

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE A
CONTRACT WITH DAVID EVANS AND ASSOCIATES, INC. FOR THE
CONSTRUCTION INSPECTION FOR THE E. 96TH AVENUE WIDENING FROM
CHAMBERS ROAD TO TOWER ROAD CONSTRUCTION PROJECT**

NO. 2024-116

WHEREAS, the City of Commerce City (“City”) staff has recommended 96th Avenue for widening to provide capacity improvements;

WHEREAS, on August 15, 2022, the City’s Council approved a design and preconstruction project that provided a plan for the proposed widening project;

WHEREAS, City, along with South Adams County Water and Sanitation District (“SACWSD”), desires to construct the two eastbound lanes of E. 96th Avenue, including any related improvements from Chambers Road to Tower Road (the “Project”);

WHEREAS, some of the improvements contemplated by the Project include a 12-inch potable water line, 12-inch irrigation water line, and a 30-inch to 36-inch water transmission line, in accordance with the approved construction plans;

WHEREAS, the City and SACWSD are in the process of negotiating an intergovernmental agreement regarding funding, maintenance, and other aspects of the Project;

WHEREAS, the City has selected JHL Constructors, LLC to construct the Project;

WHEREAS, the City has engaged in a formal, competitive bidding process consistent with applicable requirements to select a consultant to provide Construction Management, Inspection, and Materials Testing Services, and after reviewing all bids, City staff has determined that the lowest responsive and responsible bidder whose bid provides the best value to the City is David Evans and Associates, Inc. (“Consultant”); and

WHEREAS, the cost to the City for 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, any procurement in excess of \$250,000.00 is brought before the City of Commerce City Council for approval.

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. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Award of Contract. The award of the contract for the Project to the Consultant is hereby approved subject to successful finalization of the appropriate contract on terms acceptable to the City Manager. This resolution shall not be deemed to grant any right or

interest in the award of a contract to David Evans and Associates, Inc. All rights and interests shall be defined exclusively by the terms and conditions set forth in the written contract.

SECTION 3. Authorization to Negotiate. The City Manager is hereby authorized to negotiate and finalize the details of a contract with the Consultant, including final pricing and payment terms, consistent with the agreement with the Consultant.

SECTION 4. Execution and Attestation. 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 contract on behalf of the City.

RESOLVED AND PASSED THIS 2ND DAY OF DECEMBER 2024.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk