

GUIDANCE DOCUMENT MANAGEMENT OF THE HEALTH STUDY

As directed in section 3(A)(3) of the Settlement Agreement, effective December 31, 2018 (see Exhibit A of the Settlement Agreement), this Guidance Document defines: (1) roles and responsibilities of the Steering Committee, the Independent Steering Committee Member, CDOT, CDPHE, Denver, and the Petitioners; and (2) what decisions qualify as “major” under Section 4(l) of the Settlement Agreement. Intended as a supplement to the Settlement Agreement, this Guidance Document does not supersede or contradict the Settlement Agreement.

In order to minimize the official amendments needed to the Settlement Agreement and allow for flexibility and collaboration throughout the course of the Health Study, some action items, decisions points and processes will be developed in separate documents as necessary as per Settlement Agreement section 3(A)(3). Links and access to those documents will be updated and accessible via the Steering Committee at a mutually agreed upon location.

ROLES AND RESPONSIBILITIES:

A) **Steering Committee**: The Steering Committee is responsible for oversight of the Health Study. As described in the Settlement Agreement, the Steering Committee’s responsibilities include but are not limited to:

1. procurement of the Health Study;
2. selection of the Expert;
3. review and approval of budgets, plans, protocols, scopes of work to include tasks to be performed and completion dates;
4. review and approval of invoices based on performance of designated tasks; 5. suggest, review, and/or approve amendments to the schedule and contract between CDPHE and the Expert;
6. and review and approve work products of the Expert; and
7. adhering to applicable CDPHE procurement, fiscal, and contract monitoring requirements.

The Steering Committee is responsible to update the community and stakeholders in GES neighborhoods regularly and meaningfully; and to solicit public feedback before making major decisions (see below).

The Steering Committee is responsible to hold meetings in a manner that assures public access in coordination with the Expert. The Steering Committee shall disclose communications about the Health Study with people other than those described in the Guidance Document on a quarterly basis via CDOT’s website.

Steering Committee members are expected to attend Steering Committee meetings and to participate in discussions and votes, and to apply requirements described in the Settlement Agreement, MOU, and this Guidance Document in good faith. All Steering Committee decisions shall be made by unanimous vote.

Disputed votes will be resolved in a timely manner that adheres to applicable CDPHE procurement, fiscal, and contract monitoring requirements. Each Steering Committee representative is responsible for participating to reach a unanimous Yes vote or offer an alternative.

Members build community relationships with GES community members as needed and appropriate. Members will respond to applicable feedback from the community as it relates to the Steering Committee roles and responsibilities.

- B) **Independent Steering Committee Member**: The Independent Steering Committee member shall act as the chair of the Steering Committee, which includes mediating discussions as needed and ensuring meeting outcomes are met.
- C) **CDOT**: CDOT contributes **\$550,000** for the health study to cover the cost of the Expert and up to **\$25,000** to cover the cost of the Independent Steering Committee Member. CDOT shall host all Health Study results on the CDOT website for public access, including but not limited to quarterly disclosures, postings and communications, reports, unprotected data, sources, Expert-prepared final data files, and justification for methodologies used.
- D) **CDPHE**: CDPHE is responsible for the procurement, monitoring, and payment of the contract for the Expert in coordination with the Steering Committee. CDPHE will adhere to its procurement, fiscal, and contract monitoring requirements and ensure Steering Committee decisions are honored and reflected in the executed contract and other relevant documents and processes. CDPHE designates a representative to the Steering Committee. The CDPHE Steering Committee member will facilitate contract procurement and management processes, including communication with all appropriate entities (within and outside of CDPHE).
- E) **Denver**: Denver designates a member to the Steering Committee.
- F) **Petitioners**: Petitioners shall select a representative to the Steering Committee. Petitioners provide any feedback on the Health Study through the Petitioners' representative to the Steering Committee. The Petitioner's Steering Committee member is responsible for communication between the Steering Committee, Petitioners, and the Globeville, Elyria and Swansea communities.

MAJOR DECISIONS:

Major decisions are Steering Committee decisions that have significant impact on the direction, scope, process, and/or outcomes of the Health Study, and require the public first have an opportunity to comment. The Steering Committee may make other decisions which are not major decisions, for instance, decisions about how to conduct Steering Committee meetings, how to track processes, etc.

Major decisions include but are not limited to:

- Selection of the Independent Steering Committee Representative;
- Approval of the Health Study's scope, including the Statement of Work and budget for each phase;
- Approval of Health Study protocols, for instance, protocols for data management and

maintenance; and

- Acceptance and/or approval of Health Study work products, including reports and other deliverables (with consideration from input from the community).