

RESOLUTION NO. 2023-

**A RESOLUTION RATIFYING CONSTRUCTION CONTRACT CHANGE
ORDER 3 AND APPROVING CHANGE ORDER 4 BETWEEN THE TOWN
OF CASTLE ROCK AND HYDRO RESOURCES – ROCKY MOUNTAIN,
INC., FOR THE 2022 DENVER BASIN WELLS REHABILITATION,
PUMPING EQUIPMENT REPLACEMENT PROJECT**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) and Hydro Resources – Rocky Mountain, Inc., (“Contractor”) are parties to the Town of Castle Rock Construction Contract, dated March 15, 2022, and approved by Resolution No. 2022-033 (the “Agreement”) for the 2022 Denver Basin Wells Rehabilitation, Pumping Equipment Replacement Project (the “Project”); and

WHEREAS, pursuant to Resolution No. 2022-033, Town Council authorized the expenditure of \$873,274.00 for the Project and a Town-managed contingency amount of \$87,327.40; and

WHEREAS, Town staff internally approved Change Order 1 for an expenditure of \$31,608.65 in contingent funds and Change Order 2, which was strictly a quantity adjustment; and

WHEREAS, the Town approved Change Order 3 for an expenditure of \$70,555.00 in contingent funds under emergency authorization from the Town Manager; and

WHEREAS, this expenditure caused the Town to exceed the authorized contingency by \$14,836.25; and

WHEREAS, the Town now seeks Town Council’s ratification of Change Order 3 and approval of Change Order 4, which decreases the Project cost by an amount of \$7,341.00.

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

Section 1. Ratification. Change Order 3 to the Agreement between the Town and Contractor is hereby ratified 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.

Section 2. Approval. Change Order 4 to the Agreement between the Town and 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 Agreement and any technical amendments thereto by and on behalf of the Town.

Section 3. Encumbrance and Authorization for Payment. In order to meet the Town's financial obligations under Change Orders 3 and 4 to the Agreement, the Town Council authorizes the additional contingency expenditure and payment from account no. 210-4275-442.40-37 in an amount not to exceed \$7,495.25, for a total revised contingency amount of \$94,822.65, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 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