

RESOLUTION NO. 2026-028

A RESOLUTION APPROVING THE SECOND AMENDMENT TO TOWN OF CASTLE ROCK CONSTRUCTION CONTRACT WITH GARNEY COMPANIES, INC., FOR THE RWRWTC LAS CONVERSION PROJECT

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) and Garney Companies, Inc. (the “ Contractor”) are parties to the Town of Castle Rock Construction Contract (the “Contract”) for the Ray Waterman Regional Water Treatment Center (“RWRWTC”) and Bell Mountain Ranch (“BMR”) LAS Conversion Project (the “Project”), which Contract was approved by the Town Council pursuant to Resolution No. 2025-078 and executed on July 1, 2025; and

WHEREAS, subsequently, the Town and the Contractor agreed to enter into the First Amendment to the Contract (the “First Amendment”) to remove the BMR-related portion of the Project from the scope of work, which First Amendment was approved by the Town Council pursuant to Resolution No. 2025-093 and executed on August 19, 2025; and

WHEREAS, the Town and the Contractor initially intended that the Contract be completed in two work packages; and

WHEREAS, the Town and the Contractor now find it necessary to approve a third work package to allow additional work to be performed at the RWRWTC; and

WHEREAS, the Town and the Contractor have agreed upon the terms and conditions of a Second Amendment to the Contract (the “Second Amendment”) to incorporate the third work package as part of the scope of work for the Project and to increase the contract price for such additional work by the amount of \$1,041,858.00; and

WHEREAS, the Town Council finds and determines that approval of the Second Amendment is in the best interests of the Town and its residents.

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

Section 1. Approval. The Second Amendment to the Contract 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 to cover the revised scope of work under the Second Amendment, the Town Council authorizes the expenditure and payment in an amount not to exceed \$1,041,858.00, unless otherwise authorized in writing by the Town. The total authorized payment

under the Agreement and the First Amendment to the Agreement, including the total contingency in the amount of \$393,446.00, is \$5,111,231.00.

PASSED, APPROVED AND ADOPTED this 3rd day of March, 2026, 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