

RESOLUTION NO. 2018-

A RESOLUTION APPROVING AN ESCROW AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK, PLUM CREEK WATER RECLAMATION AUTHORITY, CASTLE PINES METROPOLITAN DISTRICT AND CASTLE PINES NORTH METROPOLITAN DISTRICT FOR CONSTRUCTION WORK PACKAGE ONE FOR THE PLUM CREEK WATER RECLAMATION TREATMENT PLANT 3.0 MGD EXPANSION

WHEREAS, the Town of Castle Rock is a member of the Plum Creek Water Reclamation Authority (“PCWRA”); and

WHEREAS, the Town, PCWRA, Castle Pines North Metropolitan District (“CPNMD”), and Castle Pines Metropolitan District (“CPMD”) (collectively, the “Parties”), have determined there is a need to expand the wastewater treatment capacity at the PCWRA plant (“Plant Expansion”); and

WHEREAS, PCWRA has entered into a Guaranteed Maximum Price Construction Contract with Moltz Construction, Inc., with the scope of construction work to include Work Package One. The scope of work includes primarily treatment process equipment procurement, earthwork, site utilities, demolition, and electrical work; and

WHEREAS, the Parties agree it is in their best interest to share in the funding of the Construction Work Package One for the Plant Expansion, with the Town’s share for Work Package One being \$11,834,638; and

WHEREAS, on July 25, 2018 the Castle Rock Water Commission voted unanimously to recommend Town Council approval of the Construction Work Package One Escrow Agreement.

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

Section 1. Approval. The Construction Work Package One Escrow Agreement in the form attached as *Exhibit 1* is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Escrow 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 agreement, the Town Council authorizes the expenditure and payment from account 213-4575-445.78-79 (PCWRA Capacity Expansion) for a total authorization in an amount not to exceed \$11,834,638, unless authorized in writing by the Town of Castle Rock.

PASSED, APPROVED AND ADOPTED this 21st day of August, 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