

**RESOLUTION APPROVING AN AGREEMENT WITH FELSBURG HOLT &
ULLEVIG, INC. FOR SECOND CREEK DRAINAGE, POTOMAC AVE. & 112TH AVE.
PRELIMINARY & FINAL DESIGN SERVICES
NO. 2015-95**

WHEREAS, the City of Commerce City (“City”) plans to engage in a public improvement project to design Second Creek Drainage, Potomac Ave. & 112th Ave. Improvements (“Project”);

WHEREAS, the funding to design the Project was approved by the voters in 2013;

WHEREAS, the City has engaged in a formal competitive procurement process for a contractor to provide preliminary & final design and right-of-way services for the Project;

WHEREAS, the City has selected Felsburg Holt & Ullevig, Inc. (“FHU”) to perform these services and has reached an agreement as to the terms and conditions under which FHU will provide the design services for the Project, as set forth in the attached Agreement for Professional Services (“Agreement”);

WHEREAS, pursuant to the City’s procurement policies and the City Manager’s commitment to the City Council, the City Council must approve procurements and contracts exceeding \$250,000.00 in value;

WHEREAS, the value of the Agreement exceeds \$250,000.00; and

WHEREAS, the City Council finds and determines that the award to FHU and the Agreement are 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 to FHU and the Agreement, substantially in the form attached, are hereby approved;
2. The City Manager and City Clerk are hereby authorized and directed to execute the Agreement, substantially in the form attached, by and on behalf of the City; and
3. The City Manager is hereby authorized to execute amendments to the Agreement not to exceed a cumulative amount of \$172,000.00 to account for contingencies in the design process.

RESOLVED AND PASSED THIS 21st DAY OF SEPTEMBER, 2015.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk