

RESOLUTION NO. 2025-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AND AUTHORIZING A SETTLEMENT IN CONNECTION WITH A WATER MAIN BREAK AND AUTHORIZING THE CITY MANAGER TO EXECUTE SETTLEMENT DOCUMENTS ON BEHALF OF THE CITY

WHEREAS, the City of Brighton has undertaken the widening of Bridge Street, which has included underground work; and

WHEREAS, on or around February 13, 2025, while drilling for the installation of a lateral crossing, a watermain was struck, causing a large water leak and damage to an electrical transformer, among other damages; and

WHEREAS, the City, project engineer, construction general contractor, and construction subcontractor dispute who was at fault, have engaged in negotiation, and want to resolve any and all issues through a settlement and release agreement; and

WHEREAS, the Parties have agreed the parties will split the costs of the damages and each Party will pay for twenty-five percent of the damages, totaling around \$25,000 for each party ("Settlement"); and

WHEREAS, the negotiated settlement is in the best interest of the City as it avoids litigation costs, attorney fees, and a protracted conflict.

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

Section 1. The Settlement is hereby approved.

Section 2. The City Manager, upon consultation and approval of the City Attorney, is authorized to execute Settlement documents and undertake such tasks as may be required to finalize the Settlement with the Parties.

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

RESOLVED THIS 16th DAY OF SEPTEMBER 2025.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

MICHAEL DAVIS, Assistant City Attorney