

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE HIGHWAY 2 MEDIAN IMPROVEMENT PROJECT BETWEEN E. 72ND AVE. AND E. 112TH AVE. TO EST, INC.

NO. 2023-021

WHEREAS, the City of Commerce City (“City”), intends to design and construct road median improvements on Highway 2 between E. 72nd Ave. and E. 112th Ave. (“Project”);

WHEREAS, the City has engaged in a formal competitive public solicitation process consistent with applicable requirements to select a contractor to provide design and construction management 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 EST, Inc. (“Contractor”);

WHEREAS, the cost to the City of the Project 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; 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 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 EST, 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 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 15TH DAY OF MAY 2023.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk