

**A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR CONSTRUCTION SERVICES FOR THE CONSTRUCTION OF OASIS PARK TO COLORADO DESIGNSCAPES INC.**

**NO. 2024-022**

WHEREAS, the City of Commerce City (“City”), intends to build a park “Oasis Park” at 17010 E 95th Avenue. (“Project”);

“WHEREAS” the City has engaged in a formal competitive public solicitation process consistent with applicable requirements to select a contractor to provide construction services for the Project, and, after reviewing all proposals, City staff has determined that the lowest responsive and responsible bidder whose bid provides the best value to the City is Colorado Designscares Inc. (“Contractor”);

WHEREAS the cost to the City of 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, the City Council must approve any procurement in excess of \$250,000.00; and

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. Acceptance of Bid; Contract Authorization.** The Contractor’s bid in the amount of \$4,850,564.00 is hereby accepted, and the award of the contract for the completion of the Project in that amount to the Contractor is hereby approved, subject to the successful negotiation and execution of a written contract. This resolution shall not be deemed to grant any right to or interest in the award of the contract to the Contractor until the execution of a written contract acceptable to the City Manager. 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.

**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 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 15TH DAY OF APRIL, 2024.

CITY OF COMMERCE CITY, COLORADO

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Steven J. Douglas, Mayor

ATTEST

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Dylan A. Gibson, City Clerk