

RESOLUTION NO. 2025-078

**A RESOLUTION WAIVING THE FORMAL WRITTEN BIDDING
REQUIREMENT ON THE BASIS OF SOLE SOURCE AND
EMERGENCY AND APPROVING A CONSTRUCTION CONTRACT
WITH GARNEY COMPANIES, INC. FOR THE RAY WATERMAN
REGIONAL WATER TREATMENT CENTER AND BELL MOUNTAIN
RANCH LAS CONVERSION PROJECT**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”), has determined that Garney Companies, Inc. (the “Contractor”), is best suited to undertake preconstruction services for the Ray Waterman Regional Water Treatment Center and Bell Mountain Ranch LAS Conversion Project (the “Project”); and

WHEREAS, under the Town Purchasing Policies and Procedures, the requirement for formal written sealed bids may be waived where only one known source exists, only one single supplier can fulfill the requirements, the service is of a unique nature, the service allows for standardization with existing equipment, or the Town currently has a contract in place with a contractor for similar work (“sole source”) or on the basis of emergency; and

WHEREAS, according to Section 3.02.060.A.4 of the Castle Rock Municipal Code, Town Council has the authority to waive the requirement for formal written sealed bids on the basis of sole source or emergency for the procurement of work or services in excess of \$250,000; and

WHEREAS, because the Town currently has a contract in place with Contractor for similar work, the Contractor is familiar with the Town’s facilities and standards, is available to complete the work in the necessary time frame and develop a schedule that minimizes impacts to Town operations, and because delay of this Project would detrimentally impact the wellbeing of the Town’s citizens and property, Town staff recommends Town Council waive the formal written sealed bid requirement on the basis of sole source and emergency; and

WHEREAS, subject to Town Council’s waiver of the requirement for formal written sealed bids, the Town and the Contractor have agreed to the terms and conditions by which the Contractor will provide preconstruction services for the Project (the “Agreement”); and

WHEREAS, Town Staff recommends Town Council approve the Agreement with the Contractor.

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

Section 1. Sole Source Approval. The sole source justification form is hereby approved in the same form as presented at tonight’s meeting.

Section 2. Approval. The Agreement between the Town and Contractor is hereby approved in substantially the same form as presented at tonight’s meeting, 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.

Section 3. 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 in an amount not to exceed \$1,199,662.00, plus a Town-managed contingency in the amount of \$119,966.00, unless otherwise authorized in writing by the Town. The total authorized payment under the Agreement, including the contingency, is \$1,319,628.00.

PASSED, APPROVED AND ADOPTED this 1st day of July, 2025, 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, Castle Rock Water