

RESOLUTION NO. 2023-

**A RESOLUTION APPROVING A CONSTRUCTION CONTRACT WITH
53 CORPORATION, LLC, FOR THE EAST PLUM CREEK REACH 6
STABILIZATION PROJECT**

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) has solicited bids for creek stabilization improvements for the East Plum Creek Reach 6 Stabilization Project (the “Project”); and

WHEREAS, the Project selection team has determined 53 Corporation, LLC, (the “Contractor”) is best qualified to perform work for the Project; and

WHEREAS, 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 Construction Contract between the Town and Contractor 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. 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. 212-4475-444.76-37 in an amount not to exceed \$1,353,006.00, plus a Town-managed contingency in the amount of \$135,301.00, unless otherwise authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 17th day of January, 2023 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