

RESOLUTION NO. 2024-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING CHANGE ORDER #1 TO THE CONTRACT WITH AMERICAN WEST CONSTRUCTION, LLC FOR THE NORTH 10TH AVENUE AND MIDLAND STREET STORM IMPROVEMENTS PROJECT IN THE AMOUNT OF ONE HUNDRED THIRTY THOUSAND THREE HUNDRED ELEVEN DOLLARS (\$130,311), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CHANGE ORDER ON BEHALF OF THE CITY

WHEREAS, the City of Brighton, Colorado ("City"), previously awarded a contract ("Contract") to American West Construction, LLC ("AmWest") for the North 10th Avenue and Midland Street Storm Improvements, Project No. 23-008327 (the "Project"), through Resolution No. 2023-129; and

WHEREAS, during construction of the Project, the City authorized AmWest to utilize a portion of a nearby parking lot to store construction materials; and

WHEREAS, the City determined the poor condition of the parking lot due to cracking, deterioration, and drainage issues, which was only made worse by the ongoing construction activity, required fixing; and

WHEREAS, the City further determined it was in the best interest of the City and its residents to replace the entirety of the parking lot surface immediately and address, to the extent possible, the drainage issues ("Replacement Work"); and

WHEREAS, the Replacement Work was not included in the original scope of work for the Project, and this change order addresses the additional scope of work; and

WHEREAS, in order for AmWest to complete the Replacement Work, the parties must execute a change order to the Contract modifying AmWest's scope of work (the "Change Order"); and

WHEREAS, the total value of the Change Order is \$130,311; and

WHEREAS, sufficient appropriation exists for the Change Order; and

WHEREAS, Article 3-8 of the Brighton Municipal Code sets forth the requirements and procedures for executing change orders for City contracts.

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

Section 1. The Change Order is hereby approved.

Section 2. The City Manager, or designee, after consultation with the City Attorney, is hereby authorized to execute the Change Order on behalf of the City.

Section 3. This Resolution is effective upon the date of its adoption.

RESOLVED this 2nd day of April 2024.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

MICHAEL DAVIS, Assistant City Attorney