

RESOLUTION NO. 2023-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AMENDMENT NO. 3 TO THE MASTER PRICE AGREEMENT 20-006445M.1 WITH BROWNS HILL ENGINEERING & CONTROLS, LLC FOR ON-CALL INSTRUMENTATION AND CONTROLS MAINTENANCE SERVICES WITH THE ANNUAL NOT-TO-EXCEED CONTRACT AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY

WHEREAS, the City of Brighton, Colorado (“City”), previously awarded Master Price Agreement 20-006445M.1 for On-Call Instrumentation and Controls Maintenance Services (“MPA”) to Browns Hill Engineering & Controls, LLC (“BHEC”); and

WHEREAS, BHEC 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 with a not-to-exceed value of \$250,000.00 for one additional year through Amendment No. 3 (“Amendment No. 3”); and

WHEREAS, sufficient appropriation exists for any work performed under Amendment No. 3; and

WHEREAS, Section 3-8-180 of the Brighton Municipal Code states “[a]fter the City Council has approved a master price agreement, the City manager may approve an annual extension and amendment thereto, provided that the contractor has performed the work satisfactorily, all terms and conditions of the contract have been fulfilled, the funds for said extension and amendment, and so long as the dollar amount of said extension or amendment is within the authority of the City Manager to approve...All extensions and amendments to master price agreements in excess of the authority of the City Manager to approve shall be approved by the City Council.”

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

Section 1. Amendment No. 3 is hereby approved.

Section 2. The City Manager, or designee, after consultation with the City Attorney, is hereby authorized to execute Amendment No. 3 with BHEC.

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

RESOLVED this 7<sup>th</sup> day of November 2023.

CITY OF BRIGHTON, COLORADO

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GREGORY MILLS, Mayor

ATTEST:

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NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

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MICHAEL DAVIS, Assistant City Attorney