

**RESOLUTION NO. 2023-**

**A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE  
INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF  
CASTLE ROCK, THE SOUTH METRO WISE AUTHORITY, DOMINION  
WATER AND SANITATION DISTRICT, AND PARKER WATER AND  
SANITATION DISTRICT REGARDING THE WISE PUMP STATION  
AND INFRASTRUCTURE DESIGN**

**WHEREAS**, the South Metro WISE Authority (the “Authority”) exists to facilitate the acquisition, construction and operation of a water delivery system to its members; and

**WHEREAS**, the Town of Castle Rock, Colorado (the “Town”), Dominion Water and Sanitation District, and Parker Water and Sanitation District (“PWSD”), (collectively, the “Participants”) are all members of the Authority; and

**WHEREAS**, the Authority and the Participants have entered into an Intergovernmental Agreement dated January 31, 2022 (the “Agreement”), regarding participation in and payment of the costs associated with the design of the WISE Pump Station and the additional infrastructure needed at and around the Rueter-Hess Reservoir and Water Purification Facility (collectively, the “Pump Station Infrastructure”) to deliver WISE water to the Participants; and

**WHEREAS**, during the course of designing the Pump Station Infrastructure, the design consultant, HDR, Inc., has acknowledged that it will need to undertake additional work in order to prepare an effective final design; and

**WHEREAS**, these additions to the original scope of work will have increased time and cost impacts, resulting in additional costs relating to the Pump Station Infrastructure of \$178,620.00, of which the Town’s pro rata share is \$93,754.80; and

**WHEREAS**, *Exhibit B* to the Agreement sets forth the pro rata share of the estimated costs associated with the Pump Station Infrastructure, including design costs, to be shared by the Participants; and

**WHEREAS**, the Authority and the Participants are authorized and desire to enter into this First Amendment for the purpose of amending *Exhibit B* to reflect these additional design costs.

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

**Section 1. Approval.** The First Amendment to the Agreement between the Authority and Participants regarding the WISE Pump Station and infrastructure design is hereby approved in substantially the same form attached as *Exhibit 1*, 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 Agreement 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 under the Agreement, the Town Council authorizes the expenditure and payment from the Water Resources CIP- WISE Infrastructure account no. 211-4375-443.77-72 in an amount not to exceed \$93,754.80, unless otherwise authorized in writing by the Town.

**PASSED, APPROVED AND ADOPTED** this 6th day of June, 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 Castle Rock Water