

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR TOWER ROAD
WIDENING PROJECT, PROJECT NO. PW-03-2014**

NO. 2016-02

WHEREAS, the City of Commerce City (“City”) desires to construct a public improvement project to widen and improve Tower Road from 103rd Avenue to 80th Avenue as detailed in the bid documents for Project No. PW-02-2014 (the “Project”); and

WHEREAS, the City has engaged in a formal bidding process to select a contractor to construct the Project and, after reviewing all of the bids, City staff has determined that the lowest responsive and responsible bidder whose bid provides the best value to the City is Flatiron Constructors, Inc. (“Contractor”) and recommends the contract be awarded to the Contractor;

WHEREAS, the Contractor submitted a base bid in the amount of \$27,683,660.98, including Alternate A (asphalt);

WHEREAS, the cost to the City of the Services will exceed \$250,000.00 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 \$250,000.00;

WHEREAS, the money for the Project has been appropriated and is available in the 2K /Capital Expenditures Fund;

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

1. The City Council hereby finds and determines that the award of the contract to the Contractor is and shall be in the best interest of the residents of the City.
2. The Contractor’s bid in the amount of \$27,683,660.98 for Alternate A is hereby accepted and the award of the contract for the construction of the Project in that amount, plus a force account of \$500,000, to the Contractor is hereby approved, subject to the execution of a written contract substantially the form attached hereto (“Contract”).
3. 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, substantially in the form attached hereto in the opinion of the City Attorney, on behalf of the City.
4. A project contingency, in the amount of \$1,400,000 (approximately 5% of the bid) is approved to cover unknown items. The City Manager or his designee is authorized to negotiate and execute change orders, as needed, in accordance with the Contract and applicable law, subject to the contingency.

RESOLVED AND PASSED THIS 18TH DAY OF APRIL 2016.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk