A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR CONSTRUCTION OF THE 2024 HOT-IN-PLACE (HIP) PAVEMENT PROJECT TO CUTLER REPAVING, INC.

NO. 2024-033

WHEREAS, the City of Commerce City ("City") desires to improve portions of multiple local and collector streets at various locations throughout the City, as designated by the City's Public Works Department, consistent with the scope of work detailed in PW 2024-03-PW, 2024 Hot-in-Place Pavement Project ("Project");

WHEREAS, the City has engaged in a formal, competitive bidding process consistent with applicable requirements to select a contractor to complete the Project, and, after reviewing all of the bids, City staff has determined that the lowest responsive and responsible bidder whose bid provides the best value to the City is Cutler Repaving, Inc. ("Contractor"); and

WHEREAS, the cost of the Project to the City will 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.

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 Contractor is hereby approved subject to successful finalization of an 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 Cutler Repaving, 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 Contractor, including final pricing and payment terms, consistent the services agreement with the Contractor.

SECTION 4. Execution of 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 15TH DAY OF APRIL 2024.

CITY OF COMMERCE CITY, COLORADO

Steven J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk