

RESOLUTION NO. 2018-048

A RESOLUTION APPROVING A WATER INFRASTRUCTURE DESIGN AND CONSTRUCTION COST SHARING INTERGOVERNMENTAL AGREEMENT (PLUM CREEK RAW WATER RETURN PIPELINE/EASTERN REGIONAL PIPELINE PROJECT)

WHEREAS, the Town of Castle Rock (“CRW”) and Dominion Water & Sanitation District (“Dominion”) have agreed to the terms and conditions of the Intergovernmental (Plum Creek Raw Water Return Pipeline/Eastern Regional Pipeline (“Agreement”).

WHEREAS, Dominion plans to construct certain potable water delivery infrastructure (the “Dominion Infrastructure”) in order to provide water service to the Sterling Ranch development and other entities in Northwest Douglas County, generally located northwest of the Town of Castle Rock; and

WHEREAS, CRW plans to construct a raw water delivery system (the “CRW Infrastructure”) to carry water from Castle Rock Water’s Plum Creek diversion and Castle Rock Reservoir No. 1 located north of the Town boundaries to the Town of Castle Rock; and

WHEREAS, CRW and Dominion support regional water projects, recognizing such projects benefit participants by reducing duplication in easement acquisition, construction costs and operations, thereby reducing the costs to CRW and Dominion’s customers; and

WHEREAS, it has been determined the Dominion Infrastructure and the CRW Infrastructure can be constructed concurrently within a shared utility corridor, thereby yielding cost savings and reducing construction complexities; and

WHEREAS, Dominion is willing to incorporate the design, construction and installation of the CRW Infrastructure into the Dominion’s Eastern Regional Pipeline Project (ERPP) Progressive Design-Build project and CRW desires to pay its proportionate share of the cost attributable to the design, construction and installation of the CRW Infrastructure; and

WHEREAS, the Parties agree it is in their best interest to share in the funding of the design, construction and installation of the Infrastructure as further set forth in this Agreement.

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

Section 1. Approval. The Water Infrastructure Design and Construction Cost Sharing Intergovernmental Agreement (Plum Creek Raw Water Return Pipeline/Eastern Regional Pipeline Project), in the form attached as *Exhibit 1* is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute 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 contract, the Town Council authorizes the expenditure and payment from account 211-4375-443.77-54, in a cost for design not to exceed \$1,092,078 and a cost for construction not to exceed \$15,187,850 for a total project cost not to exceed \$16,279,928 unless authorized in writing by the Town of Castle Rock.

PASSED, APPROVED AND ADOPTED this 15th day of May, 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

Jennifer Green, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Mark Marlowe, Director of Castle Rock Water