

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, ACCEPTING THE PROPOSAL OF TEZAK HEAVY EQUIPMENT CO., INC., AND AWARDING THE CONTRACT FOR THE REC CENTER TRIBUTARY AND AUGMENTATION LINE TO TEZAK HEAVY EQUIPMENT CO., INC. IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THIRTY-TWO THOUSAND ONE HUNDRED FOUR DOLLARS AND EIGHTY-TWO CENTS (\$432,104.82), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO, AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS FOR UNFORESEEN SITE CONDITIONS UP TO FIFTY THOUSAND DOLLARS (\$50,000.00).**

**RESOLUTION NO.: 2018-14**

**WHEREAS**, pursuant to Section 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**, Chapter 3.08 of the Brighton Municipal Code, Sets forth the requirements and procedures for purchasing of supplies or services and contracting for public works or professional services; and

**WHEREAS**, the City published a notice inviting bids through its formal solicitation process for completion of the Rec Center Tributary and Augmentation Line, (ITB#17-044); and

**WHEREAS**, funding was approved in the 2018 budget; and

**WHEREAS**, Tezak Heavy Equipment CO., Inc. submitted a proposal for the project which has been reviewed by the City; and

**WHEREAS**, the City believes that Tezak Heavy Equipment CO., Inc. is the most responsive and responsible bidder for the Rec Center Tributary and Augmentation Line project; and

**WHEREAS**, the City believes that it is in the best interest of the City to accept the bid of Tezak Heavy Equipment CO., Inc., in the amount of Four Hundred Thirty-Two Thousand One Hundred Four Dollars and Eighty-Two Cents (\$432,104.82), to award the contract for the Rec Center Tributary and Augmentation Line to Tezak Heavy Equipment CO., Inc., in an amount not to exceed of Four Hundred Thirty-Two Thousand One Hundred Four Dollars and Eighty-Two Cents (\$432,104.82), and to authorize the Mayor to sign the contract on behalf of the City, and the City Clerk to Attest thereto; and

**WHEREAS**, Council believes it is in the best interest of the City to authorize the City Manager to approve change orders up to Fifty Thousand Dollars (\$50,000.00) in order to facilitate efficient and responsible project management.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ENTERPRISE, AS FOLLOWS:**

1. That Tezak Heavy Equipment CO., Inc., is the most responsive and responsible bidder for the Rec Center Tributary and Augmentation Line project; and
2. That the bid of Tezak Heavy Equipment CO., Inc. in the amount of Four Hundred Thirty-Two Thousand One Hundred Four Dollars and Eighty-Two Cents (\$432,104.82), is hereby approved; and
3. That funding was approved in the 2018 Budget; and
4. That the Contract for the Rec Center Tributary and Augmentation Line is hereby awarded to Tezak Heavy Equipment CO., Inc. in the amount of Four Hundred Thirty-Two Thousand One Hundred Four Dollars and Eighty-Two Cents (\$432,104.82); and
5. That the Mayor is hereby authorized to sign the contract with Tezak Heavy Equipment CO., Inc., on behalf of the City, and the City Clerk to Attest thereto; and
6. That the City Manager is hereby authorized to approve changes to the contract amount up to Fifty Thousand Dollars (\$50,000).

**RESOLVED**, this 16<sup>th</sup> day of January, 2018.

**CITY OF BRIGHTON, COLORADO**

\_\_\_\_\_  
Kenneth J. Kreutzer, Mayor

**ATTEST:**

\_\_\_\_\_  
Natalie Hoel, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Margaret R. Brubaker, Esq.  
City Attorney