

RESOLUTION NO. 2024-077

A RESOLUTION AMENDING RESOLUTION 2023-123 TO INCREASE THE CONTINGENCY AMOUNT FOR THE TOWN OF CASTLE ROCK'S CONSTRUCTION CONTRACT WITH APPLIED INGENUITY, LLC FOR THE 2023-2024 DENVER BASIN AQUIFER REHABILITATION AND PUMPING EQUIPMENT REPLACEMENT PROJECT

WHEREAS, the Town of Castle Rock, Colorado (the "Town") passed Resolution No. 2023-123, A Resolution Approving a Construction Contract with Applied Ingenuity, LLC for the 2023-2024 Denver Basin Aquifer Rehabilitation and Pumping Equipment Replacement Project (the "Resolution"), on October 17, 2023 by a vote of seven in favor and zero opposed; and

WHEREAS, the Resolution approved a construction contract for the planned rehabilitation of four Denver Basin wells, and video investigation of three Bell Mountain Ranch wells that the Town potentially desires to tie into the Bell Mountain Treatment Plant (the "Work"); and

WHEREAS, the Resolution encumbered and authorized payment for the Work in an amount not to exceed \$870,353.00 plus a Town-managed contingency in the amount of \$87,035.30 from account no. 210-4275-442.40-37; and

WHEREAS, unforeseen issues with some of the wells, such as old equipment and additional cleaning, have surfaced since the Work began, increasing the amount of time and funding needed to complete the work; and

WHEREAS, the cost of these unforeseen issues has required the total expenditure of the contingency approved by Resolution No. 2023-123; and

WHEREAS, additional funding beyond the contingency approved by Resolution no. 2023-123 in the amount of \$66,858.00 is needed to complete the Work; and

WHEREAS, Town staff has determined that it is prudent to authorize an additional five percent (5%) of the overall cost of the Work in the amount of \$43,517.65 to account for any additional unforeseen complications; and

WHEREAS, amending the contingency amount approved by Resolution No. 2023-123 to reflect the required additional funds is the most efficient way in which to provide the funds needed to complete the Work.

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

Section 1. Amendment. Section 2 of the Resolution is amended as follows:

“Section 2. 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. 210-4275-442.40-37 in an amount not to exceed \$870,353.00, plus a Town-managed contingency in the amount of \$197,410.95, unless otherwise authorized in writing by the Town. Any expenditure of the Town-managed contingency for purposes within the original scope of 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 16th day of July, 2024, by the Town Council of the Town of Castle Rock 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