

**A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR CONSTRUCTION
OF THE COLORADO BOULEVARD BICYCLE & PEDESTRIAN IMPROVEMENTS
TO COLORADO PAVING, INC.**

NO. 2023-128

WHEREAS, the City of Commerce City (“City”), along with the Colorado Department of Transportation (“CDOT,” together with the City, “Parties”), intend to design and construct road widening and other improvements on Colorado Boulevard for the section of road between 68th Avenue and 70th Avenue (“Project”), and have previously executed an intergovernmental agreement regarding funding, maintenance, and other aspects of the Project;

WHEREAS, pursuant to the previously approved intergovernmental agreement, the City and CDOT have agreed to share the cost of professional design, preconstruction services, and construction costs for the Project;

WHEREAS, the City has engaged in a formal, competitive bidding process consistent with applicable requirements to select a contractor to complete 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 Colorado Paving, Inc.; and

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.

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 Project 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 Colorado Paving, 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 18TH DAY OF DECEMBER, 2023.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk