

**A RESOLUTION AUTHORIZING EXECUTION OF A THIRD AMENDMENT TO THE
CONTRACT BY AND BETWEEN THE CITY OF COMMERCE CITY AND HUITT-
ZOLLARS, INC. FOR DESIGN AND PRECONSTRUCTION SERVICES FOR THE E.
96TH AVENUE WIDENING PROJECT**

NO. 2024-018

WHEREAS, on August 15, 2022, the City of Commerce City (“City”), approved Resolution 2022-77 authorizing the City Manager to negotiate a Contract with Huitt-Zollars, Inc. (“Contractor”) to provide preliminary and final design services for the road widening and other improvements on East 96th Avenue for the section of road between Chambers Road and Tower Road (“Project”);

WHEREAS, the City and the Contractor approved the First Amendment to the Contract for the Project on July 7, 2023 for additional design services for a feasibility study for a pedestrian underpass across E. 96th Ave near the intersection of Reunion Blvd.in the amount of \$43,020;

WHEREAS, the City and the Contractor approved the Second Amendment to the Contract for the Project on December 8, 2023 for additional design services to include a traffic signal warrant study for the intersection of Laredo, conducting potholing of existing underground utilities, extending the design of E. 96th Ave. to the east side of the Tower Road intersection, providing right-of-way services, and updating the traffic study for a total cost of \$200,971.00;

WHEREAS, Parties desire to approve the Third Amendment to the Contract for additional design service to include the final design of the pedestrian underpass and to conduct a sound wall study and extend the Contract time;

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; and

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

Section 1. Findings. The dedication of additional funding contributions and other obligations allowing for the additional design services for the Project is found to be in the best interests of the public and is hereby approved.

Section 2. Approval of Selection; Contract Authorization. The City Manager is hereby authorized to negotiate and finalize the details of the Third Amendment with the Contractor. 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 Third Amendment on behalf of the City. This resolution shall not be deemed to grant any right or interest to the award of the contract to the Contractor until the execution of a written contract acceptable to the City Manager.

RESOLVED AND PASSED THIS FOURTH DAY OF MARCH, 2024.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk