

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: December 11, 2013

Board Item: V-A- 9

**Remediation Reimbursement Related to the
Installation of Conduit No. 151 and the Relocation of Conduit No. 74
Regional Transportation District/ Eagle Corridor
Contract 13506A**

Action by Consent

Action

Information

At previous Denver Water Board Meetings Change Order Nos. 3 through 5 were approved for the remediation of contamination found in Sand Creek related to the installation of Conduit No. 151 and the relocation of Conduit No. 74. The installation of Conduit No. 151 was a Denver Water project funded and installed by Denver Water. The relocation of Conduit No. 74 was a FasTracks East Corridor project funded by the Regional Transportation District (RTD) and installed by Denver Water as part of the joint conduit installation.

Based on the theory that the City and County of Denver through its Department of Aviation should be a party to Stapleton remediation, a claim was submitted by Denver Water seeking partial reimbursement for the remediation. The City and County of Denver denied responsibility based on the ambiguity of the source of the contamination, thus leaving Denver Water and RTD as the funding sources for the clean-up.

The final cost of the remediation related to the installation of both conduits was \$1,080,398.33. Because Conduit No. 74 was a RTD relocation and represented one-half of the work, the RTD has agreed to reimburse Denver Water for one-half of the remediation cost or \$540,199.17. Upon approval of this Board item, Denver Water will invoice the RTD in the amount of \$540,199.17.

Recommendation

It is recommended that the Board approve reimbursement from the Regional Transportation District in the amount of \$540,199.17 to be credited to Contract 13506A.

Approvals:


Robert J. Mahoney
Director of Engineering


Patti Wells
General Counsel


Terri Bryant, CPA
Controller

Respectfully submitted,


James S. Lochhead
CEO/Manager


Angela Brimont
Director of Finance