

**A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR AN OWNERS  
REPRESENTATIVE FOR CITY FACILITIES CAPITAL  
IMPROVEMENT PROJECT TO WEMBER, INC.**

**NO. 2023-003**

WHEREAS, the City of Commerce (“City”) desires to contract for an owner’s representative and project management services (“Services”) for City Facilities Capital Improvement Projects;

WHEREAS, the City has engaged in a formal competitive public solicitation process consistent with applicable requirements to select a contractor to provide the Services and, after reviewing all of the proposals, City staff has determined that the respondent whose proposal provides the best value to the City is Wember, Inc. (“Contractor”), and recommends that the contract for the Services be awarded to the Contractor; and

WHEREAS, the cost to the City of the Services will exceed \$250,000.00 for the proposed three-year contract term 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 Services to the Contractor is hereby approved subject to the successful finalization of an appropriate contract acceptable to the City Manager. This resolution shall not be deemed to grant any right or interest in the award of a contract to Wember, 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 with 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 6TH DAY OF FEBRUARY 2023.

CITY OF COMMERCE CITY, COLORADO

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Benjamin A. Huseman, Mayor

ATTEST

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Dylan A. Gibson, City Clerk