

RESOLUTION NO. 2024-099

**A RESOLUTION APPROVING A SECOND AMENDMENT TO TOWN
OF CASTLE ROCK SERVICES AGREEMENT WITH ROCKSOL
CONSULTING GROUP, INC., FOR CONTINUED MANAGEMENT,
INSPECTION, AND MATERIALS TESTING OF THE FOUR CORNERS
INTERSECTION IMPROVEMENT PROJECT**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) entered into a Town of Castle Rock Services Agreement on July 19, 2022 (the “Agreement”) with Rocksol Consulting Group, Inc. (“Consultant”), wherein construction management services for the Four Corners Intersection Improvement Project (the “Project”) were agreed to be conducted through November 23, 2023 for an amount not to exceed \$757,978.00; and

WHEREAS, Town Council approved the Agreement unanimously with the approval and adoption of Resolution No. 2022-080, and encumbered \$689,071.00 plus a Town-managed contingency fund of \$68,907.00 for a total of \$757,978.00 in funding for the Agreement; and

WHEREAS, Resolution No. 2022-080 also empowered the Town to make technical changes, additions, modifications, or deletions to the Agreement as approved by the Town Manager upon consultation with the Town Attorney; and

WHEREAS, the Town amended the Agreement in a First Amendatory Agreement dated October 4, 2023 (the “First Amendment”), extending the term of the Agreement through February 28, 2025; and

WHEREAS, significant flaws in the design plan for the Project, as well as other unforeseen challenges, require additional construction management and inspection services for the Project than originally anticipated; and

WHEREAS, Consultant and Town staff estimate that these enhanced construction management and inspection services for the remainder of the Project will cost an additional \$270,999.80 beyond what was originally appropriated in the Agreement; and

WHEREAS, the Town wishes to provide the additional funding to Consultant through a second amendment to the Agreement (the “Second Amendment”); and

WHEREAS, the Town and Consultant have agreed to the terms and conditions by which the additional funding will be provided.

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

Section 1. Approval. The Second Amendment between the Town and Consultant 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 Second Amendment, the Town authorizes the additional expenditure and payment in an amount not to exceed \$270,999.80, for a cumulative total of \$1,028,977.80 to Consultant, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 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

Daniel Sailer, Director of Public Works