

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AGREEMENT WITH XCEL ENERGY FOR THE DESIGN AND CONSTRUCTION TO LOWER A NATURAL GAS LINE AS PART OF THE TOWER ROAD AND SOUTHERN STREET PROJECT, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO.**

**RESOLUTION NUMBER: 2015-95**

**WHEREAS**, the Tower Road and Southern Street Project was approved by the City Council and budgeted in 2015; and

**WHEREAS**, the Project encountered challenges related to conflicts with an existing natural gas line; and

**WHEREAS**, the City Streets and Fleet Department has determined that the lowering of the gas line within the Project area and the additional costs associated with such work are necessary to complete the Project; and

**WHEREAS**, the unforeseen costs created the need for an agreement with Xcel Energy for the design and construction of the relocated gas line in an amount not to exceed \$410,000.00; and

**WHEREAS**, sufficient funding for the agreement is available in the 2015 Tower Road and Southern Street Project Budget.

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

1. An Agreement by and between Xcel Energy and the City of Brighton for the design and construction of the relocated natural gas line for the Tower Road and Southern Street Project improvements is hereby approved in the amount not to exceed \$410,000.00.
2. That the Mayor is authorized to sign said Agreement on behalf of the City and the City Clerk to attest thereto.
3. That the City Manager is authorized to undertake such tasks and execute such documents as may be necessary to implement the Agreement and complete the Project.

**RESOLVED**, this 18<sup>th</sup> day of August, 2015.

**CITY OF BRIGHTON, COLORADO  
CITY COUNCIL**

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Richard N. McLean, Mayor

**ATTEST:**

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Natalie Hoel, City Clerk

***Approved as to Form:***

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Margaret R. Brubaker, Esq., City Attorney