

RESOLUTION NO. 2024-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AMENDMENT TO THE AGREEMENT WITH ICON ENGINEERING, INC. FOR AS-NEEDED UTILITIES ENGINEERING AND DESIGN SERVICES FOR AN ANNUAL NOT-TO-EXCEED AMOUNT OF TWO MILLION DOLLARS (\$2,000,000.00), AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY, AND APPROVING OTHER MATTERS RELATED THERETO

WHEREAS, the City of Brighton, Colorado (“City”), previously awarded Master Price Agreement 23-002M.2 for As-Needed Utilities Engineering and Design Services (“MPA”) to Icon Engineering, Inc. (“Icon”); and

WHEREAS, pursuant to the MPA and Section 3-8-180 of the *Brighton Municipal Code*, the City may extend the MPA for up to four one-year terms “provided that the contractor has performed the work satisfactorily, all terms and conditions of the contract have been fulfilled, [and] the funds for said extension and amendment have been appropriate;” and

WHEREAS, Icon 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 for an additional one-year term for the annual not-to-exceed value of \$2,000,000.00 (“Amendment No. 1”) and for future years through Amendments No. 2 to No. 4 (“Future Amendments”), so long as Icon meets the requirements of the municipal code and the contract; and

WHEREAS, sufficient appropriation exists for any work to be performed under Amendment No. 1.

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

Section 1. Amendment No. 1 is hereby approved for the annual not-to-exceed value of two million dollars (\$2,000,000.00).

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

Section 3. Future Amendments to the MPA may be executed by the City Manager, after consultation with the City Attorney, for an annual not-to-exceed value of \$2,000,000.00, provided funds are appropriated for the Future Amendments, Icon performs satisfactory work under the MPA, and Icon fulfills all of the terms and conditions of the MPA.

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

RESOLVED this 19th day of March 2024.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

MICHAEL DAVIS, Assistant City Attorney