

**RESOLUTION NO. 2022-**

**A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE TOWN OF CASTLE ROCK SERVICE AGREEMENT WITH W.W. WHEELER & ASSOCIATES, INC., FOR THE CASTLE ROCK RESERVOIR NO. 2 PROJECT**

**WHEREAS**, the Town of Castle Rock, Colorado (the “Town”) and W.W. Wheeler and Associates, Inc., (“Consultant”) are parties to the Town of Castle Rock Services Agreement (Castle Rock Reservoir No. 2 – Design and Permitting), dated September 15, 2020 (the “Agreement”), and the First Amendment to same, dated April 9, 2021; and

**WHEREAS**, the Town and Consultant seek to extend the duration of the Agreement, add additional services to the scope of the Agreement, and increase the price of the Agreement by \$102,100.00, for a total cumulative amount not to exceed \$713,370.00; and

**WHEREAS**, the Town and the Consultant have agreed to the terms and conditions by which the Consultant will continue providing services in accordance with the Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:**

**Section 1. Approval.** The Second Amendment to the Agreement between the Town and Consultant is hereby approved in substantially the same form attached as *Exhibit 1*, with such technical changes, additions, modifications, or deletions as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the Agreement by and on behalf of the Town.

**Section 2. Encumbrance and Authorization for Payment.** In order to meet the Town's financial obligations under the Agreement, the Town Council authorizes the expenditure and payment from account no. 211-4375-443-79-15 in an amount not to exceed \$102,100.00, unless otherwise authorized in writing by the Town.

**PASSED, APPROVED AND ADOPTED** this 19th day of April, 2022 by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, by a vote of \_\_\_ for and \_\_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Michael J. Hyman, Town Attorney

\_\_\_\_\_  
Mark Marlowe, Director of Castle Rock Water