

RESOLUTION NO. 2024-107

A RESOLUTION APPROVING THE FOURTH AMENDMENT TO THE TOWN OF CASTLE ROCK SERVICES AGREEMENT WITH SABELL'S CIVIL AND LANDSCAPE, LLC, FOR CONCRETE REMOVAL AND PLACEMENT SERVICES

WHEREAS, the Town of Castle Rock, Colorado (the "Town") and SaBell's Civil and Landscape, LLC (the "Contractor"), are parties to the Town of Castle Rock Services Agreement (Concrete Removal and Placement Services) dated February 25, 2021 (the "Agreement"), to provide concrete removal and placement on-call services; and

WHEREAS, the Town and Contractor subsequently entered into three amendments to the Agreement, consisting of the First Renewal On-Call Services Agreement dated December 17, 2021 ("First Amendment"), a Second Renewal Services Agreement dated December 8, 2022 ("Second Amendment"), and an Amendatory Agreement to the Second Renewal of the Town of Castle Rock Services Agreement dated September 1, 2023 ("Third Amendment"); and

WHEREAS, the Town and the Contractor wish to further amend the Agreement to extend the Agreement Term to December 31, 2025, to increase the not-to-exceed payment amount for the 2024 fiscal year to a not-to-exceed amount of \$1,144,275.00 due to the Centennial Park Court Replacement Project, and to provide for a not-to-exceed payment amount of \$500,000.00 for the 2025 fiscal year ("Fourth Amendment"); and

WHEREAS, subject to Town Council's approval of the increased payment amount and extended Term, the Town and the Contractor have agreed to the terms and conditions governing the Fourth Amendment.

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

Section 1. Approval. The Fourth 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 under the Fourth Amendment to the Agreement, the Town Council authorizes the expenditure and payment in an amount not to exceed \$1,144,275.00 for the 2024 fiscal year, and \$500,000.00 for the 2025 fiscal year, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 15th day of October, 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

Jeff Brauer, Director of Parks & Recreation