MEMORANDUM

TO:	**Mayor and City Council**
FROM:	**John D. Krueger-Director of Transportation**
THRU:	**Randy Ready-Assistant City Manager**
DATE OF MEMO:	**June 15, 2015**
MEETING DATE:	**June 22, 2015**
RE:	**Resolution #70 of 2015- Amendment of the IGA for the Construction of Rubey Park**

REQUEST OF COUNCIL:
Staff is requesting Council's approval of Resolution #70 series 2015 to authorize the Mayor to execute the First Amended and Restated Intergovernmental Agreement (IGA) between the City of Aspen and Roaring Fork Transportation Authority (RFTA) for the construction of the Rubey Park remodel project.

PREVIOUS COUNCIL ACTION:
At the February 9, 2015 Council meeting, council approved Resolution #18, series 2015 which approved the original IGA between RFTA and the City of Aspen for the construction of Rubey Park. The RFTA Board of Directors also approved the original IGA.

BACKGROUND:

- In 2012, a remodel of the Rubey Park Transit Center was identified through the Aspen Area Community Plan update as one of City Council's top action items.
- In 2013, the EOTC funded the initial schematic design of the Rubey Park project which led to Council's approval of a recommended design concept.
- The project went through an extensive outreach process during the initial design process.
- In 2013, the EOTC also funded the final design of Rubey Park.
- The project originally received funding for the project from five different partners-The
- FHWA, CDOT, the EOTC, RFTA, and the City of Aspen in the amount of $7.9 million.
- Aspen City Council recently approved the remodel of Rubey Park as an essential public facility via Ordinance Number 22 of 2014. The project completed the land use process.
- The project completed the final design process.
- The project received its building permit.
- The project went out to bid on January 16, 2015.

- Bids were opened on March 3, 2015.
- PCL was awarded construction contract for the project.
- Construction began in April and will continue through the spring, summer and fall.
- Substantial completion of the project will occur by Thanksgiving 2015 prior to the beginning of ski season.
- Minor finishing work may occur in the spring of 2016.

The Rubey Park project is a joint project with five different funding partners including the FFWA, CDOT, City of Aspen and RFTA. The City was the lead on the project outreach, design, land use, permits and funding. RFTA, with its experience in federal and state grant funded projects, qualified procurement and construction staff is the lead on the construction of the project. RFTA will provide management of the grants, bidding, contract, procurement, and construction, for the project. The City will be part of the construction management team and will collaborate on and approve every decision regarding the funding or construction of the project.

The funding arrangement and responsibilities for managing the construction and funding of the Rubey Park renovation project are set forth in the Intergovernmental Agreement. The IGA addresses the following in the document:

- Project funding and cash flow
- Project bid and award
- Project construction
- Project collaboration
- Public Outreach
- Project Completion and Final Payment

The IGA allows the project to move forward in an organized manner during construction with the funding of five different partners and the different requirements of each of them.

DISCUSSION:
The original IGA was approved on February 9, 2015. This approval was prior receipt of the low bid for construction on March 3, 2015. After the low bid was received additional funding for the project was needed. At the EOTC meeting on March 5, 2015 the EOTC provided an additional $1,000,000 in funding and the City of Aspen agreed to provide an additional $418,000 (later approved as part of supplemental budget ordinance #12 of 2015) to cover the total project costs. The additional funding provided by the EOTC and City of Aspen have required an amendment to the original Rubey Park IGA to reflect the new restated funding amounts.

No other changes to the IGA have been made.

FINANCIAL/BUDGET IMPACTS:
There are no financial impacts to the City of Aspen. All funding has previously been approved by the City as part of supplemental budget ordinance #12 of 2015.

This is only an amendment to the original Rubey Park IGA to restate the new funding for the project.

ENVIRONMENTAL IMPACTS:
There are no environmental impacts associated with the amendment to the Rubey Park IGA.

RECOMMENDED ACTION:
Staff recommends approval of Resolution #70 series 2015 to authorize the Mayor to execute the First Amended and Restated Intergovernmental Agreement (IGA) between the City of Aspen and Roaring Fork Transportation Authority (RFTA) for the construction of the Rubey Park remodel project.

ALTERNATIVES:
The Rubey Park IGA is the basis for the construction of the project. It defines the roles and responsibilities of the City and RFTA during the construction process. If Council does not want to approve the amended IGA it could request alteration to the amended IGA which may require review and approval by RFTA. If Council denies the amended IGA, the construction of the project will stop and will not be able to continue.

PROPOSED MOTION:
I move to approve resolution #70 series 2015 to authorize the Mayor to execute the First Amended and Restated Intergovernmental Agreement (IGA) between the City of Aspen and Roaring Fork Transportation Authority (RFTA) for the construction of the Rubey Park project.

CITY MANAGER COMMENTS:_____

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ATTACHMENTS:

Attachment A: Resolution # 70 series 2015
Attachment B: Amended Rubey Park Intergovernmental Agreement