

**A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR BUFFALO RUN DRAINAGE PROJECT TO GREENONE INDUSTRIES, INC.**

**NO. 2023-024**

WHEREAS, the City of Commerce City (“City”), intends to improve the drainage of turf areas on holes at Buffalo Run Golf Course located at 15700 E. 112<sup>th</sup> Avenue (“Project”);

WHEREAS, the City has selected a contractor able to provide sufficient services for the project pursuant to the City’s sole source selection policy and City staff has determined that the lowest responsive and responsible bidder whose bid provides the best value to the City is GREENONE Industries, Inc. (“Contractor”);

WHEREAS, GREENONE Industries, Inc. has developed a unique drainage system named “QWIKDRAIN” and is the sole company authorized to install the system;

WHEREAS, the cost 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; and

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 this contract for the Services to the Contractor is hereby approved subject to the 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 GREENONE 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 approval 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 6TH DAY OF MARCH 2023.

CITY OF COMMERCE CITY, COLORADO

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Benjamin A. Huseman, Mayor

ATTEST

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Dylan A. Gibson, City Clerk