

RESOLUTION NO. 2022-

**A RESOLUTION APPROVING A CONSTRUCTION CONTRACT WITH
TECHCON INFRASTRUCTURE, LLC, FOR THE DOWNTOWN
RAILWAY CROSSING IMPROVEMENT PROJECT**

WHEREAS, on April 19, 2022, the Town Council adopted Resolution 2022-045, approving pedestrian at-grade pathway agreements between the Town of Castle Rock, Colorado (the “Town”) and the Union Pacific Railroad (“UPRR”) for the Second and Third Street at-grade rail crossings for the purpose of establishing a quiet zone; and

WHEREAS, in association with these agreements, the Town acknowledged the need to contract for and construct additional improvements, including roadway work to tie into the UPRR’s track adjustments, additional curb and gutter, new pedestrian sidewalks at each crossing, and pavement marking and sign adjustments (the “Downtown Railway Crossing Improvement Project” or “Project”); and

WHEREAS, the Town has solicited bids for the Project; and

WHEREAS, the Project selection team has determined TechCon Infrastructure, LLC, (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, or deletions 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 by and on behalf of the Town.

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. 112-3160-431.40-35 in an amount not to exceed \$295,000.00, plus a Town-managed contingency in the amount of \$29,500.00, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 6th day of September, 2022 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, P.E., Director of Public Works