RESOLUTION NO. 2025-141

A RESOLUTION APPROVING THE THIRD AMENDMENT TO THE SERVICES AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC. FOR THE CHATFIELD PUMP BACK PROJECT FOR ENGINEERING AND DESIGN SERVICES

WHEREAS, the Town of Castle Rock, Colorado (the "Town") and Burns & McDonnell Engineering Company, Inc. (the "Consultant") are parties to the Town of Castle Rock Services Agreement for the Chatfield Pump Back Project (the "Project") dated September 20, 2022 (the "Agreement"), to provide engineering and design services for the Project; and

WHEREAS, pursuant to Resolution No. 2022-103, the Town Council approved the Agreement and authorized the expenditure and payment for the Town's financial obligations thereunder in a not-to-exceed amount of $349,149.00, plus a Town-managed contingency in the amount of $34,914.90; and

WHEREAS, the Town and the Consultant subsequently entered into the First Amendment to the Agreement ("First Amendment") dated September 22, 2023 and the Second Amendment to the Agreement ("Second Amendment") dated September 5, 2024 to extend the term of the Agreement; and

WHEREAS, the Town and the Consultant wish to further amend the Agreement to expand the scope of services, provide for an extension of time, and increase the not-to-exceed payment amount by $556,551.00 ("Third Amendment"); and

WHEREAS, the Town also hereby seeks authorization of an additional Town-managed contingency amount of $20,735.74; and

WHEREAS, subject to Town Council's approval, the Town and the Consultant have agreed to the terms and conditions governing the Third Amendment.

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

Section 1. **Approval**. The Third Amendment between the Town and the 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 Third 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 services under the Third Amendment, the Town Council authorizes an additional expenditure and payment in an amount not to exceed $556,551.00, unless otherwise authorized in writing by the Town. The total authorized payment under the Agreement and the First, Second, and Third Amendments to the Agreement, including the total contingency in the amount of $55,650.64, is $961,350.64.

PASSED, APPROVED AND ADOPTED this 4th day of November, 2025, 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