



Arapahoe County

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Board Summary Report

File #: 25-653

Agenda Date: 11/25/2025

Agenda #:

To: Board of County Commissioners

Through: Gini Pingnot, Open Spaces, Director

Prepared By:
Ray Winn, Planner II / County Bike and Pedestrian Planner, Open Spaces

Presenter: Ray Winn, Planner II / County Bike and Pedestrian Planner, Open Spaces

Subject:
10:00 AM *Kiowa Creek Open Space Design and Construction Administration Funding Increase

Purpose and Request:

Staff will present a request to the Board of County Commissioners to approve a design and construction administration contract addendum for the Kiowa Creek Open Space project with Stream Landscape Architecture for an increase of \$406,597.00. Funding for this increase is available and comes from the Open Spaces Acquisitions and Development Fund.

Alignment with Strategic Plan: Safe and Healthy Communities - Advance public safety by strengthening partnerships across law enforcement, emergency response, and community stakeholders.

Background and Discussion: Kiowa Creek Open Space is located in Eastern Arapahoe County just south of the Town of Bennett and Interstate 70 along Kiowa Bennett Road. Improvements to Kiowa Creek Open Spaces are informed and driven by public input from the master plan which was adopted by the BOCC in 2022.

The design for Kiowa Creek Open Space started on January 25, 2023. At that time, staff budgeted \$663,445 in design and construction administration services. Since then, three significant developments and two forecasted expenses result in an additional funding request of \$406,597 (a 48% increase) before you today.

Three cost drivers are:

- 1.) Boardwalk Bridge Inclusion (\$88,500)
- 2.) State Historical Preservation Office's More Extensive Cultural Survey (\$66,500);
- 3.) Bennet Watkins Fire Rescue Delayed Design Feedback (\$96,545);

Two forecasted costs are:

- A.) Bennet Watkins Fire Rescue's Building Permit Submittal and Review Process (\$56,930);
- B.) Construction Administration Cost (oversight services for the actual construction) (\$99,082);

Each of the above cost drivers and forecasted costs equal \$406,597 and are described below in further detail.

1.) Boardwalk Bridge Inclusion (\$88,500):

The original scope accounted for a very primitive crossing of Kiowa Creek to avoid building in the floodplain and triggering an extensive FEMA/Army Corps of Engineers process for floodplain alterations. (This process is known as Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR)). Based on feedback and a regional trail design desired by the Town of Bennett (TOB), staff requested consultants to explore design requirements and design costs for a boardwalk (This work had been incorporated as a potential bid alternate). Due to the sandy nature of the creek and the need to accommodate a 10,000 lb. vehicle, the boardwalk design is much more extensive than indicated in the Master Plan and subsequently the design cost for this item increased by \$88,500 (222% over the original crossing budget of \$27,500).

2.) State Historical Preservation Office's More Extensive Cultural Survey (\$66,500):

In December 2024, we were informed by the Army Corps of Engineers and the State Historic Preservation Office (SHPO) that we needed to do a much more extensive Level 1 Cultural Resources Survey (CRS) instead of the Level 3 CRS that was originally scoped in the existing contract. This more intensive Level 1 CRS required archeologists to hand dig specific areas throughout the site (rather than solely in the floodplain) looking for artifacts of significance. The Level 1 CRS was completed on February 27th, 2025. No artifacts of significance were found. The cost of the actual survey + coordination services between two different agencies was \$66,500 (5,442% over the original cultural survey budget of \$1,200).

3.) Bennet Watkins Fire Rescue Delayed Design Feedback (\$96,545):

Design evolution begins at the 30% mark and evolves over time through feedback from partners to a 90% design threshold. Feedback from partners occurs through the county's Location and Extent (L&E) process and culminates with a hearing before the County's Planning Commission.

The department's first L&E submittal occurred on March 15, 2024, when Kiowa Creek Open Spaces was at 60% design. That submittal triggered notification to internal and external agencies including Bennet Watkins Fire Rescue (BWFR) for their review and comment. Feedback from BWFR was received 14 months **after** notification and 3 weeks prior to the Department's scheduled May 20, 2025, Planning Commission Hearing. The delayed feedback from BWFR caused the department to cancel our original Planning Commission hearing and launch a six-month discussion to understand BWFR's requests and how best to address them.

Through those discussions, the Department agreed to several design changes to respond to BWFR's potential wildfire and user emergency response concerns. In summary, the changes can best be characterized as widening trails and improving access roads to accommodate BWFR's vehicles. It is important to note that the Department did not agree to the extent of widening requested by BWFR but instead agreed to widths supported by the County's Rural Design Standards (ex. BWFR requested trail widths of 12'. Originally, trails were designed at 6'. The Department has agreed to 10'.)

With these design modifications, the Department successfully received the Arapahoe Planning Commission's approval (3 to 1 vote) on Tuesday, October 21st. The department still needs to submit a final L&E. The cost of addressing BWFR's requests is \$96,545 (15% over the original design budget).

Two Forecasted Expenses:

A.) Bennet Watkins Fire Rescue's Building Permit Submittal and Review Process (\$56,930)

Once the department submits its final L&E, a joint building review process by both BWFR and PWD of the proposed picnic shelters, vault toilet and maintenance shed will be triggered to ensure International Fire Code and County Building Code compliance. It is important to note that this dual building review is unique to this portion of the county (By contrast, South Metro Fire provides their review during the L&E process allowing for simultaneous revisions by other agencies and County PWD). It is unknown how lengthy or involved BWFR's building review process will be, but the department is committed to continuing our proactive outreach with BWFR to keep things moving. Meetings with Arapahoe County Attorney's Office, Arapahoe County Public Works Department and BWFR have already been held to better understand how to efficiently navigate dual building review processes. The cost of navigating BWFR's process is estimated to be \$56,930.

B. Construction Administration Cost (oversight services for the actual construction) (\$99,082)

Construction Administration (CA) is the term used to capture the oversight work between designers/engineers and the construction contractor to ensure everything is constructed to engineering specifications. The industry standard for CA is 3.1% of the total construction (which is estimated at \$7.5M which includes the newly scoped boardwalk over Kiowa Creek). The additional fee for Construction Administration is \$99,082 (which is roughly a 2% increase over the original budget of \$96,630 for CA costs).

Alternatives: Without these design and construction administration changes the site poses a risk to public safety due to the inability of BWFR to access the site. Without this scope increase, the Construction Administration services will also be severely limited and pose a significant threat to the future construction contractor's ability to construct a safe and functional park.

Fiscal Impact: This contract addendum is an increase of \$406,597.00 to the original design contract amount of \$663,445.00. Funding is available in the Open Spaces Acquisition and Development Fund.

It is also worth noting that our actual construction costs are estimated to increase around \$600,000 (future BOCC funding request). This anticipated increase stems from the additional site preparation and construction material needed to address BWFR's concerns and 6-12 month delay in construction timing.

Alignment with Strategic Implementation Strategies: N/A

Staff Recommendation: Staff recommends the BOCC approve an increase of \$406,597.00 to the original design contract amount of \$663,445.00 and is available from the ACOS Acquisition and Development Fund.

Concurrence: Arapahoe County Public Works supports these design changes as they are in concurrence with the Arapahoe County Rural Engineering Standards.