

**A RESOLUTION AUTHORIZING A THIRD AMENDMENT TO AN AGREEMENT
FOR PROFESSIONAL SERVICES WITH ALFRED BENESCH & COMPANY FOR
ENGINEERING, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION
MANAGEMENT SERVICES**

NO. 2026-077

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

SECTION 1. Award of Contract. City Council previously approved an award of an Agreement for Professional Services for engineering, right-of-way acquisition, and construction management services to Alfred Benesch & Company (“Contractor”) and the City executed an Agreement for Professional Services with the Contractor on June 9, 2020, as amended by the First Amendment to the Professional Services Agreement dated April 8, 2024 and the Second Amendment to the Professional Services Agreement dated January 24, 2025 (collectively, “Agreement”). The Third Amendment to Agreement for Professional Services to amend the Agreement to increase the maximum contract amount, amend the scope of services, and extend the term of the Agreement is hereby approved subject to successful finalization of an appropriate amendment 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 amendment to Contractor. All rights and interests shall be defined exclusively by the terms and conditions set forth in the written contract amendment.

SECTION 2. Authorization to Negotiate. The City Manager is hereby authorized to negotiate and finalize the details of a Third Amendment to Agreement for Professional Services for engineering, right-of-way acquisition, and construction management services with the Contractor, including final pricing and payment terms, and any additional amendments thereto.

SECTION 3. Execution and Attestation. Upon successful finalization of the Third Amendment to Agreement for Professional Services and approval as to form by the City Attorney, the City Manager is hereby authorized to execute, and the City Clerk to attest, the third amendment or any additional amendments to the Agreement on behalf of the City.

RESOLVED AND PASSED THIS 1ST DAY OF JUNE 2026.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Stephen J. Ruger, City Clerk