

A RESOLUTION AUTHORIZING A FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES WITH DAVID EVANS ENTERPRISES, INC. FOR CONSTRUCTION MANAGEMENT, INSPECTION, AND MATERIALS TESTING SERVICES FOR THE EAST 96TH AVENUE WIDENING PROJECT

NO. 2026- 089

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 the Professional Services Agreement for construction management, inspection, and materials testing services to David Evans Enterprises, Inc. (“Consultant”) and the City executed an Agreement for Professional Services with the Consultant on January 2, 2025 (“Agreement”). The First Amendment to Agreement for Professional Services (“First Amendment”) to extend the Term of the Agreement, increase the Maximum Contract Amount, and update the Scope of Services 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 Consultant. 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 First Amendment to Agreement for Professional Services with the Consultant, including final pricing and payment terms, and any additional amendments thereto.

SECTION 3. Execution and Attestation. Upon successful finalization of the First 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 first amendment or any additional amendments to the Agreement on behalf of the City.

RESOLVED AND PASSED THIS 6TH DAY OF JULY 2026.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Stephen J. Ruger, City Clerk