

**RESOLUTION APPROVING AWARD OF CONTRACT FOR NEW RECREATION
CENTER PRE-CONSTRUCTION SERVICES**

NO. 2016-31

WHEREAS, the City of Commerce City (“City”) desires to construct a new recreation center and related infrastructure improvements in the northern part of the City near 112th Avenue and Potomac Street (“Project”);

WHEREAS, the City has engaged in a two-stage formal competitive procurement process to select a qualified firm to provide Construction Manager/General Contractor (“CM/GC”) services for the Project;

WHEREAS, the City’s formal competitive procurement process contemplated the selection of a CM/GC contractor to provide services in two phases beginning with the selection of a CM/GC contractor to provide pre-construction services for the Project, which services include cost estimating, value engineering, scheduling, logistical planning, constructability analysis, bid package administration, bidding of trade contracts, and the submittal of a guaranteed maximum price proposal for the construction work;

WHEREAS, at the second stage, with the further approval of the City Council, the City may elect to select the CM/GC contractor to provide construction services under a separate contract without further competition, which services include construction management, administration, field supervision, coordinating subcontractors, maintaining quality, meeting schedules and providing the general conditions work for the Project.

WHEREAS, the City has selected Pinkard Construction Co. (“Contractor”) to perform the pre-construction services for the Project in accordance with the terms and conditions of an Agreement for Professional Services to be negotiated and finalized by the City Manager (“Agreement”);

WHEREAS, the cost to the City of the Contractor’s pre-construction services are not anticipated to exceed \$250,000.00, but the City may elect to select Contractor to perform the construction services for the Project without further competition but subject to further approval of the City Council, which construction services will exceed \$250,000.00;

WHEREAS, as the Project progresses, the Contractor may be required to perform additional pre-construction services related to the Project and additional funds may be required to address contingencies in the Project; and

WHEREAS, the City Council hereby finds and determines that the award of the contract for pre-construction services for the Project to the Contractor is 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 of the contract for pre-construction services for the Project to the Contractor is hereby approved;
2. The City Manager is hereby authorized to negotiate and finalize the details of the Agreement with the Contractor for the performance of pre-construction services for the Project for an amount not to exceed \$169,000.00, subject to the execution of contract amendments deemed necessary and appropriate by the City Manager;
3. Upon successful finalization of the Agreement and approval as to form by the City Attorney, the City Manager is hereby authorized to execute, and the City Clerk to attest, the Agreement on behalf of the City of Commerce City; and
4. The City Manager is hereby authorized to negotiate with and select the Contractor to perform construction services for the Project without further competition, subject to the approval by the City Council of the award of any contract for such services.

RESOLVED AND PASSED THIS 8TH DAY OF FEBRUARY 2016.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk