

RESOLUTION NO. 2021-____

**RESOLUTION APPROVING A CONSTRUCTION CONTRACT BETWEEN
THE TOWN OF CASTLE ROCK AND 53 CORPORATION, LLC,
FOR THE TANK 3 DRAIN LINE PROJECT**

WHEREAS, the Town of Castle Rock (the “Town”), acting by and through its enterprise, Castle Rock Water, is constructing a new discharge location for the Town’s Tank 3 (the “Tank”) located on Reservoir Road (the “Tank 3 Drain Line Project”); and

WHEREAS, the Tank 3 Drain Line Project includes additional pipe, manholes, and tie-in to the potable main on the east side of the Tank; and

WHEREAS, the Town and 53 Corporation, LLC (the “Contractor”), have agreed to the terms and conditions by which the Contractor will undertake construction of the Tank 3 Drain Line 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.

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 no. 210-4275-442.75-33, in an amount not to exceed \$387,455, plus a ten percent Town-managed contingency in the amount of \$38,745, for a total authorization in the amount not to exceed \$426,200, unless authorized in writing by the Town.

PASSED, APPROVED AND ADOPTED this 2nd day of February, 2021, 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