

**A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR MONACO
PARK RENOVATION TO ELITE INDUSTRIES, LLC**

NO. 2023-070

WHEREAS, the City of Commerce City (“City”), intends to renovate Monaco Park located at 5790 Monaco Street, including adding a small parking lot and plumbed restroom, and replacing the playground, basketball court and shelters. (“Project”);

WHEREAS, the City has engaged in a formal competitive public solicitation process consistent with the applicable requirements to select a contractor to provide construction services for the Project, and, after reviewing all proposals, City staff has determined that the lowest responsive and responsible bidder whose bid provides the best value to the City is Elite Industries, Inc.;

WHEREAS, the cost to the City of the Project will exceed \$250,000 and, pursuant to the City’s procurement policies and the City Manager’s commitment to the City Council, the City Council must approve any procurement in excess of \$250,000.

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

SECTION 1. Findings. The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Award of Contract. The award of the contract for the Services to the Contractor is hereby approved subject to successful finalization of an appropriate contract on terms acceptable to the City Manager. This resolution shall not be deemed to grant any right or interest in the award of a contract to Elite Industries, Inc. All rights and interests shall be defined exclusively by the terms and conditions set forth in the written contract.

SECTION 3. Authorization to Negotiate. The City Manager is hereby authorized to negotiate and finalize the details of a contract with the Contractor, including final pricing and payment terms, consistent with the services agreement with the Contractor.

SECTION 4. Execution and Attestation. Upon successful finalization of the contract and approvals as to form by the City Attorney, the City Manager is hereby authorized to execute, and the City Clerk to attest, the contract on behalf of the City.

RESOLVED AND PASSED THIS 18TH DAY OF SEPTEMBER 2023.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk