

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: December 11, 2013

Board Item: V-A- 10

Amendment to the WISE Water Delivery Agreement between Denver Water, the City of Aurora, and the South Metro WISE Authority

Action by Consent

Action

Information

The WISE Partnership is a regional water supply project between Denver Water, the City of Aurora (Aurora), and the South Metro WISE Authority (Authority). The Board approved execution of the WISE Water Delivery Agreement (WDA) in August 2013. Although the three parties reached final resolution on the contract language, they recognized that implementation, requiring substantial investment, would be contingent on the three contingencies listed below:

1. The execution of the Western Pipeline Agreement;
2. Issuance of permit from the U.S. Army Corps of Engineers allowing WISE water to be stored in Rueter-Hess Reservoir;
3. Complete execution of the CRCA.

The parties anticipated that these contingencies would be resolved December 31st, 2013. The WDA contains many deadlines and dates, including payments, water deliveries and infrastructure construction, that were calculated based on December 31, 2013. However, only the execution of the CRCA occurred in 2013, and the other contingencies remain to be resolved.

The attached Amendment to the WISE Water Delivery Agreement allows another year to complete the contingencies, and changes all the deadlines and dates in the agreement to add one more year. The Board incurs no additional obligations under the Amendment.

Recommendation:

It is recommended that the Board approve the Amendment to the WISE Water Delivery Agreement.

Approvals:

Respectfully submitted,



Patti Wells, Legal Division



James S. Lochhead
CEO/Manager



Dave Little, Planning Division



Terri Bryant
Controller