

**RESOLUTION NO. 2018-**

**A RESOLUTION APPROVING AN ESCROW AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK AND PLUM CREEK WATER RECLAMATION AUTHORITY FOR CONSTRUCTION PHASE ENGINEERING SERVICES FOR THE WASTEWATER 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 and PCWRA (collectively, the “Parties”), have determined there is a need to expand the wastewater treatment capacity at the PCWRA plant (“Plant Expansion”); and

**WHEREAS**, the Parties agree it is in their best interest to share in the funding of the construction phase engineering services for the wastewater treatment plant 3.0 million gallons per day (MGD) expansion, and

**WHEREAS**, this agreement will allow PCWRA to amend their existing design contract with Burns and McDonnell Engineering Company, Inc. to add construction phase engineering services for the Plant Expansion; and

**WHEREAS**, on October 24, 2018 the Castle Rock Water Commission voted unanimously to recommend Town Council approval of the Escrow Agreement attached as *Exhibit 1*.

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

**Section 1. Approval.** The Escrow Agreement for Construction Phase Engineering Services for the Wastewater Treatment Plant 3.0 MGD Expansion 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 \$1,078,323, unless authorized in writing by the Town of Castle Rock.

**PASSED, APPROVED AND ADOPTED** this 6th day of November, 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**

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Lisa Anderson, Town Clerk

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Jennifer Green, Mayor

**Approved as to form:**

**Approved as to content:**

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Robert J. Slentz, Town Attorney

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Mark Marlowe, Director of Castle Rock Water