

RESOLUTION NO. 2024-__

A RESOLUTION APPROVING THE SECOND AMENDMENT TO THE TOWN OF CASTLE ROCK SERVICES AGREEMENT WITH DEWBERRY ENGINEERS INC., FOR THE YOUNG AMERICAN INFRASTRUCTURE IMPROVEMENTS, BELL MOUNTAIN RAW PIPELINE, AND BELL MOUNTAIN FLOW METER VAULT UPGRADE PROJECTS

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) and Dewberry Engineers, Inc. (the “Contractor”) are parties to the Town of Castle Rock Services Agreement (Young American Infrastructure Improvements, Bell Mountain Raw Pipeline, and Bell Mountain Flow Meter Vault Upgrade Projects) dated August 15, 2023 (the “Agreement”), with a payment amount thereunder of \$623,784.00; and

WHEREAS, the Town Council authorized a contingency amount of \$31,189.00 in connection with approving the Agreement; and

WHEREAS, the Town and the Contractor are parties to the First Amendment to the Agreement dated May 28, 2024 (“First Amendment”) extending the completion date of the Agreement; and

WHEREAS, the Town and the Contractor wish to further amend the Agreement to add additional services, increase the payment amount by \$138,653.00 for a total cumulative payment amount of \$762,437.00, and extend the completion date to December 31, 2025 due to the revised scope of services (the “Second Amendment”); and

WHEREAS, subject to Town Council’s approval of the expanded scope of services, increased payment amount, and extended completion of services date, the Town and the Contractor 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 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 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 additional expenditure and payment in an amount not to exceed \$107,464.00, unless otherwise authorized in writing by the Town. The total authorized payment under the Agreement, the First Amendment, and the Second

Amendment to the Agreement is \$762,437.00, inclusive of the \$31,189.00 contingency amount previously authorized and the \$107,464.00 additional amount authorized under this resolution.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2024, 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