

RESOLUTION NO. 2019-____

RESOLUTION APPROVING A CONSTRUCTION CONTRACT WITH 53 CORPORATION, LLC FOR THE 2018 MINOR DRAINAGEWAY IMPROVEMENTS PROJECT

WHEREAS, Castle Rock Water has determined that drainage improvements are needed along Hangmans Gulch Tributary B in the Woodlands subdivision open space, and along Parkview Tributary in Rock Park adjacent to Canyon Drive, to address severe erosion and stream bank instability; and

WHEREAS, the improvements include the installation of reinforced concrete storm sewer pipe, manholes, riprap, earth fill material, and soil lifts within Town owned and Homeowners Association (HOA) owned open space in the Woodlands subdivision, and in Rock Park adjacent to Canyon Drive; and

WHEREAS, the Town and 53 Corporation, LLC (“53 Corporation”), have agreed to the terms and conditions by which 53 Corporation will undertake construction of the 2018 Minor Drainageway Improvements Project.

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

Section 1. Approval. The Construction Contract between the Town of Castle Rock and 53 Corporation, LLC in the form attached as *Exhibit 1* is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Construction Contract 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 Construction Contract, the Town Council authorizes the expenditure and payment from expenditure account 212-4475-444.76-92, in an amount not to exceed \$321,130.30, plus a ten percent Town-managed contingency in the amount of \$32,113.26; and expenditure account 212-4475-444.78-02, in an amount not to exceed \$375,464.70, plus a ten percent Town-managed contingency in the amount of \$37,546.74, for a total authorization in the amount not to exceed \$766,255.00, unless authorized in writing by the Town of Castle Rock.

PASSED, APPROVED AND ADOPTED this 1st day of October, 2019, 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:

Robert J. Slentz, Town Attorney

Approved as to content:

Mark Marlowe, Director of Castle Rock Water