

**RESOLUTION AUTHORIZING INCREASED EXPENDITURES UNDER SIERRA
LANDSCAPING AND MAINTENANCE CONTRACT AND RATIFYING
AMENDMENTS TO CONTRACT**

NO. 2021-19

WHEREAS, following a competitive procurement process in accordance with applicable procurement requirements, the City of Commerce City (“City”) previously executed an agreement dated April 26, 2019 (“Agreement”) with TWA, Inc. d/b/a Sierra Landscaping and Maintenance (“Contractor”) for general and programmatic right-of-way landscaping and irrigation services, including, Victory Crossing and the following intersections: 104th and Chambers, Highway 85 and Highway 2, and 112th and Potomac (“Services”);

WHEREAS, the City subsequently executed two amendments (“Amendments”) to the Agreement, dated January 8, 2020 and January 9, 2021, which Amendments extended the Term of the Agreement through December 31, 2021;

WHEREAS, the City’s Procurement Policy process requires City Council approval of the selection of any vendor for any contract with aggregate expenditures, from all years, exceeding \$250,000;

WHEREAS, aggregate expenditures under the original Agreement, as amended, have exceeded the \$250,000 threshold at which Council approval is required, and City staff recommends retaining the Contractor to perform the Services in 2021; and

WHEREAS, the City Council desires to approve the selection of the Contractor for the performance of the Services in 2021 and to ratify the City’s prior expenditures that exceeded \$250,000.

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

1. The City Council hereby finds and determines that approval of Contractor to provide the Services under the Agreement is appropriate and in the best interest of the citizens of the City.
2. The City Council hereby ratifies the City Manager’s previous execution of the Amendments, and authorizes the negotiation and execution of additional amendments to ensure the provision of the Services through December 31, 2021, provided the aggregate expenditures under the Agreement shall not exceed \$500,000, including all prior and future expenditures.

RESOLVED AND PASSED THIS 15TH DAY OF MARCH, 2021.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk