

RESOLUTION NO. 2025-066

**A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE
SERVICES AGREEMENT WITH BURNS & MCDONNELL
ENGINEERING COMPANY, INC., FOR THE FRONT STREET
DOWNTOWN CONNECTION, RWRWTC PUMP UPGRADES, &
LIGGETT ROAD PIPE UPSIZE PROJECTS**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) and Burns & McDonnell Engineering Company, Inc. (the “Consultant”) are parties to the Town of Castle Rock Services Agreement for the Front Street Downtown Connection, RWRWTC Pump Upgrades, and Liggett Road Pipe Upsize Projects (the “Projects”) dated April 16, 2024 (the “Agreement”), to provide engineering and design services for the Projects; and

WHEREAS, pursuant to Resolution No. 2024-039, the Town Council approved the Agreement and authorized the expenditure and payment for the Town’s financial obligations thereunder in a not-to-exceed amount of \$405,500.00, plus a Town-managed contingency in the amount of \$40,550.00, for a total authorization of \$446,050.00; and

WHEREAS, the Town and the Consultant subsequently entered into the First Amendment to the Agreement (“First Amendment”) dated April 11, 2025 to update the scope of services to provide for additional surveying needed after selection of final alignments for two of the Projects, and to increase the payment amount, within the originally authorized contingency amount, by \$22,221.00; and

WHEREAS, the Town and the Consultant wish to further amend the Agreement to extend the expiration date of the Agreement to September 30, 2026, to update the scope of services to provide for additional recommended engineering and design services to reduce risk to the Town during the bidding process and construction, and to increase the payment amount by the amount of \$149,178.00 (“Second Amendment”), which will exceed the \$18,329.00 remainder of the originally authorized contingency amount; and

WHEREAS, subject to Town Council’s approval, the Town and the Consultant have agreed to the terms and conditions governing the Second Amendment.

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 the Consultant 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 Second Amendment and any technical amendments thereto by and on behalf of the Town.

Section 2. Encumbrance and Authorization for Payment. In order to meet the Town's financial obligations to cover the expanded scope of services under the Second Amendment to the Agreement, the Town Council authorizes the expenditure and payment in an amount not to exceed \$149,178.00, unless otherwise authorized in writing by the Town. The total authorized payment under the Agreement and the First and Second Amendments to the Agreement, including the remaining contingency amount of \$18,329.00, is \$595,228.00. Any expenditure of the Town-managed contingency for purposes within the original scope of the Agreement may be authorized through a technical amendment to the Agreement as provided in Section 1 of this Resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of June, 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 of Castle Rock Water