

RESOLUTION NO. 2022-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF WILDERNESS CONSTRUCTION, LLC FOR THE CONSTRUCTION OF ADA COMPLIANT BATHROOMS FOR THE CONTRACT AMOUNT OF TWO HUNDRED FORTY-EIGHT THOUSAND NINE HUNDRED NINETEEN DOLLARS (\$248,919), RESCINDING RESOLUTION 2022-61, AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AND SIGN THE CONTRACT ON BEHALF OF THE CITY

WHEREAS, the City of Brighton, Colorado (“City”), published a notice inviting bids through its formal bid process for the construction of first floor bathrooms compliant with the Americans with Disabilities Act (“ADA”) at Historic City Hall, Project No. 21-007057 (“Project”); and

WHEREAS, sufficient appropriation exists for the Project; and

WHEREAS, the City Council awarded the contract to American Construction Services, LLC, (“American”) on May 17, 2021 in the amount of \$220,760, but American notified the City it could not proceed with the project due to labor and supply issues; and

WHEREAS, Wilderness Construction, LLC (“Wilderness”) also bid on the Project with a bid at \$248,919; and

WHEREAS, the City believes that the Wilderness bid is responsive and responsible, and Wilderness has indicated they are able to perform the work to complete the Project; and

WHEREAS, pursuant to Article 17.7 of the City of Brighton Charter, “The Council shall establish by ordinance procedures requiring competitive bidding for contracts for the procurement of services, equipment, and supplies;” and

WHEREAS, Section 3-8 of the Brighton Municipal Code sets forth the requirements and procedures for purchasing supplies or services and contracting for public works or professional services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. Resolution 2022-61 is hereby rescinded.

Section 2. The Wilderness Construction, LLC bid for \$248, 919 is hereby accepted.

Section 3. The City Manager, or designee, after consultation with the City Attorney, is hereby authorized to sign the contract with Wilderness for the Project on behalf of the City.

Section 4. This Resolution is effective upon the date of its adoption.

RESOLVED this 19<sup>th</sup> day of July 2022.

CITY OF BRIGHTON, COLORADO

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GREGORY MILLS, Mayor

ATTEST:

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NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

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ALICIA CALDERÓN, City Attorney