

Brief Overview of Appraisals and Negotiation Timeline

Appraisals:

Item	Hegerty Report (City)	Roerig Report (Lincoln)	Difference
Total Compensation Value (excluding sign)	\$563,792	\$746,155	\$182,363

*Primary reason for difference of compensation value are the comparative properties used by each appraiser. Sale value, size of property, location within Jefferson county and zoning.

**Figure created by Muller shows "takes" needed for the expansion 72nd Avenue Project:

- Right of Way "RW-61/62" shown in red
- Permanent Easement "PE-62" shown in Blue
- Temporary Easement (30 month) "TE-61/62"

Negotiation Timeline:

- 3/12/2021** - City of Arvada's original offer sent **\$555,927**. *Does not provide detail in writing about site work and schedule*
- 5/11/2021** - Lincoln Academy sends response letter to the City of Arvada. Letter includes a counteroffer of **\$650,000** and 25 item topic list detailing site work and schedule requests we would like included in the Memorandum of Agreement (M.O.A.)
- 6/1/2021** - Lincoln receives the City of Arvada's revised MOA packet which includes a counteroffer of **\$625,000** and full agreement to 20 of the 25 items requested.

WEST 72ND AVENUE

Right of Way "RW-61/62"

ROW (Red)
This area will be required to add sidewalk along the east side of Oak, widen Oak Street and relocate the overhead power poles

Blue:
Permanent Easement. City WQ pond and storm outfall pipe
Permanent Easement "PE-62"

Temporary Easement (30 month) "TE-61/62"

Temporary Easement (Green)
This is needed to install Lincoln Academy service lines that are being impacted. Tie in the parking lot area, regrade impacted irrigation pond and reconnect the access roads into the school

PROPOSED TEMPORARY CONSTRUCTION EASEMENT

PROPOSED UTILITY EASEMENT

PROPOSED CHAIN LINK FENCE
PROPOSED RIGHT OF WAY

Existing Right of Way
Existing Chainlink Fence

Existing Utility Easement



Know what's below
Call before you dig.



CITY OF ARVADA

May 20, 2021

Lincoln Academy Charter School
Attn: Lori Woods, Annette Ernst, Micah Gilbreath
7180 Oak Street
Arvada, CO 80004

RE: 72nd Avenue Expansion Project – Lincoln Academy

Dear Lincoln Academy Team,

Thank you for providing a list of your concerns and a counteroffer to the City's original offer letter dated March 12, 2021. After our meeting with you on May 13, 2021 in which we discussed the items as outlined on the following pages, the City carefully reviewed and assessed the items. In an effort to keep this process from going back and forth with multiple counteroffers, the City has fully agreed to 20 of the 24 listed items on the following pages. The items to which the City cannot agree to are based on available or projected information, and the experience the project team has on these types of major capital projects. The City project team has put together a very strong response and revised offer for Lincoln Academy's consideration.

The City offers to acquire the interests for \$625,000. This offer includes costs for a 30-month temporary easement and funds for Lincoln Academy to reestablish the irrigation pumps and irrigation system, per item number 14 below. The City is hopeful that Lincoln Academy will accept this revised offer. The City understands that our partnership will continue throughout the duration of the construction process and we look forward to working with you.

Below, please find the City's responses related to acceptance or non-acceptance of the items on the list supplied in the May 13, 2021 meeting. If Lincoln Academy agrees to accept the City's offer and the terms described below, the City will prepare the agreements for final approval.

Sincerely,

Bill Cornelius, P.E.
Transportation Design Manager
City of Arvada Project Team



Scheduling Items:

1. Two-week notice/duration of utility down times (Agreed) Note that utility companies control the notice and duration of service interruption. The City will work with the utility companies to try to meet this request.
2. Four-week notice of traffic interruptions
 - A. Lincoln Academy to provide schedule showing daily peak traffic times (duly noted)
 - B. Full access to all entries required during daily peak traffic times (Agreed)
3. Work occurring during school year will be limited to non-peak traffic periods (Agreed)
4. One-week notice required for pedestrian access interruption (Agreed)
5. Construction of work package #1 to occur over Lincoln Academy summer break 2021 (Agreed)
 - A. June 4, 2021 through August 9, 2021 (no students on campus) (Duly Noted)
6. Construction of work package #2 to occur over Lincoln Academy summer break 2022 (Agreed)
 - A. May 30, 2022 through early August (TBD)
7. Construction of work package #3 timing to be coordinated with Lincoln Academy prior to bidding Package. We agree to work with you on the schedule that will ultimately go into the Package 3 Contract. That Contract would be agreed to by the Contractor, before work could begin.
8. Lincoln Academy to be provided current progress meeting updates on continual basis. (Agreed) City agrees to provide Lincoln Academy schedule updates through email.

Physical Items:

9. Abandoned entries to the site to have all hardscapes removed.
 - A. West Entry to be regraded and seeded (native) Agreed
 - B. North Entry to be replaced by asphalt parking lot-to be coordinated with Lincoln Academy. (Agreed) See exhibit on page 4.
10. City to install crosswalk and crossing beacon at Oak Street entry (RRBG with overhead arm preferred) (Not Agreed) City will not install a mast-arm RRFB on Oak Street. The City Traffic Engineer reviewed this option and confirmed that the additional ornaments provided by a mast-arm RRFB do not improve pedestrian safety on a 30 mph roadway with limited visual obstructions. Therefore, it is not an appropriate treatment for this location. The City will install a standard RRFB as planned.
11. City to install school zone speed signs on Oak Street and on 72nd Avenue with locations coordinated with Lincoln Academy. While we will agree to install all required school advance warning signs and warning signs, the spacing and sign types are regulated by the Manual on Uniform Traffic Control Devices. The standards that apply to all school zones will apply here. Our traffic team will work with you to make sure that we add proper enhanced sign conspicuity, if warranted, and to try to optimize awareness while considering the balance of vehicular, bicycle and pedestrian safety.
12. Water flow to NE irrigation pond to be re-established by City (source and amount to be



confirmed by City) City will re-establish the source water to this pond. However, this amount of water cannot be guaranteed by the City as it's based on how much water FHL allows at any given time. Currently, there is no way to monitor how much flow is going to each water holder and this will be the same condition in the future

13. Water flow to NW irrigation pond to be re-established by City (source and amount to be confirmed by City) City will re-establish the source water to this pond. However, this amount of water cannot be guaranteed by the City as it's based on how much water FHL allows at any given time. Currently, there is no way to monitor how much flow is going to each water holder and this will be the same condition in the future.

14. Irrigation pump and irrigation system to be re-established. The City incorporated the cost to reestablish the pump and irrigation system into the offer above. Lincoln Academy will need to reestablish these facilities.

15. Relocate electrified marquis to location approved by Lincoln Academy (Agreed)
A. Lincoln Academy to approve new base design (Agreed)

16. Interior fencing disturbed by storm drain installation to be replaced or monetary compensation Provided (Agreed)

17. Extend chain link fencing at Oak St, south of drive by additional 100' (Agreed)

18. 6' chain link fence required around new water quality pond (Agreed)

19. Privacy fence to be replaced along 72nd Avenue east of north exit/entry (Agreed)

20. As noted on plans, all exterior fencing disturbed by the City project will be replaced (Agreed)

21. Asphalt drive lane disturbed by storm drain installation to be replaced at full depth and full width of drive lane (Agreed)

22. City to obtain liability insurance for water quality pond, waiving Lincoln Academy of responsibility for any damages (Not Agreed)

23. City to list Lincoln Academy as an additional insured during the construction project and warranty period (Not Agreed)

24. As-builts of all new construction, utilities, and irrigation water transport and systems to be provided after construction is completed (Agreed) The City will provide as-builts for work the City's contractor performs for Lincoln Academy facilities.

MOA DETAILS

Offer to acquire the interests for \$625,000 includes

- 30 month temporary easement
- reestablish the irrigation pumps and irrigation system (estimated cost \$25,000)
- Full agreement to 20 of the 24 listed items requested by Lincoln Academy.

Items not agreed to:

#10. Request for overhead signal.

A standard RRFB will be installed by the city

#12. and #13. Waterflow to onsite irrigation ponds to be re-established by the city (source and amount to be confirmed by the city).

The Farmers Highline Canal (FHL) determines flow and the city has no way of determining volume and flow rate.

#22. Request for city to obtain liability insurance for the proposed water quality once installed.

The City and the school are both public entities and fall under Public Entity Law.

#23. City to list Lincoln Academy as an additional insured during the construction project warranty period.

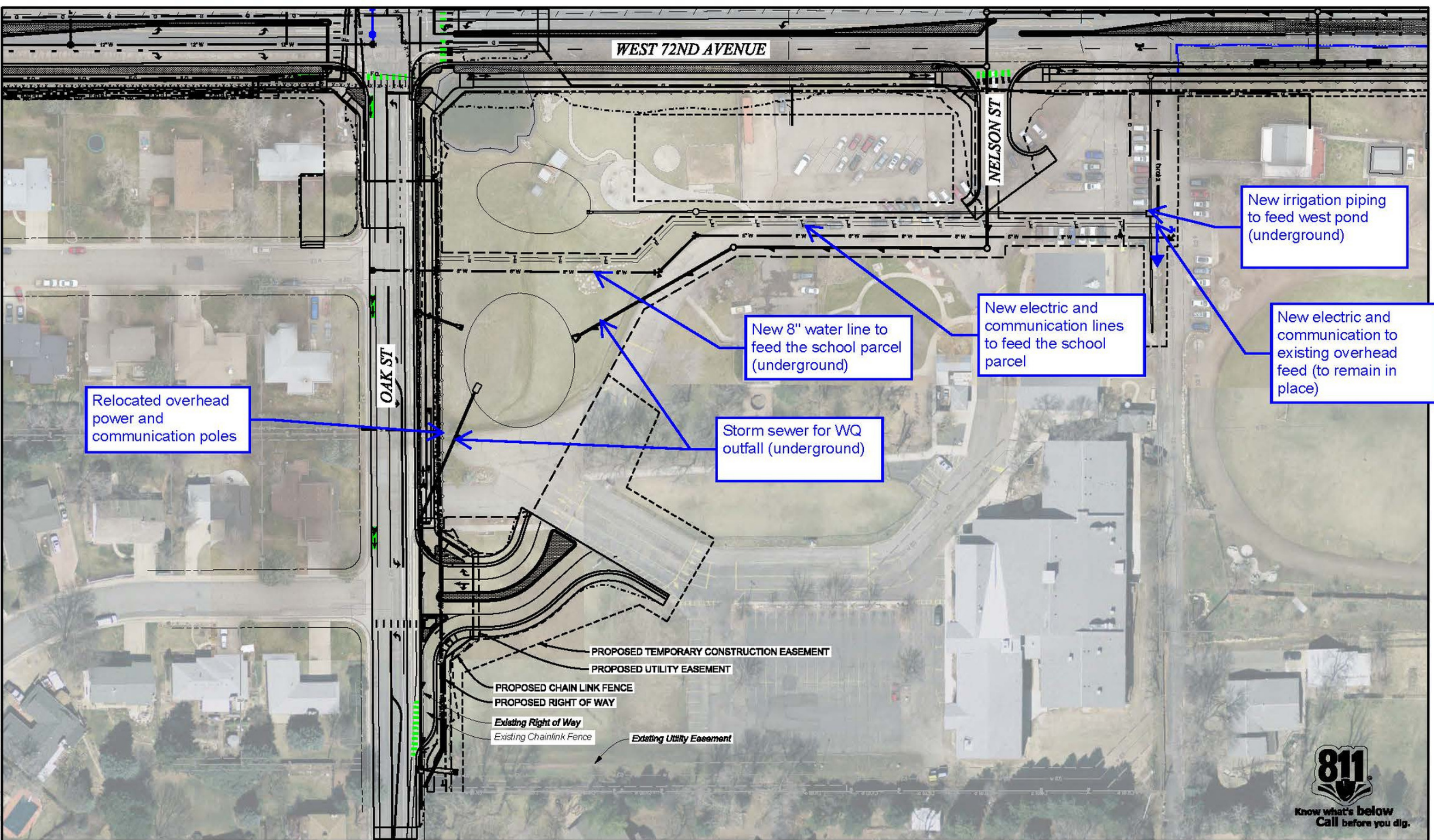
The contractor will not list individual property owners. Lincoln will be covered under "umbrella" of project.



Facilities Committee and Lincoln's legal counsel (H.C.Peck) are confident in the counteroffer and M.O.A. structure and support the proposed motion:

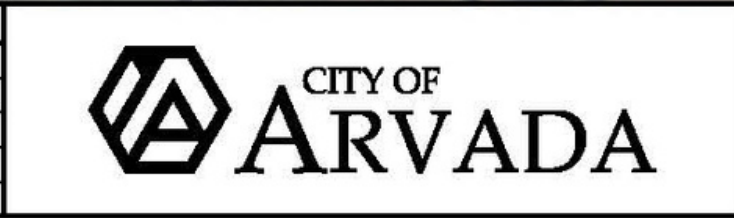
- Strong relationship with the city
- Transparent in communication and schedule
- Ultimate outcome will be an asset to Lincoln

drawing 2:06:30 PM p:\muller\eng-pw-bentley\com\muller\eng-pw-bentley\Lincoln Academy Exhibit\Lincoln_Academy Exhibit.dgn
4/20/2021 C:\D:\Data\811\811_V81.plt MEC-Standard.B1



Print Date:	4/20/2021
Drawing File Name:	Lincoln_Exhibits.dgn
Horizontal Scale:	1:80
Unit Information	Unit Leader Initials

Sheet Revisions		
Date:	Comments	Init.



As Constructed
No Revisions:
Revised:
Void:

CURRENT PROPOSED DESIGN FOR LINCOLN ACADEMY		
Designer:	RML	Structure Numbers
Detailer:	RML	
Sheet Subset:	EXHIBIT	Subset Sheets:

Project No./Code
Sheet Number