

**Town of Lyons, Colorado  
Board of Trustees  
BOT Agenda Cover Sheet  
Agenda Item No: IX.5  
Meeting Date: 5/2/22**

**TO: Mayor Rogin and Members of the Board of Trustees**

**FROM: Tracy Sanders, Flood Recover Manager**

**DATE: April 25, 2022**

**ITEM: Resolution 2022-47 – A Resolution of the Town of Lyons, Colorado Approving the Fourth Amendment to the Professional Services Agreement with Murraysmith, Inc. for On-Call Engineering Services**

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ORDINANCE  
 MOTION / RESOLUTION  
 INFORMATION

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**I. REQUEST OR ISSUE:**

This resolution approves the Fourth Amendment with Murraysmith, Inc. for Town On-Call Engineering Services.

**II. RECOMMENDED ACTION / NEXT STEP:**

Approve Resolution 2022-47

**III. FISCAL IMPACTS:**

Expenses for the base scope of this Contract are sometimes covered by the Town and sometimes eligible for reimbursement through the Federal Emergency Management Agency under various project worksheets, depending on the project. Expenses for services for the US Highway 36 / Broadway Improvements will be covered primarily by a Colorado Department of Transportation (CDOT) – Transportation Improvement Project (TIP) grant. Expenses for the Black Bear Hold Project are primarily covered by a Greater Outdoors Colorado grant.

**IV. BACKGROUND INFORMATION:**

This On-Call Engineering contract is for professional engineering services with Murraysmith, Inc. and was entered into on July 9, 2019. On June 18, 2020, a First Amendment was executed, allowing for annual renewal of the contract at the rate of up to \$100,000 per year, for services rendered and invoiced at the approved rate specified in the contract. A second amendment was entered into on August 2021 for an additional \$200,000, plus an additional \$27,976 for the Black Bear Hole project (GOCO grant). A Third Amendment was executed on November 2, 2021, which added an additional \$427,976 for the US Highway 36 / Broadway Multimodal Improvements project.

**About This Amendment:**

Murraysmith has requested an additional \$35,455 for additional scope and fees for the Black Bear Hole Project, to be funded primarily by a GOCO grant. This Fourth Amendment also adds six months at \$50,000 (Half of their annual renewal rate of \$100K) to their Town Engineering Agreement with the Town and extends the contract to December 31, 2022.

**Contract Info:**

Original Agreement	\$100,000.00	
Amendment 1	\$100,000.00	
Annual Renewal – to June 30, 2021	\$100,000.00	
Amendment 2		
Annual Renewal – to June 30, 2022	\$100,000.00	
Black Bear Hole Design	\$27,976.00	
Amendment 3	\$448,292.00	
<b>Amendment 4</b>		
½ Annual Renewal – to 12/31/22	<b>\$50,000.00</b>	<<current pending
Black Bear Hole Design	<b>\$35,455.00</b>	<<current pending
Total:	\$961,723.00	

**V. LEGAL ISSUES:**

None

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

None

**VII. SUMMARY AND ALTERNATIVES:**

None

**PROPOSED MOTION:**

**“I move to approve Resolution 2022-47, A Resolution of the Town of Lyons, Colorado Approving the Fourth Amendment to the Professional Services Agreement with Murraysmith, Inc for On-Call Engineering Services.”**