

RESOLUTION NO. 2022-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF GARNEY COMPANIES, INC. FOR THE WATER TREATMENT PLANT UPGRADE PROJECT IN THE AMOUNT OF FIFTY MILLION SEVEN HUNDRED FIFTY-FIVE THOUSAND FOUR HUNDRED ONE DOLLARS (\$50,755,401.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE 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 Water Treatment Plant upgrade, Project No. 20-006280 (“Preconstruction Services”); and

WHEREAS, the City previously approved a contract with Garney Companies, Inc. (“Garney”) for Preconstruction Services by Resolution No. 2020-88; and

WHEREAS, the City now desires to award an agreement for next the phase of construction for the Water Treatment Plant upgrade, Project No. 22-007648 (the “Project”); and

WHEREAS, the City intends to issue bonds for the cost of the Project and will then bring a budget amendment to the City Council to appropriate the contract funds so that there is sufficient appropriation; and

WHEREAS, Garney submitted a bid for this phase of the Project in the amount of \$50,755,401.00 (the “Proposal”); and

WHEREAS, the City believes that Garney is the most responsive and responsible bidder for 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 those were followed in the selection of Garney in awarding the contract in Resolution No. 202-88; 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 Proposal of Garney for the next Phase is hereby accepted.

Section 2. The City Manager, or designee, after consultation with the City Attorney, is hereby authorized to modify the contract in the best interests of the City and to execute the contract with Garney for the Project.

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

RESOLVED this 14th day of June, 2022

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

YASMINA SHAUSH, Assistant City Attorney