

RESOLUTION NO. 2016-

**A RESOLUTION AUTHORIZING THE TOWN MANAGER AND FINANCE
DIRECTOR TO REALLOCATE FUNDS FOR THE NORTH MEADOWS DRIVE
EXTENSION PROJECT**

WHEREAS, by Resolution No. 2013-57 the Town Council approved the Castle Rock Agreement for Negotiated Unit Price Development up to a Fixed Contract Amount and Construction Services (North Meadows Drive Extension Project) between the Town of Castle Rock and Edward Kraemer & Sons, Inc. ("Contract") which established the Fixed Limit of Construction Costs ("FLCC") of \$64,157,000 for the North Meadows Drive Extension Project ("Project"), and

WHEREAS, it is anticipated that the Project will be completed at, or under the FLCC, and

WHEREAS, for each Phase of construction, the Town Council approved an amendment to the Contract which allocated funds for such Phase, and when combined established the total Contract sum for the Project, and

WHEREAS, as the Project nears completions, it is anticipated that certain Phases will be completed at a lower cost than originally estimated, while others may exceed the amount authorized under the Contract amendment, provided however, the combined total costs for all amendments remain under the authorized FLCC, and

WHEREAS, in order to expedite completion of the Project, without the delay of requesting approval of additional amendments to the Contract in order to reduce or increase the Contract sums, it is requested that the Town Manager and Finance Director be authorized to approve the reallocation of funds from one contract amendment to another, provided such reallocations do not result in an increase in the FLCC.

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

Section 1. Authorization. The Town Manager and Finance Director are authorized to reallocate funds between various amendments to the Contract with Kraemer North America, LLC, while not exceeded in sum total the amount of the FLCC authorized by Council.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2016 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

Sally A. Misare, Town Clerk

Paul Donahue, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Robert Goebel, Public Works Director