

RESOLUTION NO. 2024-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, RESCINDING RESOLUTION NO. 2024-12, ACCEPTING THE PROPOSAL OF PROGRESSIVE COMMERCIAL AQUATICS, LLC, APPROVING THE PROCUREMENT OF THE BRIGHTON RECREATION CENTER WATERSLIDE DEMOLITION, DESIGN, AND INSTALLATION FOR THE CONTRACT AMOUNT OF NINE HUNDRED FORTY-TWO THOUSAND FORTY-TWO DOLLARS (\$942,042), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

WHEREAS, the City Council for the City of Brighton, Colorado (the "City") passed Resolution 2024-12 approving the proposal of Lemmie Jones, LLC for the Brighton Recreation Center Waterslide Demolition, Design, and Installation, Project #23-008375; and

WHEREAS, the City and Lemmie Jones, LLC were unable to agree upon terms for Project #23-008375 and thus execute the associated contract; and

WHEREAS, the City still desires to remove the currently closed and extremely corroded waterslide at the Brighton Recreation Center, and design and install a new waterslide; and

WHEREAS, the City published a notice inviting bids through its formal bid process for the Brighton Recreation Center Waterslide Demolition, Design, and Installation, Project #23-008375 v.2 (the "Project"); and

WHEREAS, sufficient appropriations exists for the Project; and

WHEREAS, Progressive Commercial Aquatics, LLC ("PCA") submitted a bid for the Project in the amount of \$942,042 (the "Proposal"); and

WHEREAS, the City Council believes PCA is the most responsive and responsible bidder for the Project; and

WHEREAS, Article 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. The City Council hereby rescinds Resolution 2024-12.

Section 2. The City Council accepts the Proposal of PCA.

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

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

RESOLVED this 7<sup>th</sup> day of May 2024.

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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MICHAEL DAVIS, Assistant City Attorney