

RESOLUTION NO: 2020-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE CONTRACT AMENDMENT FOR PHASE II – 30% OF PROJECT #19-020 WATER TREATMENT PLANT EXPANSION & DENITRIFICATION DESIGN SERVICES TO THE CONTRACT OF BROWN AND CALDWELL INC. AND APPROVING THE CONTRACT AMENDMENT IN THE AMOUNT OF \$3,268,492.00 (THREE MILLION TWO HUNDRED SIXTY-EIGHT THOUSAND FOUR HUNDRED NINETY-TWO DOLLARS), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO SIGN THE CONTRACT AMENDMENT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

WHEREAS, on or about September 6, 2019, the City of Brighton (the “City”) and Brown and Caldwell, Inc. (the “Contractor”) entered into that certain Contract for the Water Treatment Plant Expansion & Denitrification Project #19-020 (“Project”); and

WHEREAS, sufficient appropriation exists for the Project; and

WHEREAS, the Contract for the Project was anticipated to be completed in phases; and

WHEREAS, the Contractor submitted pricing for Phase II – 30% of the Project which has been reviewed by the City and aligns with the current needs; and

WHEREAS, the original contract amount was Six Hundred Sixty Three Thousand Five Hundred and Thirty Two Dollars (\$663,532.00); and

WHEREAS, Contract Amendment 1 issued on June 5, 2020 for the amount of Thirty Six Thousand Seventy Four Dollars (\$36,074.00) brought the total contract value up to Six Hundred Ninety Nine Thousand Six Hundred and Six Dollars (\$699,606.00); and

WHEREAS, the City has determined that it is in the best interests of the City to alter the scope of the Contract resulting in an additional amount of Three Million Two Hundred Sixty-Eight Thousand Four Hundred Ninety-Two Dollars (\$3,268,492.00); and

WHEREAS, the total Contract value comes to Three Million Nine Hundred Sixty Eight Thousand and Ninety Eight Dollars (\$3,968,098.00 ); and

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

Section 1. The amendment to the Contract is hereby accepted.

Section 2. The City Manager, or Designee, is hereby authorized to sign the contract amendment on behalf of the City, and the City Clerk to attest thereto.

Section 3. That all other provisions of the Contract not modified or amended herein by this Amendment are hereby ratified in their entirety and remain in full force and effect.

Section 4. All resolutions or parts of resolutions of the City in direct conflict herewith are hereby rescinded.

RESOLVED this 1<sup>st</sup> day of September, 2020.

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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JACK D. BAJOREK, City Attorney