

## **RESOLUTION NO. 2025-093**

### **A RESOLUTION APPROVING THE FIRST AMENDMENT TO TOWN OF CASTLE ROCK CONSTRUCTION CONTRACT WITH GARNEY COMPANIES, INC., FOR THE RWRWTC LAS CONVERSION PROJECT**

**WHEREAS**, the Town of Castle Rock, Colorado (the “Town”) and Garney Companies, Inc. (the “Contractor”) are parties to the Town of Castle Rock Construction Contract for the Ray Waterman Regional Water Treatment Center (“RWRWTC”) and Bell Mountain Ranch (“BMR”) LAS Conversion Project (the “Project”), which Agreement was approved by the Town Council pursuant to Resolution No. 2025-078 and executed July 1, 2025 (the “Agreement”), by which the Contractor agreed to undertake Work Package One for preconstruction services for the Project for a not-to-exceed amount of \$1,199,662.00; and

**WHEREAS**, the Town and the Contractor wish to amend the Agreement to remove from the scope of work the BMR-related portion of the Project and provide a credit of \$258,540.00 for the reduction in the scope of work to the contract price for Work Package One, resulting in a contract price of \$941,122.00 for Work Package One; and

**WHEREAS**, the Town and the Contractor further wish to amend the Agreement to incorporate Work Package Two as part of the scope of work for the Project, and to increase the contract price for this additional work under Work Package Two by the amount of \$2,734,805.00; and

**WHEREAS**, a Town-managed contingency in the amount of \$119,966.00 was previously authorized by Resolution No. 2025-078, and the Town hereby seeks authorization of an additional Town-managed contingency amount of \$273,480.00; and

**WHEREAS**, subject to Town Council’s approval of the updated scope of work and contract price, the Town and the Contractor have agreed to the terms and conditions governing the First Amendment to the Agreement (the “First Amendment”).

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

**Section 1. Approval.** The First Amendment between the Town and the 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 First 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 revised scope of work under the First Amendment, the Town Council authorizes the expenditure and payment in an amount not to exceed \$2,734,805.00, plus a Town-managed contingency in the amount of \$273,480.00, unless otherwise authorized in

writing by the Town. The total authorized payment under the Agreement and the First Amendment to the Agreement, including the total contingency in the amount of \$393,446.00, is \$4,069,373.00.

**PASSED, APPROVED AND ADOPTED** this 19th day of August, 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