

RESOLUTION NO. 2023-015

**A RESOLUTION WAIVING THE TOWN'S FORMAL WRITTEN
BIDDING REQUIREMENT ON THE BASIS OF SOLE SOURCE AND
APPROVING AN AGREEMENT FOR SERVICE WITH CORE ELECTRIC
COOPERATIVE, FOR THE CRYSTAL VALLEY PARKWAY AND PLUM
CREEK BOULEVARD ROUNDABOUT PROJECT**

WHEREAS, the Town of Castle Rock, Colorado (the "Town") requires the construction of intersection lighting and the relocation of existing facilities as part of the Crystal Valley Parkway and Plum Creek Boulevard Roundabout Project (the "Project"); and

WHEREAS, the Town has determined that, as the owner of the facilities and the sole provider of these services to the Town, CORE Electric Cooperative, (the "Contractor") is best qualified to perform work for the Project; and

WHEREAS, under the Town Procurement Code, 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, the item or service has been formally awarded to a vendor by the State of Colorado through cooperative purchasing, or the Town currently has a contract in place with a vendor for similar work ("sole source"); and

WHEREAS, according to Section 3.02.060.A.4 of the Town Procurement Code, Town Council has the authority to waive the requirement for formal written sealed bids on the basis of sole source for the procurement of work or services in excess of \$250,000.00; and

WHEREAS, should Town Council approve the sole source with Contractor, the Town and the Contractor have agreed to the terms and conditions by which the Contractor will provide work for the Project (the "Agreement").

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 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.

Section 2. Agreement Approval. The Agreement between the Town and Contractor is hereby approved in substantially the same form attached as *Exhibit 2*, 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 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 from account no. 135-3175-431.79-17 in an amount not to exceed \$386,069.00, plus a Town-managed contingency in the amount of \$38,931.00, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 21st day of February, 2023 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, Director of Public Works