

**RESOLUTION APPROVING FIRST AMENDMENT TO CONTRACT FOR
RECREATION CENTER ADDITIONS AND RENOVATIONS DESIGN SERVICES**

NO. 2018-38

WHEREAS, the City of Commerce City (“City”) previously awarded a contract for design of additions and renovations to the recreation center located at 6060 E. Parkway Drive (“Project”) to Essenza Architecture, A Professional Corporation for Architecture (“Architect”) dated February 10, 2017 (“Agreement”);

WHEREAS, the City desires to increase the scope of the of the facility renovations and addition to provide additional services and amenities for the public in the Project;

WHEREAS, the increased scope of the project requires an increase to the maximum compensation payable to the Architect in the amount of \$311,980 as set forth in the First Amendment to Professional Services Agreement attached hereto as Exhibit A (“First Amendment”);

WHEREAS, the cost to the City of the Architect’s services 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;

WHEREAS, as the design progresses, the Architect may be required to perform additional 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 an amendment of the Agreement to increase the scope of the Project 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 First Amendment is hereby approved;
2. The City Manager or his designee is hereby authorized to negotiate and finalize the details of the Amendment with the Architect for the performance of the Project for an amount not to exceed \$311,980.
3. The City Manager is hereby authorized to execute, and the City Clerk to attest, the Agreement on behalf of the City of Commerce City.
4. The City Manager is hereby authorized to execute amendments to the Agreement not to exceed a cumulative amount of \$180,350.00 to account for contingencies in the design process and additional services related to the Project.

RESOLVED AND PASSED THIS 7TH DAY OF MAY 2018.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk