

**A RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT WITH SILVA
CONSTRUCTION INC. TO INCLUDE 2021 CONCRETE FLATWORK
REPLACEMENT AND REPAIR PROJECT**

NO. 2021-28

WHEREAS, the City of Commerce City (“City”) awarded the contract for its 2020 Concrete Flatwork, Replacement and Repair Project, No. 2020-07-PW, to Silva Construction, Inc. (“Contractor”) to improve concrete infrastructure at various locations throughout the City following a formal bidding process;

WHEREAS, the provisions of the contract with Contractor, authorized by Resolution 2020-10, provided an option for up to two annual renewals at the same or similar rates;

WHEREAS, the City, being satisfied with the performance of Contractor and having determined that the rates proposed by Contractor are similar to those established for the 2020 project, has determined that a renewal of the contract with Contractor to perform concrete flatwork replacement and repair work for the City in 2021 (“Project”) presents the best value to the City and desires to amend the existing contract to perform the Project; and

WHEREAS, because the cost to the City of the amendment will be \$273,185.01, pursuant to the City’s Procurement Policy, approval of the City Council is required.

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. The City Council finds that the award of the Project to Contractor is consistent with the City’s Procurement Policy pursuant to the previously-approved contract, and waives any requirements of the Procurement Policy inconsistent with this resolution. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Authorization. The award of the Project on the rates proposed by the Contractor in a total amount not to exceed \$273,185.01 is hereby approved. The City Manager or his designee is authorized to execute and attest such amendment on behalf of the City.

RESOLVED AND PASSED THIS 3RD DAY OF MAY 2021.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk