

December 11th, 2022

Subject: Modera Golden Triangle (1095 Bannock) - Revised Policies regarding Noise Ordinance

To Whom It May Concern:

Milender White (MW), the General Contractor for the Modera Golden Triangle project at 1095 Bannock St, is writing this letter to address the recent impacts our project has had on the neighborhood. MW takes full accountability for the lapses in judgement and communication and although we cannot undo the events, we have implemented revised policies and processes to prevent it from happening again.

MW did receive a Noise Warning Letter from Denver Department of Public Health & Environment (DDPHE) on 12/6/22, which included the following excerpt:

Chapter 36, Noise Control – applies to sporadic or continuous noise sources in the community, as well as motor vehicle noise. Section 36-6 lists the allowable noise levels that may cross from one property line to a residential property line during daytime hours (55 dB(A) from 7:00 a.m. to 10:00 p.m.) and nighttime hours (50 dB(A) from 10:00 p.m. to 7:00 a.m.). This section is enforced by DDPHE and/or the Denver Police Department (DPD).

We have outlined our revised policies, below, simply to communicate the actions being taken to prevent noise violations:

For the remainder of the project:

1. Gates to remain locked until 7:00am on non-concrete pour days (reference below for additional measures for concrete days).
2. MW will police the gates before 7:00am to prohibit crews from loitering and having conversations and trucks from idling. Communication has gone out to all trades stating that crews, loud conversations, and trucks are not allowed in the neighborhood before 7:00am.
3. Signage will be posted around the perimeter fence clearly stating the lawful working hours and prohibiting any activity outside of those hours.
4. Work after regular business hours (i.e., between 6:00pm-9:00pm) will be discouraged, and all work activities will be strictly terminated before 9:00pm to allow crews adequate time to leave the jobsite and neighborhood.
5. Lights on crane have been adjusted such that they are only on 4:00pm-7:45pm, and they are directed towards the site rather than the neighbors.
6. Additional lights (concrete finishing or other operations) will be directed away from all neighbors and reduced to the minimum required to safely complete the task.
7. MW will proactively communicate directly to neighborhood of any activities that *may* push (but not break) the limits of the lawful working hours (i.e., concrete pours that run into the evening or systems inspections/testing required after normal business hours)

For the remainder of concrete placement activities (6 remaining deck pours):

1. Perimeter barriers will be removed the day before pour operations, rather than early morning. Security guard will be on-site through the night to secure any temporary openings in the fence.
2. Concrete pump and crews are prohibited from entering the neighborhood prior to 7:00am. Because barriers will be removed the night before, the pump can be set up and begin the pour immediately to mitigate late hours.
3. MW & Baker Concrete will make an executive decision between 8:00am-9:00am to proceed or cancel the pour based on analysis of the temperatures, crew size, and reports from the concrete batch plants.
4. Measures to speed up the concrete curing process, which translates to finishing earlier:
 - 4a) Additional heaters have been implemented under the deck;
 - 4b) The concrete mix has been revised with accelerators and more cement.



5. ALL concrete operations will be strictly terminated before 9:00pm, regardless of progress, to allow crews adequate time to leave the jobsite and neighborhood.

Upcoming work following concrete placement (All activities to follow procedures stated and be performed within noise ordinances limits):

1. Erection of CMU Block Stair & Elevator Cores
2. Prefabricated Wood Framing (Levels 4-8) & Nailing Operations
3. Metal Stud Framing (Levels 1-4) & Exterior Wall Installation

We acknowledge that our actions will be speak much louder than our words, and we plan to regain your trust by following the process stated above and working within Denver ordinances. Upon your review, if you have any questions, comments, or concerns regarding the information provided, or any other construction-related concerns, I can be reached at the phone number and email provided, below.

Sincerely,

Milender White

A handwritten signature in blue ink, appearing to read 'Michael Friedler'.

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Cc:

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