

RESOLUTION NO. 2023-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AMENDMENT NO. 1 TO THE MASTER PRICE AGREEMENT 22-007836M WITH BUILDING TECHNOLOGY SYSTEMS, INC. FOR ON-CALL HVAC SERVICES WITH THE ANNUAL NOT-TO-EXCEED CONTRACT AMOUNT OF SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY

WHEREAS, the City of Brighton, Colorado (“City”), previously awarded Master Price Agreement 22-007836M with an initial annual not-to-exceed value of \$600,000.00 (“MPA”) to Building Technology Systems, Inc. (“BTS”) through Resolution 2022-141; and

WHEREAS, BTS has performed satisfactory work under the MPA and fulfilled all of the MPA’s terms and conditions; and

WHEREAS, the City wishes to extend the MPA with a not-to-exceed value of \$600,000.00 for one additional year through Amendment No. 1 (“Amendment No. 1”); and

WHEREAS, sufficient appropriation exists for any work performed under Amendment No. 1; and

WHEREAS, Section 3-8-180 of the Brighton Municipal Code states “[a]fter the City Council has approved a master price agreement, the City Manager may approve an annual extension and amendment thereto, provided that the contractor has performed the work satisfactorily, all terms and conditions of the contract have been fulfilled, the funds for said extension and amendment, and so long as the dollar amount of said extension or amendment is within the authority of the City Manager to approve...All extensions and amendments to master price agreements in excess of the authority of the City Manager to approve shall be approved by the City Council.”

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

Section 1. Amendment No. 1 is hereby accepted.

Section 2. The City Manager, or designee, after consultation with the City Attorney, is hereby authorized to execute Amendment No. 1 with BTS.

Section 3. This resolution is effective as of the date of its adoption.

RESOLVED this 17th day of October 2023.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

MICHAEL DAVIS, Assistant City Attorney