Museum, Boulder (<https://cumuseum.colorado.edu/research/paleontology/vertebrates/policies>), and the Denver Museum of Nature and Science (<http://www.dmns.org/science/collections/earth-science-collections/>) to ascertain if paleontological resources have been previously identified in or near the permit area. Inventory of the permit area by a qualified paleontologist may be necessary, per the recommendation of CDOT. If fossils are encountered during the permitted work, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office in the Permit Special Provisions. **Contact Information:** See the museum websites listed above for Paleontological Collections Manager contact information. Contact the CDOT Paleontologist for further information at [nicole.peavey@state.co.us](mailto:nicole.peavey@state.co.us) or (303) 7579632. The CDOT Paleontologist will not conduct a comprehensive file search independently of the museums.

**Hazardous Materials, Solid Waste** - The Solid Wastes Disposal Sites and Facilities Act C.R.S. 30-20-100, et al, and Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2), prohibit solid waste disposal without an approved Certificate of Designation (a landfill permit). The Colorado Hazardous Waste Act C.R.S. 25-15-301 et al, and the Colorado Hazardous Waste Regulations (6 CCR 1007-3) prohibit the transfer, storage or disposal (TSD) of hazardous waste except at permitted TSD sites. There are no permitted landfills or TSD sites within the State Highway Right of Way. Therefore, all solid or hazardous wastes that might be generated by the activities of entities entering the State Highway Right of Way must be removed from the ROW and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster). If pre-existing solid waste or hazardous materials contamination (including oil or petroleum contaminated soil, asbestos, chemicals, mine tailings, etc.) is encountered during the performance of work, the permittee shall halt work in the affected area and immediately contact the CDOT Regional Permitting Office for direction as to how to proceed. **Contact Information:** Theresa Santangelo-Dreiling, CDOT Hazardous Materials Management Supervisor: (303) 512-5524.

**Asbestos Containing Materials, Asbestos Contaminated Soil** - All work on asbestos containing materials (ACM) must comply with the applicable requirements of the CDPHE Air Pollution Control Division's (APCD) Regulation 8. Disposal of ACM, and work done in asbestos-contaminated soil, must comply with the CDPHE Hazardous Materials and Waste Management Division's (HMWMD) Solid



authorization is being requested. Additional guidance or requirements may be specified in the permit special provisions. **Contact Information:** CDPHE APCD and HMWMD Regulations can be accessed via the CDPHE Environmental Permitting Website listed above. Additional information **concerning clearance on CDOT projects** is available from the CDOT Asbestos Project Manager (303) 5125519, or Theresa Santangelo-Dreiling, Hazardous Materials Management Supervisor: (303) 512-5524.

**Transportation of Hazardous Materials** - No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with the United States Department of Transportation regulations at 49 CFR, Part 171. The hazardous material must be properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements, or an exemption, approval or registration has been issued. Vehicles requiring a placard, must obtain authorization and a State HAZMAT Permit from the Colorado Public Utilities Commission. **Contact Information:** For authorization and more info call the Federal Motor Safety Carrier Administration, US DOT for inter- and intra-state HAZMAT Registration (303) 969-6748. Colorado Public Utilities Commission: (303) 894-2868.

**Discharge of Dredged or Fill Material – 404 Permits Administered By the U.S. Army Corps of Engineers, and Section 401 Water Quality Certifications Issued by the CDPHE WQCD** - Corps of Engineers 404 permits are required for the discharge of dredged or fill materials into waters of the United States, including wetlands. There are various types of 404 permits, including nationwide permits, which are issued for activities with relatively minor impacts. For example, there is a nationwide permit for utility line activities (nwp #12). Depending upon the specific circumstances, it is possible that either a "general" or "individual" 404 permit would be required. If an individual 404 permit is required, section 401 water quality certification from the CDPHE WQCD is also required. Contact the appropriate Corps District Regulatory Office for information about what type of 404 permit may be required (contact information above). Contact the CDPHE Water Quality Control Division at (303) 692-3500.

**Working on or in any stream or its bank** - In order to protect and preserve the state's fish and wildlife resources from actions that may obstruct, diminish, destroy, change, modify, or vary a natural existing stream or its banks or tributaries, it may be necessary to obtain a Senate Bill 40 certification from the Colorado Department of Natural Resources. A stream is defined as 1) represented by a solid blue line on USGS 7.5' quadrangle maps; and/or 2) intermittent streams providing live water beneficial to fish and wildlife; and/or 3) segments of streams supporting 25% or more cover within 100 yards upstream or downstream of the project; and/or 4) segments of streams having wetlands present within 200 yards upstream or downstream of the project measured by valley length. The CPW application, as per guidelines agreed upon by CDOT and CPW, can be accessed at <https://www.codot.gov/programs/environmental/wildlife/guidelines>.

**Stormwater Construction Permit (SCP) and Stormwater Discharge From Industrial Facilities** - Discharges of stormwater runoff from construction sites disturbing one acre or more - or certain types of industrial facilities, such as concrete batch plants - require a CDPS Stormwater Permit. **Contact Information:** Contact the CDPHE Water Quality Control Division at (303) 692-3500. Website: <https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits> and <https://colorado.gov/pacific/cdphe/wq-commerce-andindustry-permits>.

**Construction Dewatering (Discharge or Infiltration) and Remediation Activities** - Discharges of water encountered during excavation or work in wet areas may require a Construction Dewatering or Remediation Activities Discharge Permit. **Contact Information:** For Construction Dewatering and Remediation Activities Discharge Permits, contact the CDPHE WQCD at (303) 6923500. For Applications and Instructions (CDPHE website): <https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits>.

**Municipal Separate Storm Sewer System (MS4) Discharge Permit** - Discharges from the storm sewer systems of larger municipalities, and from the CDOT highway drainage system that lies within those municipalities, are subject to MS4 Permits issued by the CDPHE WQCD. For facilities that lie within the boundaries of a municipality that is subject to an MS4 permit, the owner of such facility should contact the municipality regarding stormwater related clearances that may have been established under that municipality's MS4 permit. All discharges to the CDOT highway drainage system or within the Right of Way (ROW) must comply with the applicable provisions of the Colorado Water Quality Control Act, the Water Quality Control Commission (WQCC) Regulations (<https://www.colorado.gov/pacific/cdphe/wqcc-regulations-and-policies-and-water-quality-statutes>) and the CDOT MS4 Permit # COS000005 (<https://www.codot.gov/programs/environmental/water-quality/documents>). Discharges are subject to inspection by CDOT and CDPHE. Contact the CDPHE Water Quality Control Division at (303) 692-3500 for a listing of municipalities required to obtain MS4 Permits, or go to <https://www.colorado.gov/pacific/cdphe/wq-municipal-ms4-permits>. For CDOT-related MS4 regulations, go to: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs.html>.

**General Prohibition – Discharges** - All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include, but are not limited to, substances such as wash water, paint, automotive fluids, solvents, oils or soaps and sediment. **Contact Information:** Contact the CDPHE Water Quality Control Division at (303) 692-3500.

**General Authorization - Allowable Non-Stormwater Discharges** - Unless otherwise identified by CDOT or the WQCD as significant sources of pollutants to the waters of the State, the following discharges to stormwater systems are allowed without a Colorado Discharge Permit System permit: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, uncontaminated springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from firefighting activities. Allowable non-stormwater discharges can be found under Illicit Discharge PDD at: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs.html>. **Contact Information:** The CDPHE Water Quality Control Division (telephone #'s listed above).

**Erosion and Sediment Control Practices** - For activities requiring a Stormwater Construction Permit, erosion control requirements will be specified in that permit. In situations where a stormwater permit is not required, all reasonable measures should be taken to minimize erosion and sedimentation according to CDOT Standard Specifications 107.25, 208, 213 and 216 (<https://www.codot.gov/business/designsupport/2011-construction-specifications/2011-Specs/2011-specs-book>). All disturbances require a stabilization plan, native seeding or landscape design plan according to applicable CDOT Standard Specifications 212-217 and 623. The CDOT Erosion Control and Stormwater Quality Guide (available from the Bid Plans Office at (303) 757-9313) should be used to design erosion controls and restore disturbed vegetation.



or "solid wastes," and in general, should be pumped or vacuumed from the construction area, removed from the State Highway Right of Way, and disposed of at permitted facilities that specifically accept such wastes. Disposal of drilling fluids into storm drains, storm sewers, roadside ditches or any other type of man-made or natural waterway is prohibited by Water Quality Control and/or Solid Waste regulations. Small quantities of drilling fluid solids (less than 1 cubic yard of solids) may be left on-site after either being separated from fluids or after infiltration of the water, provided: 1) the drilling fluid consists of only water and bentonite clay, or, if required for proper drilling properties, small quantities of polymer additives that are approved for use in drinking water well drilling; 2) the solids are fully contained in a pit, and are not likely to pose a nuisance to future work in the area, 3) the solids are covered and the area restored as required by CDOT permit requirements (Utility, Special Use, or Access Permits, etc.). **Contact Information:** Contact CDPHE (telephone #'s listed above).

**Noxious Weeds and Invasive Species Management Plan** – Noxious Weeds and Invasive Species guidance can be found by contacting the Colorado Department of Agriculture (<https://www.colorado.gov/pacific/agconservation/noxiousweeds>) and the Colorado Division of Parks and Wildlife (<http://cpw.state.co.us/aboutus/Pages/RS-NoxiousWeeds.aspx>). In either case, management plans involving the control of noxious weeds associated with the permitted activity and cleaning of equipment will be required.

**Concrete Washout** - Waste generated from concrete activities shall NOT be allowed to flow into the drainage ways, inlets, receiving waters, or in the CDOT ROW. Concrete waste shall be placed in a temporary concrete washout facility and must be located a minimum of 50 feet from state waters, drainageways, and inlets. Concrete washout shall only be performed as specified by the CDOT Environmental Program and shall be in accordance to CDOT specifications and guidelines. **Contact Information:** Contact CDPHE or find additional information on the CDOT website: <https://www.codot.gov/business/designsupport/2011-construction-specifications/2011-Specs> and refer to the specifications and their revisions for sections 101, 107 and 208.

**Spill Reporting** - Spills shall be contained and cleaned up as soon as possible. Spills shall NOT be washed down into the storm drain or buried. All spills shall be reported to the CDOT Illicit Discharge Hotline at (303) 512-4446 (4H20), as well as the Regional Permitting Office and Regional Maintenance Supervisor. Spills on highways, into waterways, any spill in the highway right-of-way exceeding 25 gallons, or that may otherwise present an immediate danger to the public shall be reported by calling 911, and shall also be reported to the CDPHE at 1-877-518-5608. More information can be found at <https://www.colorado.gov/pacific/cdphe/emergencyreporting-line>.

**About This Form** - Questions or comments about this Information Summary may be directed to Dan Roussin, Program Administrator, CDOT Access Management Unit, at (303) 757-9841, [daniel.roussin@state.co.us](mailto:daniel.roussin@state.co.us)



### What is stormwater runoff?

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the ground. Impervious surfaces like roads and sidewalks prevent stormwater from naturally soaking into the ground

### Why is stormwater runoff a problem?

Stormwater can pick up debris, chemicals, dirt and other pollutants and flow into CDOT's storm drain system or directly into a stream, river, lake, wetland or reservoir. Anything that enters CDOT's storm drain system is discharged untreated into the waterways we use for fishing, swimming, and providing drinking water.



Dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, pH, wrecked or discarded equipment, rock, sand, any industrial, municipal, or agricultural waste.



### Tips for Reporting an Illicit Discharge

Call the illicit discharge hotline at (303) 512-4426  
From a safe distance try to estimate the amount of the discharge.

Identify characteristics of the discharge (color, odor, algae, etc.).

Obtain information on the vehicle dumping the waste (if applicable).

Do not approach!

Call \*CSP for illicit dumping.

If possible, take a photo, record a license plate.

**REMEMBER:**

**Never get too close to the illicit discharge, it may be dangerous!!!**

For more information on CDOT Utility Permits:

<https://www.codot.gov/business/permits/utilities/sspecialuse>

For more information on CDOT Access Permits:

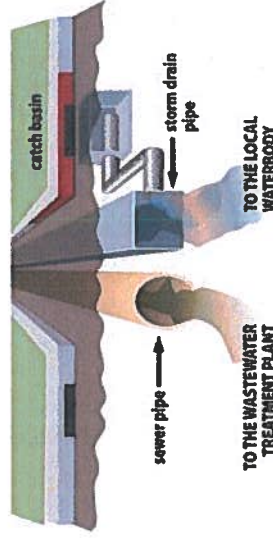
<https://www.codot.gov/business/permits/access/permits>

For more information on CDOT Water Quality Program:

Water Quality Program Manager  
4201 E. Arkansas Ave.  
Shumate Building  
Denver, Colorado 80222  
303-757-9343

## Water Quality Program Industrial Facilities Program

CDOT has a Municipal Separate Storm Sewer System permit, otherwise known as (MS4) from the Colorado Department of Public Health and Environment. The permit states that only stormwater can be discharged from CDOT's storm drain system



*As part of the permit, CDOT has several different programs to prevent pollutants from entering into the storm drain system:*

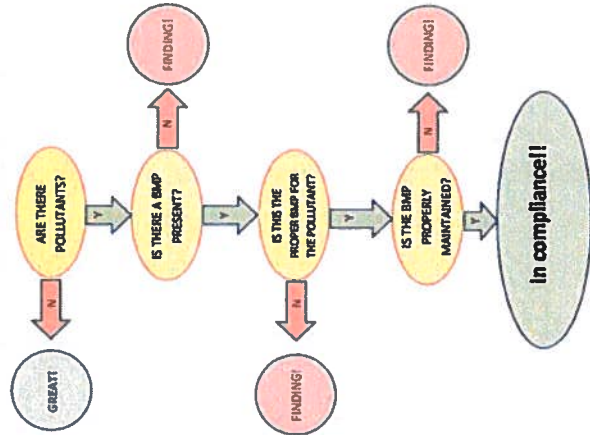
- Construction Site Program
- New Development Redevelopment Program
- Illicit Discharge Program
- Industrial Facilities Program
- Public Education and Outreach Program
- Pollution Prevention and Good Housekeeping Program
- Wet Weather Monitoring Program



## Control Measures for Industrial Facilities

Industrial facilities can use control measures (CM) otherwise known as Best Management Practices (BMP) during the construction of a facility and when operating the facility. Control measures are schedules of activities, maintenance procedures, and other management practices to prevent and reduce pollution entering into CDOT's storm drain system. Control Measures also include treatment, operating procedures, and practices to control site run off which can include structural and non-structural controls.

### THE GAUNTLET



CDOT defines a utility, or utility facility as any privately, publicly, or cooperatively owned line, facility, or system producing, transmitting or distributing the following:

- ✓ Communications
- ✓ Cable television
- ✓ Power
- ✓ Electricity
- ✓ Light
- ✓ Heat Gas
- ✓ Oil
- ✓ Crude Products
- ✓ Water
- ✓ Stream
- ✓ Waste
- ✓ Stormwater not connected with highway drainage
- ✓ Similar Commodity

## Industrial Facilities Program Elements:

1. Educate and outreach to owners or operators that have potential to contribute substantial pollutant to water.
2. Report and include information on discharge and water quality concerns. Provide written notification within 15 days of discovery to CDPHE.
3. Submit an annual report to CDPHE containing the number of informational brochures distributed; name and title of each individual trained.

## Education

There are instances when a utility company or other entity doing work in the state highway right-of-way will require some type of environmental permit or clearance for that work. CDOT has put together an Environmental Clearances Information Summary for those applying for a CDOT Utility and Special Use Permit or Access Permit to obtain all required clearances. This fact sheet is given to each permittee and is available at:

<http://www.coloradodot.info/programs/environmental/resources/guidance-standards/Environmental%20Clearances%20Info%20Summary.pdf>





<b>CDOT WEEKLY OCCUPANCY REPORT FOR THE WEEK OF:</b>		Prepared By:	
Highway No:	Region: 1	Permit #	
Location Description:	Brief Description of Permit:		
Start Date:		End Date:	
CDOT Permit Inspector:		Phone:	Mobile:
Contractor (Prime):		Phone:	Mobile:
TCS Contractor:		Phone:	Mobile:

DAY	DATE	TIMES	MM# to MM#	Direction	LANE(S) CLOSED	DESCRIPTION OF WORK
SUN				N S E W		
MON				N S E W		
TUE				N S E W		
WED				N S E W		
THU				N S E W		
FRI				N S E W		
SAT				N S E W		

If There Is A Lane Closure, How Long Will The Same Lane Closure Be In Effect?

This form must be complete in its entirety, if there are no lanes closed please put appropriate location in the Lane(s) Closed column. Example: Shoulder Work, Median Work.

This form must be filled out and submitted to the appropriate permit coordinator via email by the close of business (COB) Wednesday, the week prior to the scheduled work.

August, 2016

# COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT APPLICATION

Issuing authority application  
acceptance date:

**Instructions:**

**Please print  
or type**

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the issuing authority.
- For additional information see CDOT's Access Management website at <https://www.codot.gov/business/permits/accesspermits>

1) Property owner (Permittee) <b>Town of Bennett - Daymon Johnson</b>		2) Applicant or Agent for permittee (if different from property owner) <b>SEH - Jon Larson</b>	
Street address <b>207 Muegge Way</b>		Mailing address <b>2000 S. Colorado Blvd, Suite 6000</b>	
City, state & zip <b>Bennett, CO 80102</b>	Phone # <b>303.644.3249 #1005</b>	City, state & zip <b>Denver, CO 80222</b>	Phone # (required) <b>720.979.7537</b>
E-mail address <b>djohnson@bennett.co.us</b>		E-mail address if available <b>jlarson@sehinc.com</b>	
3) Address of property to be served by permit (required) <b>Intersection of SH 79 &amp; Marketplace Drive</b>			
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? county <b>Adams</b> subdivision block lot section <b>33</b> township <b>3 South</b> range <b>63 West</b>			
5) What State Highway are you requesting access from? <b>SH 79</b>		6) What side of the highway? <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W	
7) How many feet is the proposed access from the nearest mile post? <b>2,096</b> feet <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: <b>MP 0.00</b>		How many feet is the proposed access from the nearest cross street? <b>0</b> feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: <b>Marketplace Drive</b>	
8) What is the approximate date you intend to begin construction? <b>November 2021</b>			
9) Check here if you are requesting a: <input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated: ) <input checked="" type="checkbox"/> improvement to existing access <input type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail)			
10) Provide existing property use <b>Existing 4-leg intersection: (NB, SB &amp; EB: 1 LT, 1 Thru, 1 RT) (WB: 1 LT + Thru, 1 RT)</b>			
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies:    and/or, permit date:			
12) Does the property owner own or have any interests in any adjacent property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe:			
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.			
14) If you are requesting agricultural field access - how many acres will the access serve? <b>N/A</b>			
15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.			
business/land use	square footage	business	square footage
<b>N/A</b>			
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?			
type	number of units	type	number of units
<b>N/A</b>			
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.			
Indicate if your counts are <input checked="" type="checkbox"/> peak hour volumes or <input type="checkbox"/> average daily volumes.	# of passenger cars and light trucks at peak hour volumes <b>967</b>	# of multi unit trucks at peak hour volumes <b>141</b>	
# of single unit vehicles in excess of 30 ft.	# of farm vehicles (field equipment)	<b>Total count of all vehicles</b> <b>1,108</b>	

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- |  |   |
|--|---|
| a) Property map indicating other access, bordering roads and streets.                                      | e) Subdivision, zoning, or development plan.      |
| b) Highway and driveway plan profile.  | f) Proposed access design.                        |
| c) Drainage plan showing impact to the highway right-of-way.   | g) Parcel and ownership maps including easements. |
| d) Map and letters detailing utility locations before and after development in and along the right-of-way. | h) Traffic studies.                               |
|  | i) Proof of ownership.                            |

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage: <https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental-clearances-info-summary-august-2017/view>

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

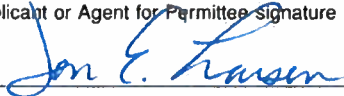
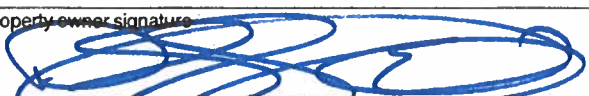
Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <https://www.codot.gov/business/civilrights/ada/resources-engineers>

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

**The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.**

**I understand receipt of an access permit does not constitute permission to start access construction work.**

Applicant or Agent for Permittee signature 	Print name <b>Jon E. Larson</b>	Date <b>8/16/21</b>
If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.		
Property owner signature 	Print name <b>Daymon Johnson</b>	Date <b>8/16/21</b>



**COLORADO**  
Department of  
Transportation

Region 1 Traffic Section  
PH 303-512-4266

June 16, 2022

Daymon Johnson  
207 Muegge Way  
Bennett, Colorado 80102

Re: State Highway Access Permit No. 121100 located in Adams County on CO Highway  
079A near Mile Reference Pt. 0.398 Left

Dear Permittee,

Enclosed is your Notice to Proceed (NTP) for the above stated access permit. This NTP is valid only if the referenced access permit has not expired. Access permits expire one year from the date of issue if not under construction or completed. Your permit will expire on 04-21-2023. Access Permits may be extended twice, for one year at a time, in accordance with Section 2.3(11)(3), of the Access Code. You must obtain a new NTP following the suspension of work through the winter. If the permit has expired and no other extensions are available to you, then a new access permit application must be submitted to CDOT.

You shall notify the CDOT Inspector Robert Williams, at (303) 916-3542, at least 48-hours prior to commencing construction within the State Highway right-of-way. All construction shall be completed in an expeditious and safe manner and shall be finished within 45-days from the start of construction. You must also contact the CDOT Inspector upon completion of access construction to request a final inspection, prior to any use, as allowed by this permit.

All materials and construction shall be completed in accordance with all applicable Department Standards and Specifications, and constructed in conformance with 2 CCR 601-1, State Highway Access Code, including any additional terms and conditions of the issued access permit. A fully endorsed (signed) copy of the issued access permit and the issued NTP shall be available for review at the construction site during construction.

If you have any questions or need more information, please contact me at the office listed above.

Respectfully,

Marilyn Cross  
Region 1 Access Manager



**COLORADO DEPARTMENT OF TRANSPORTATION**  
**STATE HIGHWAY ACCESS CODE**  
**NOTICE TO PROCEED**

CDOT Permit No.

**121100**

State Highway/Mile Post/Side

**079A / 0.398/Left**

Local Jurisdiction

**Bennett****Permittee(s):**

Daymon Johnson  
 207 Muegge Way  
 Bennett, Colorado 80102  
 (303) 644-3249 #1005

**Applicant:**

Jon Larson  
 2000 S. Colorado Blvd.  
 Denver, Colorado 80222  
 (303) 441-5417

The permittee is hereby authorized to proceed with access construction within state highway right-of-way in accordance with the above-referenced State Highway Access Permit and this Notice to Proceed.

This Notice to Proceed is valid only if the referenced Access Permit has not expired. Access Permits expire one year from date of issue if not under construction, or completed. Access Permits may be extended in accordance with Section 2.3(11)(d), of the Access Code.

Adequate advance warning is required at all times during access construction, in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation. The permittee or applicant shall notify the Department prior to commencing construction as indicated on the Access Permit.

Both the Access Permit and this Notice To Proceed shall be available for review at the construction site.

This Notice to Proceed is conditional. The following items shall be addressed prior to or during construction as appropriate.

CDOT's review and acceptance of the plans is for general compliance with CDOT'S Standards and Specifications. Sole responsibility for completeness and accuracy of these plans shall remain with the registered Professional Engineer sealing these plans. CDOT does not accept liabilities for facilities designed and constructed by others.

The Professional Engineer in Charge of Construction Observation is Daniel Giroux, PE, Terramax Engineering, 4420 Golf Vista Drive, Loveland, CO. 80537, 303.929.3194, dangiroux@terramax.us

Third Party Inspector/Construction Oversight will be Rock-Sol Consulting Group, Inc.  
 Attn Travis Miller, PE - Senior Traffic manager, 12076 Grant Street, Thornton, CO. 80241, 719.760.2196,  
 miller@rocksol.com

Note: MHT # 2 Case #19 with One Lane Road with Flaggers is accepted for use with a time restriction of 7:00pm to 6:00 am.

**Municipality or County Approval** (When the appropriate local authority retains issuing authority)

By	Title	Date
(X)		

This Notice is not valid until signed by a duly authorized representative of the Department

**Colorado Department of Transportation**

By	Title	Date
(X) <i>Marilyn Cross</i>	<i>Access Manager</i>	<i>June 16, 2022</i>

Copy distribution: **Required:**  
 Region (original)  
 Applicant

Make copies as necessary for:  
 Local Authority  
 MTCE Patrol  
 Inspector  
 Traffic Engineer

Form 1265 8/98, 6/99

<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>			CDOT Permit No.
<b>STATE HIGHWAY ACCESS PERMIT</b>			<b>121100</b>
Permit Fee	Date of Transmittal	Region / Section / Patrol / Name	State Highway No / Mp / Side
\$0.00	04/15/2022	1 / 05 / 1 / Daniel Wahrman	079A / 0.398 / Left
			Local Jurisdiction
			Bennett

## The Permittee(s):

Daymon Johnson  
207 Muegge Way  
Bennett, Colorado 80102  
(303) 644-3249 #1005

## The Applicant(s):

Jon Larson  
2000 S. Colorado Blvd.  
Denver, Colorado 80222  
(303) 441-5417

is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

Location: This City Street (W Market Place Dr) access is located on the west side of State Highway 79 a distance of 2,227 feet north of mile point 0 or mile point 0.398

Access to Provide Service to: (Land Use Code)	(Size)	(Units)
1099 - City Street (W Market Place Dr)	1830	DHV

## Additional Information:

W Market Place Dr/SH 79

**MUNICIPALITY OR COUNTY APPROVAL**

Required only when the appropriate local authority retains issuing authority.

Signature	Print Name	Date	Title

Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.

**The permittee shall notify Robert Williams with the Colorado Department of Transportation, at (303) 916-3542 at least 48 hours prior to commencing construction within the State Highway right-of-way.**

The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.

Permittee Signature: <i>Trish Stiles</i>	Print Name Trish Stiles	Date 4/20/2022   9:39 AM MDT
DocuSigned by: A729CE676D304E3		
Co-Permittee Signature: (if applicable)	Print Name	Date

This permit is not valid until signed by a duly authorized representative of the Department.

**COLORADO DEPARTMENT OF TRANSPORTATION**

Signature <i>Marilyn Cross</i>	Print Name Marilyn Cross	Title Access Manager	Date (of issue) 4/20/2022   9:45 PM PDT
DocuSigned by: CE5AA6081E584E5			

## Copy Distribution:

Required:  
1.Region  
2.Applicant

3.Staff Access Section  
4.Central Files

## Make copies as necessary for:

Local Authority  
MTCE Patrol  
Inspector  
Traffic Engineer

Previous editions are obsolete and may not be used

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## State Highway Access Permit Form 101, Page 2

The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

### APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.

2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.

3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.

4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

### PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

### CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)

2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.

3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.

4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

#### CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

#### MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

**PERMIT # 121100**

This City Street (Market Place Dr) access is located on the west side of State Highway 79 a distance of 2,227 feet north of mile point 0 or mile point 0.398

Route: 079, Mile Post: 0.398 Side: Left

For Permittee: Daymen Johnson

**Permit  
Specifics**

1. Please refer to this permit number #121100 in all communications and correspondence. READ ALL ADDITIONAL STANDARD REQUIREMENTS ON THE ATTACHED FORM 101 AND OTHER TERMS AND CONDITIONS ON THESE ATTACHED SHEETS . A COPY OF THIS PERMIT INCLUDING ALL TERMS AND CONDITIONS MUST BE ON THE JOB SITE WITH THE CONTRACTOR.
2. This permit is for a Full Movement access.
3. A "Notice to Proceed" (CDOT Form 1265) is required before beginning the construction of the access or any activity located within the State Highway right-of-way. All submittals, documents, plans, proof of insurance and other items must be completed and approved by the Colorado Department of Transportation before a "Notice to Proceed" will be issued. Request a "NOTICE TO PROCEED" in writing from the Issuing Authority.
4. If you should have any questions about this Permit, please call Marilyn Cross, 303-514-5992, Marilyn.cross@state.co.us
5. This access shall be used only for City Street (W Marketplace Dr) purposes with the vehicular volume using the access during the Peak Hour not to exceed vehicles per hour 1,830.
6. Installation of a traffic signal may be required in the future, as determined by the Department, if this access creates safety problems on the State Highway System or if the vehicular volume warrants are met and CDOT makes the determination to signalize. Then, a construction permit will be required. The improvements and signal equipment shall be provided and installed by the Permittee. Construction shall be completed in compliance to COOT Standards and Specifications, in a timely manner, and at no cost to the Department. Failure by the Permittee to provide such improvements may result in the revocation of this access permit and closure of the access approach.
7. Permittee accepts all responsibility of traffic signals and operations from the day of the start of work on the signal until the signals are in their final configuration and CDOT has accepted the signal after inspection by the traffic signal crew, City/County Police/Sheriff and State Patrol.
8. During construction, the Permittee is required to install a tracking pad on private property to mitigate the effects of mud and other debris being

tracked onto the State Highway system. Should debris tracking onto the highway become a problem, CDOT will contact the permittee who shall clean the highway within 24 hours of CDOT contact. Appropriate traffic control shall be used per the M.U.T.C.D.

9. Slopes shall be in accordance to the approved construction plans.
10. No retaining wall shall be built in the State Highway Right of Way.
11. The permittee shall engage the services of a qualified independent third-party inspector, not affiliated with the permittee or construction contractors on the project. Inspector must be traffic certified in the State of Colorado. Inspector shall remain onsite during all activities being performed by the permittee or their contractor. Inspector shall provide daily written inspection reports to CDOT and shall ensure work is in conformance with Access Permit requirements, current CDOT Standard Plans, and current CDOT Standard Specifications.

#### Drainage

12. Areas of roadway and right-of-way disturbed during this access installation shall be restored to their original condition to insure proper strength, drainage and erosion control prior to final acceptance.
13. The access shall be constructed and maintained in a manner that will not cause water to enter onto the roadway, and will not interfere with the existing drainage system within the State Highway Right-of-Way. Drainage to the State Highway right-of-way shall not exceed the historical rate of flow. Discharges to the CDOT highway drainage system from facilities authorized for construction through this Access Permit are only allowed under the following conditions: 1) The discharge is authorized by a Colorado Discharge Permit System (CDPS) permit issued by the Colorado Department of Public Health and Environment (CDPHE); or, 2) The discharge is an "allowable non-storm water discharge"; or, 3) The discharge has been specifically exempted from CDPS permitting by the CDPHE through a letter of permission or other type of written approval. Prohibited discharges include substance such as paint, automotive fluids, solvents, oils or soaps.
14. Any new curb and gutter shall be constructed to ensure proper drainage.

#### Environmental

15. It is the responsibility of the Permittee/Applicant to determine which environmental clearances and/or regulations apply to the project, and to obtain any clearances that are required directly from the appropriate agency. Please refer to or request a copy of the "CDOT Environmental Clearances Information Summary" for details. **FAILURE TO COMPLY WITH REGULATORY REQUIREMENTS MAY RESULT IN SUSPENSION OR REVOCATION OF YOUR CDOT PERMIT, OR ENFORCEMENT ACTIONS BY OTHER AGENCIES.**
  - A. All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations.

Prohibited discharges include substances such as: wash water, paint, automotive fluids, solvents, oils or soaps.

B. Unless otherwise identified by the permittee or the Division as not being a source of pollutants to the waters of the State, the following non-stormwater discharges need to be prohibited from entering the MS4:

landscape irrigation, diverted stream flows, rising ground waters, uncontaminated ground water infiltration to separate storm sewers, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, individual residential swimming pool and hot tub discharges, individual residential street washing, water line flushing, flows from riparian habitats and wetlands, flows from emergency firefighting activities, and water incidental to street sweeping (including associated sidewalks and medians) and that is not associated with construction. Discharges from these sources may still require separate CDPS permit coverage to be obtained by the discharger.

C. ANY OTHER DISCHARGES may require Colorado Discharge Permit(s) or separate permits from CDPHE or the appropriate agency before work begins. For additional information and forms, go to the CDPHE website at: <http://www.cdphe.state.co.us/wq/PermitsUnit/wqcdpmt.html>

D. Discharges may also be subject to additional State and Local restrictions, such as MS4 (Municipal Separate Storm Water Sewerage Systems) requirements for permanent sediment control, TMDL (Total Maximum Daily Limit), TMAL (Total Maximum Annual Limit) or discharge.

16. All areas of the State Highway Right-of-Way disturbed during construction shall be covered with a minimum of 4 inches of soil conditioner (manure, not synthetic) and re-seeded according to the Department's specifications for grass seed mix as found in Section 212 of the CDOT Standards and Specifications for Road and Bridge Construction or slopes will be re-stabilized with native seeding (mix attached). Efforts to reseed disturbed right-of-way must be monitored by the permittee until revegetation reaches at least 70% of pre-existing vegetation and is accepted by the CDOT Access Inspector.

#### General

17. On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act CRS 43-1-401, Rules and Regulations Pertaining to Outdoor Advertising. Please contact the CDOT Inspector for any questions regarding advertising devices.
18. NOTIFY THE DEPARTMENT OF TRANSPORTATION INSPECTOR listed on the front page of the permit, TWO WORKING DAYS BEFORE STARTING THE WORK. ANY WORK INVOLVING LANE CLOSURES MUST BE REPORTED TO THE DEPARTMENT ON THE WEDNESDAY OF THE WEEK PRIOR TO THE CLOSURE TAKING PLACE. IF THE LANE CLOSURE IS NOT REPORTED THE WEDNESDAY BEFORE THE WORK IS TO TAKE PLACE, THEN NO LANE CLOSURE WILL BE ALLOWED AND THE WORK WILL NEED TO BE RESCHEDULED FOR A LATER DATE.

**19. WORKER SAFETY AND HEALTH**

All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment:

1. Head protection that complies with the ANSI Z89.1-1997 standard;
2. At all construction sites or whenever there is danger of injury to feet, protective footwear that complies with the ANSI Z41-1999 standard will be worn;
3. High visibility apparel as specified in the Traffic Control provisions of this permit (at a minimum, ANSI/ISEA 107-1999, Class 2). Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

**20. Incorporated as part of this permit may be the following: Application for Access Permit (CDOT Form No. 137) The Permit (CDOT Form No. 101) and its two page attachment (CDOT Form No. 101B)**

Notice to Proceed (CDOT Form No. 1265)

Construction Plans

Signing and Striping Plans

Drawings/Maps

Certificate of Liability Insurance (To be submitted to CDOT prior to beginning construction in CDOT Right-of-Way)

**21. This Permit is issued in accordance with the State Highway Access Code, and is based upon the information submitted by the Permittee. Any changes in traffic volumes, drainage, type of traffic or other operational aspects may render this Permit void, requiring a new Permit to be issued based upon existing and anticipated future conditions. This Permit is only for the use and purpose stated in the Application and Permit. Any change in type and use and/or volume of traffic using the access may require a revised Permit.****22. If necessary, minor changes, corrections, and/or additions to this permit may be ordered by the Department inspector, other Department representatives or the local authority to meet unanticipated site conditions. Changes may not be in violation of the code and shall be at no cost to the Department or local authority.****23. The Permittee is responsible for obtaining any necessary additional federal, state, and/or city/county permits or clearances required for construction of this access. Approval of this Access Permit does not constitute verification of this action by the Permittee.**



24. All costs associated with the installation of this access are the responsibility of the Permittee. This includes the design, construction, utility relocations, testing of materials, inspections and impact restoration.
25. CDOT will determine the extent of inspection services for the work. A daily inspection may be done by the Colorado Department of Transportation from the time work begins inside the highway right-of-way until the job is completed and right-of-way restored to its original condition.
26. No work within the roadway and the State Highway Right-of-Way is allowed on holidays or during adverse weather conditions without prior approval from the Department.
27. A FULLY EXECUTED COMPLETE COPY OF THIS PERMIT MUST BE ON THE JOB SITE WITH THE CONTRACTOR AT ALL TIMES DURING THE CONSTRUCTION. FAILURE TO COMPLY WITH THIS OR ANY OTHER CONSTRUCTION REQUIREMENT MAY RESULT IN THE IMMEDIATE SUSPENSION OF WORK BY ORDER OF THE DEPARTMENT INSPECTOR, THE ISSUING AUTHORITY, OR ANY REPRESENTATIVE OF THE DEPARTMENT.
28. All work is to conform to the State Highway Access Code, and to the plans on file with the Colorado Department of Transportation or as modified by this Permit. (IF DISCREPANCIES ARISE, THIS PERMIT SHALL TAKE PRECEDENCE OVER THE PLANS). The Colorado Department of Transportation plan review is only for the general conformance with the Colorado Department of Transportation design and Code requirements . The Colorado Department of Transportation is not responsible for the accuracy and adequacy of the design. Dimensions, and elevations shall be confirmed and correlated at the job site. The Colorado Department of Transportation, through the approval of this document, assumes no responsibility other than stated above for the completeness and/or accuracy of the plans.
29. Survey markers or monuments must be preserved in their original positions. Notify the Department at 303-757-9212 immediately upon damage to or discovery of any such markers or monuments at the work site. Any survey markers or monuments disturbed during the execution of this permit shall be repaired and/or replaced immediately at the expense of the Permittee.
30. Construction Plans must be approved by the Colorado Department of Transportation, Region I, prior to the issuance of a Notice to Proceed.
31. Upon Completion of the work, and no later than 45 days after CDOT's project acceptance, the Permittee/Contractor/Engineer shall submit an "As Built" plan, showing in detail all construction changes, modifications and revisions. All changes, modifications, and revisions shall be sealed and signed by a Colorado Registered Professional Engineer. The

Submittals shall be placed in a box labeled with all its contents and shall be submitted to the Department Representative.

32. The Department will require the permittee to retain a Professional Engineer (PE) to be in Responsible Charge of Construction Observation. The PE's responsibilities include, but are not limited to: 1. The PE in Responsible Charge of Construction Observation shall evaluate compliance with plans and specifications with regard to the roadway improvements within the State Highway Right-of-Way. The PE's responsibilities shall be defined in Section 5 of the BYLAWS AND RULES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS and the relevant sections of the latest CDOT Standard and Specifications for Road and Bridge Construction. The PE shall carefully monitor the contractor's compliance on all aspects of construction including Construction Work Zone Traffic Control. 2. Engineering Certification: After inspection and before conditional acceptance, the PE shall certify to CDOT, in writing, that all inspections, materials, materials testing, and construction methods conform to the plans, specifications, and purpose of the design. The PE shall be experienced and competent in road and bridge construction management and inspection and materials testing. Certification is defined as a statement that includes all of the following:
  - a. Is sealed and signed by a PE representing that the engineering services addressed therein have been performed by the PE, or under the Professional Engineer in Responsible Charge;
  - b. Is based upon the PE's knowledge, information, and belief; and
  - c. Is in accordance with all applicable CDOT standards and the approved construction plans. The letter of certification and a copy of all test results shall be sent to the Colorado Department of Transportation, Region I Permits Unit, at 2829 West Howard Place, Denver, CO 80204.
33. The Permittee must have available for review at the time of conditional acceptance, all documents relating to construction (i.e.: plans, project correspondence, materials testing and survey notes).
34. In accordance with Section 2.5 (6) of the State Highway Access Code, final acceptance of the access improvements by CDOT, Region 1 will be provided to the Permittee in writing two (2) years from the date of construction completion and conditional acceptance. If you have not received a final acceptance letter in two years, please contact the Permit Unit Office, CDOT Region 1 at 303-512-4272.
35. Any damage to any present highway facilities including traffic control devices shall be repaired immediately at no cost to the Department, or issuing authority and prior to continuing any other work. Any mud or other material tracked or otherwise deposited on the roadway shall be removed daily or as ordered by any representative of the Department or issuing authority. Removal shall be achieved using a "pick up broom" or a vacuum. Washing of the pavement is not allowed due to potential environmental concerns.

36. Call for an inspection of forms at least one working day prior to placing any concrete.
37. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow and ice upon the access even though deposited on the access in the course of Department snow removal operations.
38. Any improvements outside the flow line or beyond the edge of asphalt of the state highway, including but not limited to sidewalks and landscaping, which are installed at the direction of the local land use jurisdiction shall be maintained by the permittee, their heirs or assign
39. This Permit hereby replaces all previous access permit(s) for this ownership, which now become null and void.
40. Where necessary to remove, add, or relocate a State Highway traffic control device, including striping, for the construction of an access approach, such additions, relocation or removals shall be accomplished by the applicant at its own expense and at the direction of the Department.
41. CDOT retains the right to perform any necessary maintenance work in this area.

#### Insurance

42. The State Requires a Certificate of Liability Insurance naming the Colorado Department of Transportation (CDOT) as additionally insured prior to commencing any work on Highway right-of-way. All vendors, contractors, and utility companies shall procure, at their own expense, and maintain for the duration of the work period, the following coverage:
  - A. Standard Workman's Compensation and Employer's Liability, including occupational disease, covering all employees engaged in performance of the work at the site, in the amounts required by State Statutes. Employer's Liability Insurance at a minimum of \$500,000 each accident and \$500,000 each disease.
  - B. Comprehensive General Liability at a minimum of \$1,000,000 each occurrence; \$1,000,000 Personal Injury; \$2,000,000 Products/Completed Operations; \$2,000,000 General Aggregate. CDOT will be endorsed as an Additional Insured by the contractor and all subcontractors. Completed Operations coverage will be provided for a minimum period of two years following the conditional acceptance of work.
  - C. Commercial Automobile Liability will cover all owned, non-owned, and hired vehicles with a minimum of \$1,000,000 combined single limit bodily injury and property damage. The policy will protect CDOT as an Additional Insured and be written on an Occurrence form.

D. Professional Liability Insurance. The Contractor will ensure that all subcontractors procure and maintain a minimum of \$1,000,000 Each Occurrence and \$1,000,000 Annual Aggregate.

E. Umbrella or Excess Liability at a minimum of \$1,000,000. The policy will contain a clause stating that it takes effect (drops down) in the event the primary limits are impaired or exhausted. The policy will be written on an Occurrence form.

#### Traffic

43. No interference with traffic will be allowed after 12:00 Noon the day before a 3- or 4-day holiday weekend, as listed under 108.08 of the Standard Specifications for Road and Bridge Construction
44. Traffic control and work hours on state highways, interstates and freeways will be allowed as determined by the CDOT Inspector for this permit and area only. All work that requires lane closures must be reported to CDOT inspector by the Wednesday the week before the work is to take place.
45. Closing ONE through lane/s on state highways, interstates and freeways will be allowed as follows, unless otherwise approved by CDOT: From 9 a.m.to 2 p.m., OR From 7 p.m.to 6 a.m., for this permit and area only.
46. The Permittee shall coordinate all traffic control operations with any special events in the area. The Permittee shall not schedule operations that interfere with traffic from 2 hours before until 2 hours after any such event.
47. Signing and Striping Plans must be approved by the Colorado Department of Transportation, Region I, prior to the issuance of a Notice to Proceed.
48. Construction Traffic control plans (TCP's) and Methods of Handling Traffic (MHT's) are to be reviewed and accepted before mobilization begins for that construction phase.
49. No equipment will be allowed in the main lanes of the roadway during construction.
50. Any construction equipment with outriggers shall use street pads.
51. No open cuts will be allowed within 30 feet of the edge of the traveled way at night, on weekends, or on holidays.
52. New above ground installations shall be placed outside of roadway "clear zone" as defined by the latest AASHTO Roadside Design Guide or the installation shall have a breakaway system reviewed and approved by CDOT.

#### Traffic

53. Compliance with NCHRP 350 Crashworthiness Certification for Work Zone

**Control**

Traffic Control Devices is required. Work zone devices designated by the FHWA as Category I, including but not limited to single-piece drums, tubes, cones and delineators shall meet NCHRP 350 crash test requirements. The Permittee, or their contractor, shall obtain and make available upon request, the manufacturer's written NCHRP 350 certification for each type of Category I device. Work zone devices designated by FHWA as Category II, including but not limited to barricades, vertical panels with light, drums or cones with light, portable sign supports, intrusion detectors and Type III barricades shall meet NCHRP 350 crash test requirements. However, the Permittee may use Category II devices originally purchased prior to October 1, 2002 in accordance with Table 1 for Phased Implementation of Work Zone Devices. The Permittee, or their contractor, shall obtain and make available upon request, the manufacturer's written NCHRP 350 FHWA Acceptance Letter for each type of Category II device, or shall certify that the Category II device was originally purchased prior to October 1, 2002. Work zone devices designated by the FHWA as Category III, including but not limited to barricades, fixed sign supports, crash cushions, and other work zone devices not meeting the definitions of Category I or II shall meet NCHRP 350 crash test requirements. However, the Permittee may use Category III devices originally purchased prior to October 1, 2002 in accordance with Table 1 for Phased Implementation of Work Zone Devices. The Permittee, or their contractor, shall obtain and make available upon request, the manufacturer's written NCHRP 350 FHWA Acceptance Letter for each type of Category III device or shall certify that the Category III device was originally purchased prior to October 1, 2002. FHWA Acceptance Letters for Category II or III Work Zone Devices may be accessed through the FHWA website at <http://safety.fhwa.dot.gov/roadwaydept/roadhardware/wzd.htm>

54. All work that requires traffic control shall be supervised by a registered professional engineer or by a traffic control supervisor certified by the American Traffic Safety Services Association (ATSSA) or the Colorado Contractors Association (CCA). When flagging personnel are required, they shall be certified by the contractor in accordance with the Department standards.
55. The use of appropriate advanced warning and construction traffic control signs, flashers, barricades and flagging is required at all times during construction. These devices shall be located within the State Highway Right-of-Way and be in conformance with the Manual on Uniform Traffic Control Devices, Part, VI and other applicable standards.
56. Construction signs when not in use shall be turned away from the traffic. All work that requires traffic control shall be supervised and implemented by a traffic control supervisor certified by the American Traffic Safety Services Association (ATSSA) or the Colorado Contractors Association (CCA). When flag persons are required they shall be certified.
57. Whenever the work will affect the movement or safety of traffic, the

Permittee shall develop and implement a traffic control plan, and utilize traffic control devices as necessary to ensure the safe and expeditious movement of traffic around and through the work site, and the safety of the work force. The traffic control plan and the application of traffic control devices will conform to the Manual on Uniform Traffic Control Devices (M.U.T.C.D.) and Colorado Supplement thereto, and with the Department's construction traffic control Standards S-630-1, S-630-2 and S-630-3. Permittee's construction traffic control plan is subject to Colorado Department of Transportation approval prior to commencing work on the highway right-of-way. A copy of the approved construction traffic control plan must be available on site during work.

#### Utilities

58. Minimum cover for buried utilities shall be 48 inches.
59. It shall be the responsibility of the Permittee to verify the location of the existing utilities and notify all utility owners or operators of any work that might involve utilities within the State Highway Right-of-Way. Any work necessary to protect existing permitted utilities, such as an encasement, will be the responsibility of the Permittee. Any damage or disruption to any utilities during the construction shall be the Permittee's responsibility and shall be repaired or replaced at no cost to the Department, the issuing authority, or the local jurisdiction. Utilities cannot remain under asphalt or concrete without prior approval from CDOT.
60. Water, traffic signals, sanitary sewer, gas, electrical, landscaping, telephone and fiber optic installations will require individual additional permits. Please contact CDOT inspector for requirements for these permits.
61. Per Senate Bill 18-167, for all Access Permits meeting the following requirements, then an ASCE 38 SUE Level B design investigation must be shown on the plan sheets:
- a. Installation involves either an underground bore or 1000 contiguous square feet of trenching at greater than 2-foot depth.
  - b. Installation requires the oversight and stamp of a licensed Colorado Professional Engineer per Colorado Revised Statutes §9-1.5-102 (6.8)

If a SUE Level B investigation plan sheet cannot be provided, a licensed Colorado Professional Engineer must justify the rationale in a signed and sealed justification letter to accompany the CDOT Utility Permit application.

#### Design

62. Valve and manhole covers shall be set 1/4 inch minimum to 1/2 inch maximum below finished grade.
63. Consult with the CDOT Project Manager if the existing asphalt adjacent to all new pavement shall be saw cut and removed a minimum of one foot back from the existing edge, or until an acceptable existing cross slope is



achieved, to assure a straight edge for the joint.

64. Permittee shall verify the depth of existing pavement in shoulder areas, and report findings to Inspector prior to widening. Any depths that prove to be less than 9 inches must be removed and replaced.
65. Any new joints in asphalt or concrete shall be within 6 inches of the existing or proposed lane striping. No patch back without CDOT direction.
66. The Permittee is required to comply with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) for any curb ramp construction/alteration/retrofit in CDOT ROW. In addition, the permittee is required to have the PE in responsible charge provide written confirmation of compliance with the PROWAG. Should an existing physical or site constraint be a factor in a curb ramp being built to CDOT specifications the permittee shall use the CDOT Curb Ramp Variance Request Form.

Existing Physical Constraints in the right-of-way include, but are not limited to, underlying terrain, right-of-way availability (justification/documentation for not obtaining ROW is required), underground structures, adjacent developed facilities, drainage, or the presence of a notable natural or historic feature.

The Curb Ramp Standards can be found on the Design and Construction Project support web page at:  
<https://www.codot.gov/business/designsupport/standard-plans>

#### Earthwork

67. All excavations for utility lines, culverts, trenches or tunnels shall meet the requirements of OSHA or the Colorado Department of Transportation, whichever applies.
68. No storage of materials or equipment will be allowed within 30.00 feet of the edge of traveled way.

#### Materials

69. All Materials, equipment, installation, construction and design, including the auxiliary lane(s) and intersection improvement(s) within the State Highway Right-of-Way shall be in accordance with the following Department standard references, and CDOT and local jurisdictions standards as applicable:
  - a. Pavement Design Manual
  - b. Materials Manual
  - c. Construction Manual
  - d. Standard Specifications for Road and Bridge Construction, latest edition and associated standard special provisions
  - e. Colorado Standard Plans (M&S Standards)
  - f. Manual On Uniform Traffic Control Devices (MUTCD) for streets and highways and the latest Colorado Supplements
  - g. A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials

(AASHTO), latest edition

h. Institute of Transportation Engineer's Trip Generation Manual, latest edition

i. State Highway Access Code (2 CCR 601-1)

j. Roadway Design Manual

k. Erosion Control and Stormwater Quality Guide (CDOT, 2002)

Some of the references listed above may be found at the following links:

<https://www.codot.gov/library/manuals>

<https://www.codot.gov/business/designsupport/>

<https://www.codot.gov/business/permits/accesspermits/references>

70. Pavement design required for new asphalt. New asphalt shall be placed per the approved pavement design and application lifts as defined in the plans and specifications.
71. All new auxiliary lanes shall be designed in accordance with CDOT Pavement Design Manual and be of the same pavement type as the existing highway.
72. Permittee must obtain cores of both the existing asphalt and the subgrade materials at every location where the roadway surface and subsurface is disturbed to determine existing conditions. This information must be provided to CDOT along with a signed accepted Form 43 for the asphalt mix being utilized for final patching. After review, CDOT will provide a site-specific requirement for remediation of the roadway within CDOT right of way.







## COLORADO DEPARTMENT OF TRANSPORTATION Environmental Clearances Information Summary

**PURPOSE** - This summary is intended to inform entities external to CDOT that may be entering the state highway right-of-way to perform work related to their own facilities (such as Utility, Special Use or Access Permittees), about some of the more commonly encountered environmental permits/clearances that may apply to their activities. This listing is not all-inclusive - additional environmental or cultural resource permits/clearances may be required in certain instances. Appropriate local, state and federal agencies should be contacted for additional information if there is any uncertainty about what permits/clearances are required for a specific activity. **IMPORTANT – Please Review The Following Information Carefully – Failure to Comply With Regulatory Requirements May Result In Suspension or Revocation of Your CDOT Permit, Or Enforcement Actions By Other Agencies.**

**CLEARANCE CONTACTS** - As indicated in the permit/clearance descriptions listed below, the following individuals or agencies may be contacted for additional information:

- Colorado Department of Public Health and Environment (CDPHE): General Information – (303) 692-2035  
Water Quality Control Division (WQCD): (303) 692-3500  
Environmental Permitting Website <https://www.colorado.gov/pacific/cdphe/all-permits>
- CDOT Water Quality Program Manager: (303) 757-9343 <https://www.codot.gov/programs/environmental/water-quality>
- CDOT Asbestos Project Manager: Phil Kangas, (303) 512-5519
- Colorado Office of Archaeology and Historic Preservation: (303) 866-5216
- U.S. Army Corps of Engineers, District Regulatory Offices: Omaha District (NE CO), Denver Office (303) 979-4120  
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>
- Sacramento Dist. (Western CO), Grand Junction Office (970) 243-1199  
<http://www.spk.usace.army.mil/Missions/Regulatory.aspx> Albuquerque
- District (SE CO), Pueblo Office (719)-543-9459  
<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>
- CDOT Utilities, Special Use and Access Permitting: (303) 757-9654 <https://www.codot.gov/business/permits>

**Wildlife Resources** - Disturbance of wildlife shall be avoided to the maximum extent practicable. Entry into areas of known or suspected threatened or endangered species habitat will require special authorization from the CDOT permitting office. If any threatened or endangered species are encountered during the progress of the permitted work, work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Information about threatened or endangered species may be obtained from the CDOT website, <http://www.codot.gov/programs/environmental/wildlife/guidelines>, or the Colorado Parks and Wildlife (CPW) website, <http://www.cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>. Additional guidance may be provided by the appropriate Region Planning and Environmental Manager (RPEM).

**Cultural Resources** - The applicant must request a file search of the permit area through the Colorado Office of Archaeology and Historic Preservation (OAHP), Denver, to ascertain if historic or archaeological resources have previously been identified (<http://www.historycolorado.org/oaHP/file-search>). Inventory of the permit area by a qualified cultural resources specialist may be necessary, per the recommendation of CDOT. If archaeological sites/artifacts or historic resources are known to exist prior to the initiation of the permitted work or are encountered as the project progresses, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office and RPEM. **Contact Information:** Contact the OAHP for file searches at (303) 866-5216.

**Paleontological Resources** - The applicant must request a fossil locality file search through the University of Colorado Museum, Boulder (<https://cumuseum.colorado.edu/research/paleontology/vertebrates/policies>), and the Denver Museum of Nature and Science (<http://www.dmns.org/science/collections/earth-science-collections/>) to ascertain if paleontological resources have been previously identified in or near the permit area. Inventory of the permit area by a qualified paleontologist may be necessary, per the recommendation of CDOT. If fossils are encountered during the permitted work, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office in the Permit Special Provisions. **Contact Information:** See the museum websites listed above for Paleontological Collections Manager contact information. Contact the CDOT Paleontologist for further information at [nicole.peavey@state.co.us](mailto:nicole.peavey@state.co.us) or (303) 7579632. The CDOT Paleontologist will not conduct a comprehensive file search independently of the museums.

**Hazardous Materials, Solid Waste** - The Solid Wastes Disposal Sites and Facilities Act C.R.S. 30-20-100, et al, and Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2), prohibit solid waste disposal without an approved Certificate of Designation (a landfill permit). The Colorado Hazardous Waste Act C.R.S. 25-15-301 et al, and the Colorado Hazardous Waste Regulations (6 CCR 1007-3) prohibit the transfer, storage or disposal (TSD) of hazardous waste except at permitted TSD sites. There are no permitted landfills or TSD sites within the State Highway Right of Way. Therefore, all solid or hazardous wastes that might be generated by the activities of entities entering the State Highway Right of Way must be removed from the ROW and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster). If pre-existing solid waste or hazardous materials contamination (including oil or petroleum contaminated soil, asbestos, chemicals, mine tailings, etc.) is encountered during the performance of work, the permittee shall halt work in the affected area and immediately contact the CDOT Regional Permitting Office for direction as to how to proceed. **Contact Information:** Theresa Santangelo-Dreiling, CDOT Hazardous Materials Management Supervisor: (303) 512-5524.

**Asbestos Containing Materials, Asbestos Contaminated Soil** - All work on asbestos containing materials (ACM) must comply with the applicable requirements of the CDPHE Air Pollution Control Division's (APCD) Regulation 8. Disposal of ACM, and work done in asbestos-contaminated soil, must comply with the CDPHE Hazardous Materials and Waste Management Division's (HMWMD) Solid



authorization is being requested. Additional guidance or requirements may be specified in the permit special provisions. **Contact Info:** CDPHE APCD and HMWMD Regulations can be accessed via the CDPHE Environmental Permitting Website listed above. Additional information concerning clearance on CDOT projects is available from the CDOT Asbestos Project Manager (303) 5125519, or Theresa Santangelo-Dreiling, Hazardous Materials Management Supervisor: (303) 512-5524.

**Transportation of Hazardous Materials** - No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with the United States Department of Transportation regulations at 49 CFR, Part 171. The hazardous material must be properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements, or an exemption, approval or registration has been issued. Vehicles requiring a placard, must obtain authorization and a State HAZMAT Permit from the Colorado Public Utilities Commission. **Contact Information:** For authorization and more info call the Federal Motor Safety Carrier Administration, US DOT for inter- and intra-state HAZMAT Registration (303) 969-6748. Colorado Public Utilities Commission: (303) 894-2868.

**Discharge of Dredged or Fill Material – 404 Permits Administered By the U.S. Army Corps of Engineers, and Section 401 Water Quality Certifications Issued by the CDPHE WQCD** - Corps of Engineers 404 permits are required for the discharge of dredged or fill materials into waters of the United States, including wetlands. There are various types of 404 permits, including nationwide permits, which are issued for activities with relatively minor impacts. For example, there is a nationwide permit for utility line activities (nwp #12). Depending upon the specific circumstances, it is possible that either a "general" or "individual" 404 permit would be required. If an individual 404 permit is required, section 401 water quality certification from the CDPHE WQCD is also required. Contact the appropriate Corps District Regulatory Office for information about what type of 404 permit may be required (contact information above). Contact the CDPHE Water Quality Control Division at (303) 692-3500.

**Working on or in any stream or its bank** - In order to protect and preserve the state's fish and wildlife resources from actions that may obstruct, diminish, destroy, change, modify, or vary a natural existing stream or its banks or tributaries, it may be necessary to obtain a Senate Bill 40 certification from the Colorado Department of Natural Resources. A stream is defined as 1) represented by a solid blue line on USGS 7.5' quadrangle maps; and/or 2) intermittent streams providing live water beneficial to fish and wildlife; and/or 3) segments of streams supporting 25% or more cover within 100 yards upstream or downstream of the project; and/or 4) segments of streams having wetlands present within 200 yards upstream or downstream of the project measured by valley length. The CPW application, as per guidelines agreed upon by CDOT and CPW, can be accessed at <https://www.codot.gov/programs/environmental/wildlife/guidelines>.

**Stormwater Construction Permit (SCP) and Stormwater Discharge From Industrial Facilities** - Discharges of stormwater runoff from construction sites disturbing one acre or more - or certain types of industrial facilities, such as concrete batch plants - require a CDPS Stormwater Permit. **Contact Information:** Contact the CDPHE Water Quality Control Division at (303) 692-3500. Website: <https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits> and <https://colorado.gov/pacific/cdphe/wq-commerce-and-industry-permits>.

**Construction Dewatering (Discharge or Infiltration) and Remediation Activities** - Discharges of water encountered during excavation or work in wet areas may require a Construction Dewatering or Remediation Activities Discharge Permit. **Contact Information:** For Construction Dewatering and Remediation Activities Discharge Permits, contact the CDPHE WQCD at (303) 6923500. For Applications and Instructions (CDPHE website): <https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits>.

**Municipal Separate Storm Sewer System (MS4) Discharge Permit** - Discharges from the storm sewer systems of larger municipalities, and from the CDOT highway drainage system that lies within those municipalities, are subject to MS4 Permits issued by the CDPHE WQCD. For facilities that lie within the boundaries of a municipality that is subject to an MS4 permit, the owner of such facility should contact the municipality regarding stormwater related clearances that may have been established under that municipality's MS4 permit. All discharges to the CDOT highway drainage system or within the Right of Way (ROW) must comply with the applicable provisions of the Colorado Water Quality Control Act, the Water Quality Control Commission (WQCC) Regulations (<https://www.colorado.gov/pacific/cdphe/wqcc-regulations-and-policies-and-water-quality-statutes>) and the CDOT MS4 Permit # COS000005 (<https://www.codot.gov/programs/environmental/water-quality/documents>). Discharges are subject to inspection by CDOT and CDPHE. Contact the CDPHE Water Quality Control Division at (303) 692-3500 for a listing of municipalities required to obtain MS4 Permits, or go to <https://www.colorado.gov/pacific/cdphe/wq-municipal-ms4-permits>. For CDOT-related MS4 regulations, go to: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs.html>.

**General Prohibition – Discharges** - All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include, but are not limited to, substances such as wash water, paint, automotive fluids, solvents, oils or soaps and sediment. **Contact Information:** Contact the CDPHE Water Quality Control Division at (303) 692-3500.

**General Authorization - Allowable Non-Stormwater Discharges** - Unless otherwise identified by CDOT or the WQCD as significant sources of pollutants to the waters of the State, the following discharges to stormwater systems are allowed without a Colorado Discharge Permit System permit: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, uncontaminated springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from firefighting activities. Allowable non-stormwater discharges can be found under Illicit Discharge PDD at: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs.html>. **Contact Information:** The CDPHE Water Quality Control Division (telephone #'s listed above).

**Erosion and Sediment Control Practices** - For activities requiring a Stormwater Construction Permit, erosion control requirements will be specified in that permit. In situations where a stormwater permit is not required, all reasonable measures should be taken to minimize erosion and sedimentation according to CDOT Standard Specifications 107.25, 208, 213 and 216 (<https://www.codot.gov/business/designsupport/2011-construction-specifications/2011-Specs/2011-specs-book>). All disturbances require a stabilization plan, native seeding or landscape design plan according to applicable CDOT Standard Specifications 212-217 and 623. The CDOT Erosion Control and Stormwater Quality Guide (available from the Bid Plans Office at (303) 757-9313) should be used to design erosion controls and restore disturbed vegetation.



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**Noxious Weeds and Invasive Species Management Plan** – Noxious Weeds and Invasive Species guidance can be found by contacting the Colorado Department of Agriculture (<https://www.colorado.gov/pacific/agconservation/noxiousweeds>) and the Colorado Division of Parks and Wildlife (<http://cpw.state.co.us/aboutus/Pages/RS-NoxiousWeeds.aspx>). In either case, management plans involving the control of noxious weeds associated with the permitted activity and cleaning of equipment will be required.

**Concrete Washout** - Waste generated from concrete activities shall NOT be allowed to flow into the drainage ways, inlets, receiving waters, or in the CDOT ROW. Concrete waste shall be placed in a temporary concrete washout facility and must be located a minimum of 50 feet from state waters, drainageways, and inlets. Concrete washout shall only be performed as specified by the CDOT Environmental Program and shall be in accordance to CDOT specifications and guidelines. **Contact Information:** Contact CDPHE or find additional information on the CDOT website: <https://www.codot.gov/business/designsupport/2011-construction-specifications/2011-Specs> and refer to the specifications and their revisions for sections 101, 107 and 208.

**Spill Reporting** - Spills shall be contained and cleaned up as soon as possible. Spills shall NOT be washed down into the storm drain or buried. All spills shall be reported to the CDOT Illicit Discharge Hotline at (303) 512-4446 (4H20), as well as the Regional Permitting Office and Regional Maintenance Supervisor. Spills on highways, into waterways, any spill in the highway right-of-way exceeding 25 gallons, or that may otherwise present an immediate danger to the public shall be reported by calling 911, and shall also be reported to the CDPHE at 1-877-518-5608. More information can be found at <https://www.colorado.gov/pacific/cdphe/emergencyreporting-line>.

**About This Form** - Questions or comments about this Information Summary may be directed to Dan Roussin, Program Administrator, CDOT Access Management Unit, at (303) 757-9841, [daniel.roussin@state.co.us](mailto:daniel.roussin@state.co.us)

### What is stormwater runoff?

Stormwater runoff occurs when precipitation from rain or snowmelt flows over the ground. Impervious surfaces like roads and sidewalks prevent stormwater from naturally soaking into the ground.

### Why is stormwater runoff a problem?

Stormwater can pick up debris, chemicals, dirt and other pollutants and flow into CDOT's storm drain system or directly into a stream, river, lake, wetland or reservoir. Anything that enters CDOT's storm drain system is discharged untreated into the waterways we use for fishing, swimming, and providing drinking water.



Dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, pH, wrecked or discarded equipment, rock, sand, any industrial, municipal, or agricultural waste.

### Tips for Reporting an Illicit Discharge

Call the illicit discharge hotline at (303) 512-4426  
From a safe distance try to estimate the amount of the discharge.

Identify characteristics of the discharge (color, odor, algae, etc.).

Obtain information on the vehicle dumping the waste (if applicable).

Do not approach!

Call \*CSP for illicit dumping.

If possible, take a photo, record a license plate.

**REMEMBER:**

*Never get too close to the illicit discharge, it may be dangerous!!!*

For more information on CDOT Utility Permits:

<https://www.codot.gov/business/permits/utilities/specialuse>

For more information on CDOT Access Permits:

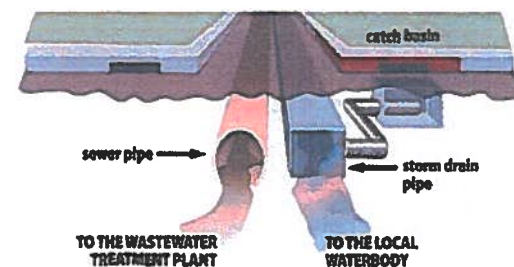
<https://www.codot.gov/business/permits/access/permits>

For more information on CDOT Water Quality Program:

Water Quality Program Manager  
4201 E. Arkansas Ave.  
Shumate Building  
Denver, Colorado 80222  
303-757-9343

## Water Quality Program Industrial Facilities Program

CDOT has a Municipal Separate Storm Sewer System permit, otherwise known as (MS4) from the Colorado Department of Public Health and Environment. The permit states that only stormwater can be discharged from CDOT's storm drain system.

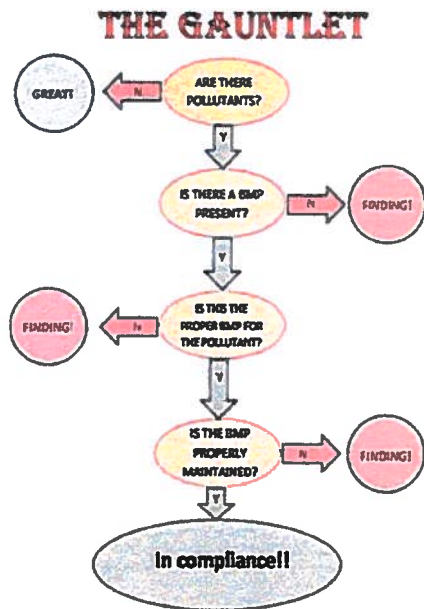


*As part of the permit, CDOT has several different programs to prevent pollutants from entering into the storm drain system:*

- Construction Site Program
- New Development Redevelopment Program
- Illicit Discharge Program
- Industrial Facilities Program
- Public Education and Outreach Program
- Pollution Prevention and Good Housekeeping Program
- Wet Weather Monitoring Program

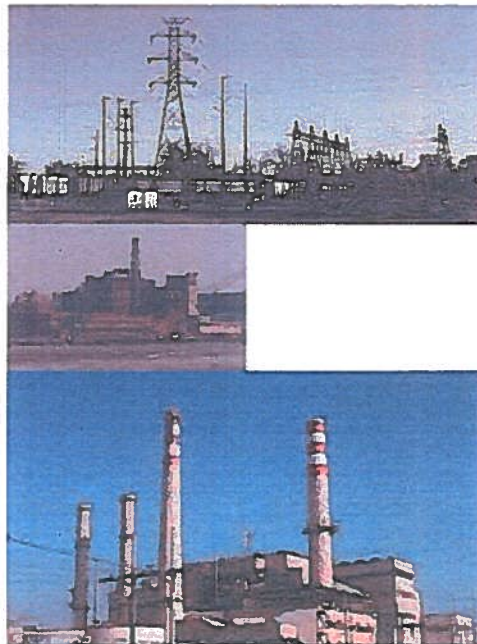
## Control Measures for Industrial Facilities

Industrial facilities can use control measures (CM) otherwise known as Best Management Practices (BMP) during the construction of a facility and when operating the facility. Control measures are schedules of activities, maintenance procedures, and other management practices to prevent and reduce pollution entering into CDOT's storm drain system. Control Measures also include treatment, operating procedures, and practices to control site run off which can include structural and non-structural controls.



CDOT defines a utility, or utility facility as any privately, publicly, or cooperatively owned line, facility, or system producing, transmitting or distributing the following:

- ✓ Communications
- ✓ Cable television
- ✓ Power
- ✓ Electricity
- ✓ Light
- ✓ Heat Gas
- ✓ Oil
- ✓ Crude Products
- ✓ Water
- ✓ Stream
- ✓ Waste
- ✓ Stormwater not connected with highway drainage
- ✓ Similar Commodity



## Industrial Facilities Program Elements:

1. Educate and outreach to owners or operators that have potential to contribute substantial pollutant to water.
2. Report and include information on discharge and water quality concerns. Provide written notification within 15 days of discovery to CDPHE.
3. Submit an annual report to CDPHE containing the number of informational brochures distributed; name and title of each individual trained.

## Education

There are instances when a utility company or other entity doing work in the state highway right-of-way will require some type of environmental permit or clearance for that work. CDOT has put together an Environmental Clearances Information Summary for those applying for a CDOT Utility and Special Use Permit or Access Permit to obtain all required clearances. This fact sheet is given to each permittee and is available at: <http://www.coloradodot.info/programs/environmental/resources/guidance-standards/Environmental%20Clearances%20Info%20Summary.pdf>

<b>CDOT WEEKLY OCCUPANCY REPORT FOR THE WEEK OF:</b>		Prepared By:	
Highway No:	Region: 1	Permit #	
Location Description:	Brief Description of Permit:		
Start Date:		End Date:	
CDOT Permit Inspector:		Phone:	Mobile:
Contractor (Prime):		Phone:	Mobile:
TCS Contractor:		Phone:	Mobile:

DAY	DATE	TIMES	MM# to MM#	Direction	LANE(S) CLOSED	DESCRIPTION OF WORK
SUN				N S E W		
MON				N S E W		
TUE				N S E W		
WED				N S E W		
THU				N S E W		
FRI				N S E W		
SAT				N S E W		

If There Is A Lane Closure, How Long Will The Same Lane Closure Be In Effect?

This form must be complete in its entirety, if there are no lanes closed please put appropriate location in the Lane(s) Closed column. Example: Shoulder Work, Median Work.

This form must be filled out and submitted to the appropriate permit coordinator via email by the close of business (COB) Wednesday, the week prior to the scheduled work.

August, 2016



**COLORADO DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY ACCESS PERMIT APPLICATION**

 Issuing authority application  
acceptance date:

**Instructions:**
**Please print  
or type**

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the issuing authority.
- For additional information see CDOT's Access Management website at <https://www.codot.gov/business/permits/accesspermits>

1) Property owner (Permittee) <b>Town of Bennett - Daymon Johnson</b>		2) Applicant or Agent for permittee (if different from property owner) <b>SEH - Jon Larson</b>	
Street address <b>207 Muegge Way</b>		Mailing address <b>2000 S. Colorado Blvd, Suite 6000</b>	
City, state & zip <b>Bennett, CO 80102</b>	Phone # <b>303.644.3249 #1005</b>	City, state & zip <b>Denver, CO 80222</b>	Phone # (required) <b>720.979.7537</b>
E-mail address <b>djohnson@bennett.co.us</b>		E-mail address if available <b>jlarson@sehinc.com</b>	
3) Address of property to be served by permit (required) <b>Intersection of SH 79 &amp; Marketplace Drive</b>			
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? county <b>Adams</b> subdivision      block      lot      section <b>33</b> township <b>3 South</b> range <b>63 West</b>			
5) What State Highway are you requesting access from? <b>SH 79</b>		6) What side of the highway? <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W	
7) How many feet is the proposed access from the nearest mile post? <b>2,096</b> feet <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: <b>MP 0.00</b>		How many feet is the proposed access from the nearest cross street? <b>0</b> feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: <b>Marketplace Drive</b>	
8) What is the approximate date you intend to begin construction? <b>November 2021</b>			
9) Check here if you are requesting a: <input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated:      ) <input checked="" type="checkbox"/> improvement to existing access <input type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail)			
10) Provide existing property use <b>Existing 4-leg intersection: (NB, SB &amp; EB: 1 LT, 1 Thru, 1 RT) (WB: 1 LT + Thru, 1 RT)</b>			
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies:      and/or, permit date:			
12) Does the property owner own or have any interests in any adjacent property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe:			
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.			
14) If you are requesting agricultural field access - how many acres will the access serve? <b>N/A</b>			
15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.			
business/land use	square footage	business	square footage
<b>N/A</b>			
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?			
type	number of units	type	number of units
<b>N/A</b>			
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.			
Indicate if your counts are <input checked="" type="checkbox"/> peak hour volumes or <input type="checkbox"/> average daily volumes.	# of passenger cars and light trucks at peak hour volumes <b>967</b>	# of multi unit trucks at peak hour volumes <b>141</b>	
# of single unit vehicles in excess of 30 ft.	# of farm vehicles (field equipment)	Total count of all vehicles <b>1,108</b>	

Previous editions are obsolete and may not be used

Page 1 of 2 CDOT Form #137 12/18

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- |  |   |
|--|---|
| a) Property map indicating other access, bordering roads and streets.                                      | e) Subdivision, zoning, or development plan.      |
| b) Highway and driveway plan profile.  | f) Proposed access design.                        |
| c) Drainage plan showing impact to the highway right-of-way.   | g) Parcel and ownership maps including easements. |
| d) Map and letters detailing utility locations before and after development in and along the right-of-way. | h) Traffic studies.                               |
|  | i) Proof of ownership.                            |

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage: <https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental-clearances-info-summary-august-2017/view>

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.



Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <https://www.codot.gov/business/civilrights/ada/resources-engineers>

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

**The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.**

**I understand receipt of an access permit does not constitute permission to start access construction work.**

Applicant or Agent for Permittee signature 	Print name <b>Jon E. Larson</b>	Date <b>8/16/21</b>
If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.		
Property owner signature 	Print name <b>Daymon Johnson</b>	Date <b>8/16/21</b>





## Town Of Bennett

# CHANGE ORDER – MP-79-001

9/5/2022

Date: \_\_\_\_\_ 847

Original PO: \_\_\_\_\_ D2C Architects

Vendor: \_\_\_\_\_

1.	Description/Explanation: Pricing Increase per CMO-01 for asphalt. Increase due to CDOT delays in issuing access permit.	\$ 74,466.70
2.	Description/Explanation:	\$
3.	Description/Explanation:	\$

Original Contract Amount: \$ 1,173,245.00

Change Order Amount: \$ 74,466.70

Percentage of Change % .06

Revised Contract Amount: \$ 1,247,711.70

*Section 30 - PURCHASE ORDER(S) POLICY AND PROCEDURE of your finance policy states:*

***Purchase Order Amendments:***

*A purchase order amendment shall be required when an amendment to an existing purchase order is necessary. If the amendment is less than 5% or \$500 (whichever is less) then the amendment will be automatic, meaning that the Treasurer will pay the invoice if all the required documents are provided in the check request. If the amount is greater than 5% or \$500 (whichever is less) then the approval process must be initiated again.*

We hereby agree to the above as an additional/reduced project cost(s) to be added/deleted to the original scope of work:

---

Department Head

Date

<b>Town of Bennett</b>  <b>CONTRACT MODIFICATION ORDER</b>	Project No. 20-004	Project code (SA#)
	Location: SH 79 & Marketplace Intersection – Town of Bennett	
	Date: September 2, 2022	Project order No. 01

Contractor: Morton Electric, Inc.	Estimated cost to project <input checked="" type="checkbox"/> Increase      Decrease      \$74,466.70	
Complete Address: 1049 Meadow Lane, Pueblo, CO 81006	Total Additional days allowed to complete work: 0	Federal oversight yes <input checked="" type="checkbox"/> no
Modification title: New Unit Prices		

Your Contract is hereby modified to change the Bid Unit Cost to the New Unit Cost for the items shown in the table:

Item Number	Item Description	Unit	Roadway	Bid Unit Cost	New Unit	Extended Cost	Increase
201-00001	Clearing and Grubbing	ACRE	0.57	\$ 6,000.00	\$ 6,200.00	\$ 3,534.00	\$ 114.00
202-00019	Removal of Inlet	EACH	1	\$ 2,500.00	\$ 2,550.00	\$ 2,550.00	\$ 50.00
202-00200	Removal of Sidewalk	SY	143	\$ 40.00	\$ 41.00	\$ 5,863.00	\$ 143.00
202-00203	Removal of Curb and Gutter	LF	256	\$ 14.50	\$ 15.50	\$ 3,968.00	\$ 256.00
202-00220	Removal of Asphalt Mat	SY	395	\$ 45.00	\$ 46.00	\$ 18,170.00	\$ 395.00
202-00240	Removal of Asphalt Mat (Planing)	SY	563	\$ 20.00	\$ 22.00	\$ 12,386.00	\$ 1,126.00
202-00810	Removal of Ground Sign	EACH	2	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ -
203-00010	Unclassified Excavation (Complete In Place)	CY	768	\$ 55.00	\$ 58.00	\$ 44,544.00	\$ 2,304.00
203-01597	Potholing	HOUR	40	\$ 225.00	\$ 275.00	\$ 11,000.00	\$ 2,000.00
210-04020	Modify Inlet	EACH	1	\$ 2,500.00	\$ 2,600.00	\$ 2,600.00	\$ 100.00
210-XXXX	Reset Ground Sign (Special)	EACH	1	\$ 750.00	\$ 775.00	\$ 775.00	\$ 25.00
403-33841	Hot Mix Asphalt (Grading S) (100) (PG 64-22)	TON	120	\$ 500.00	\$ 525.00	\$ 63,000.00	\$ 3,000.00
403-34871	Hot Mix Asphalt (Grading SX) (100) (PG 76-28)	TON	39	\$ 500.00	\$ 525.00	\$ 20,475.00	\$ 975.00
412-00190	Concrete Pavement (Patching)	SY	36.4	\$ 173.00	\$ 182.00	\$ 6,624.80	\$ 327.60
503-00018	Drilled Caisson (18 Inch)	LF	5	\$ 250.00	\$ 275.00	\$ 1,375.00	\$ 125.00
503-00036	Drilled Caisson (36 Inch)	LF	57	\$ 460.00	\$ 700.00	\$ 39,900.00	\$ 13,680.00
503-00042	Drilled Caisson (42 Inch)	LF	17	\$ 580.00	\$ 800.00	\$ 13,600.00	\$ 3,740.00
603-01185	18 Inch Reinforced Concrete Pipe (Complete In	LF	261	\$ 250.00	\$ 262.00	\$ 68,382.00	\$ 3,132.00
604-19105	Inlet Type R L 5 (5 Foot)	EACH	2	\$ 6,000.00	\$ 6,250.00	\$ 12,500.00	\$ 500.00
604-30005	Manhole Slab Base (5 Foot)	EACH	2	\$ 2,500.00	\$ 2,750.00	\$ 5,500.00	\$ 500.00
608-00006	Concrete Sidewalk (6 Inch)	SY	188.2	\$ 130.00	\$ 135.00	\$ 25,407.00	\$ 941.00
608-00010	Concrete Curb Ramp	SY	61.7	\$ 247.00	\$ 250.00	\$ 15,425.00	\$ 185.10
609-21010	Curb and Gutter Type 2 (Section I-B)	LF	40	\$ 42.00	\$ 49.00	\$ 1,960.00	\$ 280.00
609-21020	Curb and Gutter Type 2 (Section II-B)	LF	719	\$ 43.00	\$ 50.00	\$ 35,950.00	\$ 5,033.00
609-24010	Gutter Type 2 (10 Foot)	LF	36	\$ 23.00	\$ 36.00	\$ 1,296.00	\$ 468.00
613-00206	2 Inch Electrical Conduit (Bored)	LF	365	\$ 30.00	\$ 33.00	\$ 12,045.00	\$ 1,095.00
613-00306	3 Inch Electrical Conduit (Bored)	LF	730	\$ 35.00	\$ 38.00	\$ 27,740.00	\$ 2,190.00
613-01200	2 Inch Electrical Conduit (Plastic)	LF	200	\$ 30.00	\$ 33.00	\$ 6,600.00	\$ 600.00
613-01300	3 Inch Electrical Conduit (Plastic)	LF	165	\$ 30.00	\$ 33.00	\$ 5,445.00	\$ 495.00
614-81011	Traffic Signal-Light Pole Steel (1 Mast Arm) (Install	EACH	4	\$ 4,000.00	\$ 4,250.00	\$ 17,000.00	\$ 1,000.00
620-00002	Field Office (Class 2)	EACH	1	\$ 17,000.00	\$ 17,850.00	\$ 17,850.00	\$ 850.00
620-00012	Field Laboratory (Class 2)	EACH	1	\$ 23,000.00	\$ 24,150.00	\$ 24,150.00	\$ 1,150.00
620-00020	Sanitary Facility	EACH	1	\$ 6,000.00	\$ 6,300.00	\$ 6,300.00	\$ 300.00
625-00000	Construction Surveying	L S	1	\$ 13,800.00	\$ 15,400.00	\$ 15,400.00	\$ 1,600.00
626-00000	Mobilization	L S	1	\$ 212,876.00	\$ 234,163.00	\$ 234,163.00	\$ 21,287.00
630-00007	Traffic Control Inspection	DAY	40	\$ 350.00	\$ 425.00	\$ 17,000.00	\$ 3,000.00
630-00012	Traffic Control Management	DAY	20	\$ 950.00	\$ 1,025.00	\$ 20,500.00	\$ 1,500.00
						Total Cost	\$ 74,466.70

The Contractor's signature below indicates full acceptance and settlement for the work described.

I accept this order, for work to be performed and prices on which payment is to be based.

Contractor representative signature:	Date	Authorized by Town of Bennett signature:	Date
_____	_____	_____	_____



**Town of  
Bennett**  
REQUEST FOR PROPOSALS  
BID SCHEDULE

207 MUEGGE WAY BENNETT,  
COLORADO  
80102-7806  
(303) 644-3249  
(303) 644-4125 – FAX

**I BID SCHEDULE: SH 79 & MARKETPLACE DR SIGNAL & INTERSECTION IMPROVEMENTS**

Item Number	Item Description	Unit	Roadway	Unit Cost	Extended Cost	Unit Cost	Cost	
201-00001	Clearing and Grubbing	ACRE	0.67	\$ 6,200.00	\$ 3,534.00	6000	\$3,420.00	\$114.00
202-00019	Removal of Inlet	EACH	1	\$ 2,550.00	\$ 2,550.00	2500	\$2,500.00	\$50.00
202-00200	Removal of Sidewalk	SY	143	\$ 41.00	\$ 5,863.00	40	\$5,720.00	\$143.00
202-00203	Removal of Curb and Gutter	LF	256	\$ 15.50	\$ 3,968.00	14.5	\$3,712.00	\$256.00
202-00220	Removal of Asphalt Mat	SY	395	\$ 46.00	\$ 18,170.00	45	\$17,775.00	\$395.00
202-00240	Removal of Asphalt Mat (Planing)	SY	563	\$ 22.00	\$ 12,386.00	20	\$11,260.00	\$1,126.00
202-00610	Removal of Ground Sign	EACH	2	\$ 500.00	\$ 1,000.00	500	\$1,000.00	\$0.00
203-00010	Unclassified Excavation (Complete In Place)	CY	768	\$ 58.00	\$ 44,544.00	55	\$42,240.00	\$2,304.00
203-01597	Potholing	HOURL	40	\$ 275.00	\$ 11,000.00	225	\$9,000.00	\$2,000.00
208-00002	Erosion Log Type 1 (12 Inch)	LF	524	\$ 9.00	\$ 4,716.00	9	\$4,716.00	\$0.00
208-00020	Silt Fence	LF	935	\$ 30.00	\$ 28,050.00	30	\$28,050.00	\$0.00
208-00035	Aggregate Bag	LF	204	\$ 15.00	\$ 3,060.00	15	\$3,060.00	\$0.00
208-00048	Pre-fabricated Concrete Washout Structure	EACH	1	\$ 1,045.00	\$ 1,045.00	1045	\$1,045.00	\$0.00
208-00051	Storm Drain Inlet Protection (Type I)	LF	38	\$ 55.00	\$ 1,980.00	55	\$1,980.00	\$0.00
208-00056	Storm Drain Inlet Protection (Type III)	EACH	1	\$ 700.00	\$ 700.00	700	\$700.00	\$0.00
208-00075	Pre-fabricated Vehicle Tracking Pad	EACH	1	\$ 2,700.00	\$ 2,700.00	2700	\$2,700.00	\$0.00
208-00106	Sweeping (Sediment Removal)	HOURL	10	\$ 85.00	\$ 850.00	85	\$850.00	\$0.00
210-00810	Reset Ground Sign	EACH	1	\$ 500.00	\$ 500.00	500	\$500.00	\$0.00
210-00815	Reset Sign Panel	EACH	2	\$ 500.00	\$ 1,000.00	500	\$1,000.00	\$0.00
210-04020	Modify Inlet	EACH	1	\$ 2,600.00	\$ 2,600.00	2500	\$2,500.00	\$100.00
210-XXXXXX	Reset Ground Sign (Special)	EACH	1	\$ 775.00	\$ 775.00	750	\$750.00	\$25.00
212-00706	Seeding (Native) Drill	ACRE	0.4	\$ 6,000.00	\$ 2,400.00	6000	\$2,400.00	\$0.00
213-00002	Mulching (Weed Free Hay)	ACRE	0.4	\$ 6,000.00	\$ 2,400.00	6000	\$2,400.00	\$0.00
213-00061	Mulch Tackifier	LB	66	\$ 25.00	\$ 1,650.00	25	\$1,650.00	\$0.00
304-06004	Aggregate Base Course (Class 6)	SY	1594	\$ 90.00	\$ 143,460.00	90	\$143,460.00	\$0.00
403-33841	Hot Mix Asphalt (Grading S) (100) (PG 64-22)	TON	120	\$ 525.00	\$ 63,000.00	500	\$60,000.00	\$3,000.00
403-34871	Hot Mix Asphalt (Grading SX) (100) (PG 76-28)	TON	39	\$ 525.00	\$ 20,475.00	500	\$19,500.00	\$975.00
412-00190	Concrete Pavement (Patching)	SY	36.4	\$ 182.00	\$ 6,624.80	173	\$6,297.20	\$327.60
503-00018	Drilled Caisson (18 Inch)	LF	5	\$ 275.00	\$ 1,375.00	250	\$1,250.00	\$125.00
503-00036	Drilled Caisson (36 Inch)	LF	67	\$ 700.00	\$ 39,900.00	460	\$26,220.00	\$13,680.00
503-00042	Drilled Caisson (42 Inch)	LF	17	\$ 800.00	\$ 13,600.00	580	\$9,860.00	\$3,740.00
603-01185	18 Inch Reinforced Concrete Pipe (Complete In Place)	LF	261	\$ 262.00	\$ 68,382.00	250	\$65,250.00	\$3,132.00
604-19105	Inlet Type R L 5 (5 Foot)	EACH	2	\$ 6,250.00	\$ 12,500.00	6000	\$12,000.00	\$500.00
604-30005	Manhole Slab Base (5 Foot)	EACH	2	\$ 2,750.00	\$ 5,500.00	2500	\$5,000.00	\$500.00
608-00006	Concrete Sidewalk (6 Inch)	SY	142	\$ 135.00	\$ 25,407.00	130	\$24,466.00	\$941.00
608-00010	Concrete Curb Ramp	SY	61.7	\$ 250.00	\$ 15,425.00	247	\$15,239.90	\$185.10
609-21010	Curb and Gutter Type 2 (Section I-B)	LF	40	\$ 49.00	\$ 1,960.00	42	\$1,680.00	\$280.00
609-21020	Curb and Gutter Type 2 (Section II-B)	LF	719	\$ 50.00	\$ 35,950.00	43	\$30,917.00	\$5,033.00
609-24010	Gutter Type 2 (10 Foot)	LF	38	\$ 36.00	\$ 1,296.00	23	\$828.00	\$468.00
612-00001	Delineator (Type I)	EACH	4	\$ 300.00	\$ 1,200.00	300	\$1,200.00	\$0.00
612-00002	Delineator (Type II)	EACH	2	\$ 300.00	\$ 600.00	300	\$600.00	\$0.00
613-00206	2 Inch Electrical Conduit (Bored)	LF	395	\$ 33.00	\$ 12,945.00	30	\$10,950.00	\$1,095.00
613-00306	3 Inch Electrical Conduit (Bored)	LF	730	\$ 38.00	\$ 27,740.00	35	\$25,550.00	\$2,190.00
613-01200	2 Inch Electrical Conduit (Plastic)	LF	200	\$ 33.00	\$ 6,600.00	30	\$6,000.00	\$600.00
613-01300	3 Inch Electrical Conduit (Plastic)	LF	165	\$ 33.00	\$ 5,445.00	30	\$4,950.00	\$495.00
613-07034	Pull Box (24"x36"x18")	EACH	4	\$ 2,000.00	\$ 8,000.00	2000	\$8,000.00	\$0.00
613-10000	Wiring	LS	1	\$ 22,300.00	\$ 22,300.00	22300	\$22,300.00	\$0.00
613-13000	Luminaire (LED)	EACH	4	\$ 850.00	\$ 3,400.00	850	\$3,400.00	\$0.00
613-80130	Service Meter Cabinet	EACH	4	\$ 7,500.00	\$ 7,500.00	7500	\$7,500.00	\$0.00
614-00011	Sign Panel (Class I)	SF	34	\$ 30.00	\$ 1,020.00	30	\$1,020.00	\$0.00
614-00012	Sign Panel (Class II)	SF	88.5	\$ 40.00	\$ 3,540.00	40	\$3,540.00	\$0.00
614-00029	Sign Panel (Class III) (Install Only)	EACH	4	\$ 250.00	\$ 1,000.00	250	\$1,000.00	\$0.00
614-01573	Steel Sign Support (2-1/2 Inch Round NP-40) (Post & Signbase)	EACH	4	\$ 700.00	\$ 2,800.00	700	\$2,800.00	\$0.00
614-70150	Pedestrian Signal Face (16) (Countdown)	EACH	8	\$ 605.00	\$ 4,840.00	605	\$4,840.00	\$0.00
614-70336	Traffic Signal Face (12-12-12)	EACH	11	\$ 805.00	\$ 8,855.00	805	\$8,855.00	\$0.00
614-70448	Traffic Signal Face (12-12-12-12)	EACH	8	\$ 1,150.00	\$ 9,200.00	1150	\$9,200.00	\$0.00
614-72855	Traffic Signal Controller Cabinet	EACH	1	\$ 28,500.00	\$ 28,500.00	28500	\$28,500.00	\$0.00
614-72863	Pedestrian Push Button Post Assembly	EACH	4	\$ 2,500.00	\$ 10,000.00	2500	\$10,000.00	\$0.00
614-72866	Fire Preemption Unit and Timer	EACH	2	\$ 3,200.00	\$ 6,400.00	3200	\$6,400.00	\$0.00
614-72865	Vehicle Detection System (Single Camera)	EACH	4	\$ 10,575.00	\$ 42,300.00	10575	\$42,300.00	\$0.00

**BID SCHEDULE: SH 79 & MARKETPLACE DR SIGNAL & INTERSECTION IMPROVEMENTS  
(Cont'd)**

Item Number	Item Description	Unit	Roadway	Unit Cost	Extended Cost	Unit Cost	Cost	
614-81011	Traffic Signal-Light Pole Steel (1 Mast Arm) (Install Only)	EACH	4	\$ 4,250.00	\$ 17,000.00	4000	\$16,000.00	\$1,000.00
614-84000	Traffic Signal Pedestal Pole Steel	EACH	1	\$ 3,250.00	\$ 3,250.00	3250	\$3,250.00	\$0.00
614-86800	Uninterrupted Power Supply	EACH	1	\$ 7,500.00	\$ 7,500.00	7500	\$7,500.00	\$0.00
614-87890	Ethernet Switch	EACH	1	\$ 7,500.00	\$ 7,500.00	7500	\$7,500.00	\$0.00
620-00002	Field Office (Class 2)	EACH	1	\$ 17,850.00	\$ 17,850.00	17000	\$17,000.00	\$850.00
620-00012	Field Laboratory (Class 2)	EACH	1	\$ 24,150.00	\$ 24,150.00	23000	\$23,000.00	\$1,150.00
620-00020	Sanitary Facility	EACH	1	\$ 6,300.00	\$ 6,300.00	6000	\$6,000.00	\$300.00
625-00000	Construction Surveying	LS	1	\$ 15,400.00	\$ 15,400.00	13800	\$13,800.00	\$1,600.00
626-00000	Mobilization	LS	1	\$ 234,163.00	\$ 234,163.00	212876	\$212,876.00	\$2,287.00
627-00008	Modified Epoxy Pavement Marking	GAL	16	\$ 468.00	\$ 7,488.00	468	\$7,488.00	\$0.00
627-00011	Pavement Marking Paint (Waterborne)	GAL	10	\$ 248.00	\$ 2,480.00	248	\$2,480.00	\$0.00
627-30205	Thermoplastic Pavement Marking (Word-Symbol)	SF	105	\$ 20.00	\$ 2,100.00	20	\$2,100.00	\$0.00
627-30210	Thermoplastic Pavement Marking (Xwalk-Stopline)	SF	600	\$ 14.00	\$ 8,400.00	14	\$8,400.00	\$0.00
630-00000	Flagging	HOURL	64	\$ 83.00	\$ 5,312.00	83	\$5,312.00	\$0.00

630-00003	Uniformed Traffic Control	HOUR	84	\$	88.00	\$	5,632.00
630-00007	Traffic Control Inspection	DAY	40	\$	425.00	\$	17,000.00
630-00012	Traffic Control Management	DAY	20	\$	1,025.00	\$	20,500.00
630-80336	Barricade (Type 3 M-B) (Temporary)	EACH	2	\$	120.00	\$	240.00
630-80341	Construction Traffic Sign (Panel Size A)	EACH	32	\$	11.00	\$	352.00
630-80342	Construction Traffic Sign (Panel Size B)	EACH	18	\$	11.00	\$	209.00
630-80355	Portable Message Sign Panel	EACH	4	\$	650.00	\$	2,600.00
630-80380	Drum Channelizing Device	EACH	40	\$	11.00	\$	440.00
630-80380	Traffic Cone	EACH	40	\$	11.00	\$	440.00
630-80393	Stackable Vertical Panels	EACH	75	\$	11.00	\$	825.00
<b>Grand Total</b>				<b>\$</b>	<b>1,232,711.80</b>		

88	\$5,632.00	\$0.00
350	\$14,000.00	\$3,000.00
950	\$19,000.00	\$1,500.00
120	\$240.00	\$0.00
11	\$352.00	\$0.00
11	\$209.00	\$0.00
650	\$2,600.00	\$0.00
11	\$440.00	\$0.00
11	\$440.00	\$0.00
11	\$825.00	difference
	<b>\$1,158,245.10</b>	<b>\$74,466.70</b>

202-00010	Removal Of Tree	Each	1	\$1,270.00	\$1,270.00
202-00021	Removal of Manhole	Each	1	\$1,300.00	1,300.00
202-00035	Removal of Pipe	LF	81	\$20.00	\$1,620.00
202-00037	Removal of End Section	Each	2	\$405.00	\$810.00
202-00090	Removal of Delineator	Each	3	\$50.00	\$150.00
				<b>\$5,150.00</b>	

### **Suggested Motion**

I move to authorize the Mayor and the Town of Bennett to execute a Change Order (MP-79 – 001) with Morton Electric, Inc. in an amount not to exceed \$74,466.70 for contractor services to continue the construction of the Marketplace & Highway 79 intersection improvements.



# TOWN OF BENNETT PROCLAMATION



**WHEREAS**, Darvin Harrell has provided dedicated service as a respected leader in the Town of Bennett government for the last 6 years; and

**WHEREAS**, he has served his community in many ways, including in his roles as Mayor Pro Tem and Trustee; and

**WHEREAS**, he has been instrumental on key initiatives for the Town of Bennett, including the liaison to the Adams and Arapahoe County Sheriff's Department; and

**WHEREAS**, the quality and effectiveness of his leadership, as well as knowledge and enthusiasm continue to positively impact the Bennett community; and

**WHEREAS**, he continually worked toward creating a community that thrived and building a stronger Bennett; and

**NOW, THEREFORE**, the Bennett Board of Trustees and Town of Bennett Staff hereby thank and congratulate Darvin Harrell for his years of dedication and service to the community.

**IN WITNESS WHEREOF**, I have hereto set my hand and caused the seal of the Town of Bennett, Colorado to be affixed the Eleventh day of October, 2022

\_\_\_\_\_  
Royce D. Pindell, Mayor



--- Forwarded message ---

**From:** Melinda Culley <melinda@kellypc.com>

**Date:** Wed, Aug 24, 2022 at 5:14 PM

**Subject:** RE: Code Question

**To:** Taeler Houlberg <thoulberg@bennett.co.us>

Hi Taeler,

It's fine to draft the ordinance as just a blanket replacement of "Town Administrator." The ordinance could read something like:

The Bennett Municipal Code is hereby amended such that all references therein to the term "Town Administrator" are changed to the term "Town Manager," and the Board of Trustees hereby directs the codifier of the Bennett Municipal Code to prepare such revisions and supplements to the Bennett Municipal Code as are necessary or appropriate to effect such amendment.

The Bennett Personnel Manual is hereby amended such that all references therein to the term "Town Administrator" are changed to the term "Town Manager," and the Board of Trustees hereby directs the Town Staff to

prepare such revisions and supplements to the Bennett Personnel Policy Manual as are necessary or appropriate to effect such amendment.

If you have any other questions, please let me know. Thanks.

Melinda A. Culley

Kelly PC

999 18th Street, Suite 1450S

Denver, CO 80202

P: (303) 298-1601 X212

F: (303) 298-1627 Cell: (316) 640-1013

## EXECUTIVE SESSION SCRIPT

(Note: Two-thirds of the quorum present must vote yes; the session may only occur at a regular or special meeting of the Board)

**I MOVE TO GO INTO EXECUTIVE SESSION:**

**For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e) regarding an amendment to the IGA with the Bennett Park and Recreation District.**

**BEGIN THE EXECUTIVE SESSION:**

**It's October 11, 2022, and the time is \_\_\_\_\_. For the record, I am the presiding officer, Mayor Royce D. Pindell. As required by the Open Meetings Law, this executive session is being electronically recorded.**

**Also present at this executive session are the following persons:\_\_\_\_\_**

### ANNOUNCEMENT NO. 1

**This is an executive session for the following purpose:**

**For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e) regarding an amendment to the IGA with the Bennett Park and Recreation District.**

**I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session.**

**If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.**

### ANNOUNCEMENT NO. 2

**ANNOUNCEMENT TO BE MADE BY THE PRESIDING OFFICER  
BEFORE CONCLUDING THE EXECUTIVE SESSION  
(WHILE THE TAPE RECORDER IS STILL ON)**

**I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law.**

**The recording will be retained for a 90-day period.**

**The time is now \_\_\_\_\_, and we now conclude the executive session and return to the open meeting.**

(turn off tape and return to open meeting)

ANNOUNCEMENT NO. 3

STATEMENT TO BE MADE BY THE PRESIDING OFFICER  
UPON RETURNING TO THE OPEN MEETING

**The time is now \_\_\_\_\_, and the executive session has been concluded. The participants in the executive session were:**

**For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.**

**Seeing none, the next agenda item is...**