

RESOLUTION NO. 2024-035

A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE CONSTRUCTION CONTRACT WITH SAUNDERS CONSTRUCTION, INC., FOR THE RECREATION CENTER SLIDE TOWER REMOVAL AND REPLACEMENT PROJECT

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) and Saunders Construction, Inc. (the “Contractor”) are parties to the Town of Castle Rock Construction Contract (Recreation Center Water Slide Tower Remove & Replacement) executed August 28, 2023 (the “Agreement”); and

WHEREAS, the Town and the Contractor wish to amend the Agreement to expand the Contractor’s scope of work, increase the contract price for this additional work by the amount of \$249,823.00 for an amended contract price of \$2,981,138.74, and extend the completion date due to the expanded scope of work (the “First Amendment”); and

WHEREAS, subject to Town Council’s approval of the change in contract price, scope of work, and completion date, the Town and the Contractor have agreed to the terms and conditions governing the First Amendment.

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

Section 1. Approval. The First 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 First 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 to cover the expanded scope of work under the First Amendment to the Agreement, the Town Council authorizes the expenditure and payment from the Community Center Fund in an amount not to exceed \$249,823.00, plus a Town-managed contingency in the amount of \$24,982.00, unless otherwise authorized in writing by the Town. The total authorized payment under the Agreement and the First Amendment to the Agreement, including the contingency, is \$3,010,003.40. Any expenditure of the Town-managed contingency for purposes within the scope of the Agreement and the First Amendment to the Agreement may be authorized through a technical amendment to the Agreement as provided in Section 1 of this Resolution.

PASSED, APPROVED AND ADOPTED this 2nd day of April, 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 and Recreation