

RESOLUTION NO. 2023-

**A RESOLUTION APPROVING A CONSTRUCTION CONTRACT WITH
KRAEMER NORTH AMERICA, LLC, FOR THE CRYSTAL VALLEY
INTERCHANGE – PACKAGE 1 CONSTRUCTION PROJECT**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) and Kraemer North America, LLC (the “Contractor”), have entered into a Construction Management/General Contractor Service Agreement (the “CM/GC Agreement”) for the Crystal Valley Interchange (“CVI”); and

WHEREAS, pursuant to the terms and conditions of the CM/GC Agreement, the Contractor may submit a proposal to the Town for each phase of construction of the CVI (the “Proposal”); and

WHEREAS, the Contractor has submitted a Proposal to the Town to provide construction work for the Crystal Valley Interchange – Package 1 Construction Project (the “Project”); and

WHEREAS, the Project selection team has determined that the Contractor is best qualified to perform work for the Project; and

WHEREAS, the Town and the Contractor have agreed to the terms and conditions by which the Contractor will provide work for the Project.

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

Section 1. Approval. 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, deletions, or amendments 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 and any technical amendments thereto by and on behalf of the Town. The Contractor will not be issued the Notice to Proceed until all Right-of-Way (ROW) has been secured for Package 1, and all clearances for Package 1 have been received from Colorado Department of Transportation (CDOT)

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. 135-3175-431.78-41 in an amount not to exceed \$17,196,090.70, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2023, 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

Daniel Sailer, Director of Public Works