

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR TOWER ROAD AND
PEÑA BOULEVARD RAMP CONSTRUCTON**

NO. 2017-130

WHEREAS, the City of Commerce City (“City”) desires to construct a public improvement project including a new westbound on-ramp at the interchange of Tower Road with Peña Boulevard and widening and improvements to Tower Road from 80th Avenue to the eastbound ramps of Peña Boulevard, as detailed in the bid documents for Project No. CIP-01-2017 (the “Project”); and

WHEREAS, the City of Commerce City (“City”) and the City and County of Denver (“Denver”) entered into an intergovernmental agreement dated March 17, 1992, relating to the construction of an interchange at Tower Road and Pena Boulevard, which agreement was amended by agreement dated May 11, 2015, to allow for the construction of a fourth ramp to complete the interchange;

WHEREAS, the City and Denver entered into a separate intergovernmental agreement (“Tower-Pena Intergovernmental Agreement”); to address cost sharing, timing of payment, financing, design, and construction of the work;

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, the Project Management Team has determined that the lowest responsive and responsible bidder whose bid provides the best value to the City is Castle Rock Construction Company of Colorado, LLC. (“Contractor”) and recommends the contract be awarded to the Contractor;

WHEREAS, the Contractor submitted a bid in the amount of \$8,585,354;

WHEREAS, the cost to the City of the Contractor’s services are anticipated to 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 through the 2018 Budget process and will be available in the Capital Expenditures Fund;

WHEREAS, 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.

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

1. The award of the contract for the Project to the Contractor is hereby approved;

2. The City Manager or his designee is hereby authorized to negotiate and finalize the details of the Agreement with the Contractor for the performance of the Project for an amount not to exceed \$8,585,354.
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 on behalf of the City of Commerce City.
4. A contract contingency, in the amount of \$858,535 (10% 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 4TH DAY OF DECEMBER 2017.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk