

**RESOLUTION AUTHORIZING EXECUTION OF MAINTENANCE CONTRACT FOR
104TH AVENUE A/K/A STATE HIGHWAY 44 BY AND BETWEEN THE CITY OF
COMMERCE CITY AND THE COLORADO DEPARTMENT OF TRANSPORTATION**

NO. 2014-21

WHEREAS, the City of Commerce City (the “City”) intends to widen and make other improvements to 104th Avenue a/k/a State Highway 44 within the City from approximately Belle Creek Boulevard to State Highway 2 (the “Project”);

WHEREAS, much of the Project will be constructed within right-of-way (“ROW”) owned by the Colorado Department of Transportation (“CDOT”);

WHEREAS, CDOT and the City desire to agree upon the division of responsibility for maintenance of the portions of the Project that will lie within the CDOT ROW, once completed, as set forth in the attached Maintenance Contract (the “Maintenance Contract”);

WHEREAS, the City Attorney’s Office has reviewed and approved the Maintenance Contract as to form;

WHEREAS, CDOT requires the City to pass a resolution authorizing the City to enter into the Maintenance Contract; and

WHEREAS, approval of the Maintenance Contract is and shall be in the best interest of the City.

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

1. The City is authorized pursuant to § 29-1-203, C.R.S., as amended, and the City’s home rule charter to enter into intergovernmental agreements, including those for roadway maintenance.
2. The Maintenance Contract is hereby approved.
3. The City’s Director of Public Works and the City Clerk are hereby authorized and directed to sign and attest the Maintenance Contract on behalf of the City of Commerce City.

RESOLVED AND PASSED THIS _____ DAY OF _____, 2013.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk