

RESOLUTION NO. 2023-132

**A RESOLUTION APPROVING A CONSTRUCTION CONTRACT WITH
53 CORPORATION, LLC, FOR THE TANK 6B SITE RESTORATION
PROJECT**

WHEREAS, in 2010, the Town of Castle Rock, Colorado (the “Town”) conducted a structural inspection of Castle Rock Water Tank 6B (“Tank 6B”), finding significant deterioration of the roof; and

WHEREAS, due to the high risk of structural failure, Tank 6B was taken out of service and scheduled for demolition; and

WHEREAS, in March, 2023, the Town entered into a construction contract with Western Wrecking in the amount of \$122,560 for the demolition of Water Tank 6B (the “Tank 6B Demolition Project”; and

WHEREAS, in September, 2023, the Town Manager approved a change order for the Tank 6B Demolition Project in the amount of \$113,250; and

WHEREAS, recently, Town staff has determined that construction of a second blue zone tank near the Meadows neighborhood is a higher priority than the replacement of Tank 6B; and

WHEREAS, as a result, it has become necessary to fill the hole left from the removal of Tank 6B (the “Tank 6B Site Restoration Project”); and

WHEREAS, the Town has determined that 53 Corporation, LLC (the “Contractor”) has submitted the lowest, best and responsive bid for the Tank 6B Site Restoration Project; and

WHEREAS, the Town and the Contractor have agreed to the terms and conditions by which the Contractor will provide work for the Tank 6B Site Restoration Project; and

WHEREAS, the Contractor’s bid of \$34,650.00 will cause in the total combined price of the Tank 6B Demolition Project and Tank 6B Site Restoration Project to exceed \$250,000.00.

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

Section 1. Agreement Approval. The Agreement between the Town and Contractor is hereby approved in the form presented at tonight’s meeting, with such technical changes, additions, modifications, or 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 Agreement 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 under the Agreement, the Town Council authorizes an expenditure and payment from the Tank Rehab and Replacement account in an amount not to exceed \$34,650.00, plus a Town's 10% contingency of \$3,465.00, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 7th day of November, 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

Mark Marlowe, Director of Castle Rock Water