

**RESOLUTION NO. 2022-**

**A RESOLUTION WAIVING FORMAL WRITTEN BIDDING  
REQUIREMENT ON THE BASIS OF SOLE SOURCE FOR SERVICES  
PERFORMED BY ACADEMY SPORTS TURF, INC., FOR THE  
PAINTBRUSH PARK SYNTHETIC TURF  
CONVERSION PROJECT AND APPROVING AN EQUIPMENT AND  
SERVICES AGREEMENT**

**WHEREAS**, the Town of Castle Rock, Colorado (the “Town”) has identified an entity to provide synthetic turf conversion and installation work for the Paintbrush Park Synthetic Turf Conversion Project (the “Project”); and

**WHEREAS**, the Project selection team has determined Academy Sports Turf, Inc., (the “Contractor”) is best qualified to perform work for the Project; and

**WHEREAS**, under the Town Procurement Code, in most instances, the Town Manager has the authority to approve contracts for the purchase of goods or procurement of services in an amount up to and including \$250,000; and

**WHEREAS**, an exception to this general rule, however, occurs where a contract is entered into without a competitive bidding process based upon a justification that only one known source exists or that only one single supplier can fulfill the requirements (“sole source”); and

**WHEREAS**, under these circumstances, Town Council must waive the requirement for formal written sealed bids on the basis of sole source for the procurement of work or services in excess of \$75,000; and

**WHEREAS**, pursuant to the Town of Castle Rock Municipal Code Section 3.02.060, Town Staff recommends Town Council waive the formal written sealed bid requirement on the basis of sole source for the Project in an amount of \$1,659,000.00; and

**WHEREAS**, should Town Council waive the formal written sealed bid requirement, the Town and the Contractor have agreed to the terms and conditions by which the Contractor will provide work for the Project.

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

**Section 1. Approval.** The sole source justification form is hereby approved in substantially the same form attached as *Exhibit 1*, with such technical changes, additions, modifications, or deletions 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 Agreement by and on behalf of the Town.

**Section 2. Approval.** The Equipment and Services Acquisition Agreement between the Town and Contractor is hereby approved in substantially the same form attached as ***Exhibit 2***, with such technical changes, additions, modifications, or deletions 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 Agreement by and on behalf of the Town.

**Section 3. Encumbrance and Authorization for Payment.** In order to meet the Town's financial obligations under the Agreement, the Town Council authorizes the expenditure and payment from account no. 110-5275-452.78-47 in an amount not to exceed \$1,659,000.00, unless otherwise authorized in writing by the Town.

**PASSED, APPROVED AND ADOPTED** this 16th day of August, 2022 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

\_\_\_\_\_  
Jeff Brauer, Director of Parks and Recreation