

RESOLUTION NO. 2022-

**RESOLUTION AUTHORIZING A CHANGE ORDER TO THE
CONSTRUCTION CONTRACT BETWEEN THE TOWN OF CASTLE
ROCK AND RME LTD., D/B/A ELITE SURFACE INFRASTRUCTURE
FOR THE PARKVIEW TRIBUTARY AND FIFTH STREET TRAIL
DRAINAGE IMPROVEMENTS PROJECT**

WHEREAS, on May 4, 2021, through Resolution No. 2021-043, the Town Council for the Town of Castle Rock, Colorado (the “Town”) approved a Construction Contract with RME LTD., d/b/a Elite Surface Infrastructure (“Contractor”) for the Parkview Tributary and Fifth Street Trail Drainage Improvements Project (the “Project”) in the amount of \$1,396,501.10 plus a Town-managed contingency of \$139,650.11; and

WHEREAS, the Town and Contractor have determined that additional funds and a reallocation of current funds are necessary to complete the Project; and

WHEREAS, the Town and Contractor have agreed to the terms and conditions by which Contractor will undertake the additional work to complete the Project.

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

Section 1. Approval. The Change Order to the Construction Contract between the Town and Contractor 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. Reallocation of Funds. In order to meet the Town’s financial obligations under the Change Order, the Town Council authorizes: (i) the reallocation of \$17,308.64 from account no. 210-4275-442.75-35 to account no. 212-4475-444.75-77; and (ii) the reallocation of \$11,634.62 from account no. 213-4575-445.75-62 to account no. 212-4475-444.75-77.

Section 3. Encumbrance and Authorization for Payment. In order to meet the Town's financial obligation under the Change Order, the Town Council authorizes an additional encumbrance from account no. 212-4475-444.78-02 in an amount not to exceed \$9,895.80, plus a Town-managed contingency in the amount of \$5,104.20, 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:

Lisa Anderson, Town Clerk

Approved as to form:

Michael J. Hyman, Town Attorney

TOWN OF CASTLE ROCK

Jason Gray, Mayor

Approved as to content:

Mark Marlowe, Director Castle Rock Water