

RESOLUTION NO. 2018-\_\_\_

**RESOLUTION APPROVING THE FIRST AMENDMENT TO PLUM CREEK WATER PURIFICATION FACILITY (PCWPF) ADVANCED TREATMENT PROJECT CONSTRUCTION AGREEMENT WITH GARNEY COMPANIES, INC. FOR WORK PACKAGE ONE**

**WHEREAS**, the Town and Garney Companies, Inc. (“Garney”) are parties to the Plum Creek Water Purification Facility Advanced Treatment Project Construction Agreement dated August 9, 2018, by which Garney agreed to undertake preconstruction services for the Plum Creek Water Purification Facility Advanced Treatment Project (“Project”); and

**WHEREAS**, the Town and Garney have agreed to the terms and conditions of the First Amendment to the Plum Creek Water Purification Facility Advanced Treatment Project Construction Agreement incorporating Work Package One and establishing the Guaranteed Maximum Price for Work Package One; and

**WHEREAS**, a need for a sustainable long-term water supply was identified in the Town’s Water Resources Strategic Master Plan. The Project supports the Town’s long-term water goal of providing a 75 percent renewable water supply for the community at build-out; and

**WHEREAS**, on November 28, 2018 the Castle Rock Water Commission voted to recommend Town Council approval of the First Amendment to the Construction Agreement with Garney for Work Package One for this Project.

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

**Section 1. Approval.** The First Amendment to Plum Creek Water Purification Facility Advanced Treatment Project Construction Agreement in the form attached as *Exhibit 1* is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Amendment to the Agreement by and on behalf of the Town of Castle Rock, Colorado.

**Section 2. Encumbrance and Authorization for Payment.** In order to meet the Town's financial obligation under the First Amendment, the Town Council authorizes the expenditure and payment from expenditure account 211-4375-443.77-75, in an amount not to exceed \$10,249,971, unless authorized in writing by the Town of Castle Rock.

**PASSED, APPROVED AND ADOPTED** this 18th day of December, 2018, 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:**

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Robert J. Slentz, Town Attorney

**Approved as to content:**

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Mark Marlowe, Director of Castle Rock Water