

**TOWN OF LYONS, COLORADO
RESOLUTION 2022-59**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
ACCEPTING PUBLIC IMPROVEMENTS
OF THE 4th AVENUE STORMWATER PROJECT**

WHEREAS, the Town of Lyons (the “Town”) has the authority to enter into contracts for any lawful municipal purpose pursuant to C.R.S. § 31-15-101; and

WHEREAS, during the 4th Avenue Safe Routes to School (“SRTS”) and Connections project, it was discovered that there was a gap between two existing Town storm pipes at the southwest corner of 4th Avenue and Railroad Avenue. This was very similar to the situation uncovered at 4th Avenue and Park Drive earlier this year during Longmont’s waterline project; and

WHEREAS, the SRTS contractor, Mountain Constructors Inc., uncovered this gap when excavating to replace the sidewalk curb ramp at this corner. It was determined with Town staff that it was prudent and necessary to correct the storm pipe issue while the excavation was open; and

WHEREAS, NIXCo, a contractor, completed hydro-excavation to evaluate the extent of the gap and deteriorating pipe. The existing pipe was significantly deteriorated, with the bottom completely rusted out for most of the pipe, and it was determined to be necessary to replace the pipe from the south side of Railroad Avenue to the inlet at Park Drive along the west side of 4th Avenue; and

WHEREAS, all construction work for the project performed by C&L Water Solutions, NICXco, and Mountain Constructors is complete and has been inspected by the Town Engineer, and has been found to be acceptable and in accordance with the plans and specifications; and

WHEREAS, a Memo recommending acceptance of the work was signed May 23, 2022, as shown in **Exhibit 1**; and

WHEREAS, a Notice of Acceptance was issued by the Town on **Jun 1st, 2022** as shown in **Exhibit 2**; and

WHEREAS, Town Staff has received the final submittal package from the Contractor, which reflect how the project was built, as well as lien releases for the improvements constructed; and

WHEREAS, Town Staff recommends accepting the 4th Ave. Stormwater Project; and

WHEREAS, the Town of Lyons Board of Trustees now desires to accept the public improvements associated with the 4th Ave. Stormwater Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Board of Trustees hereby accepts ownership and maintenance of the Public Improvements for the 4th Ave. Stormwater Project

Section 3. This resolution shall take effect immediately upon adoption.

ADOPTED this 6th day of June, 2022.

TOWN OF LYONS

BY:

Hollie Rogin, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

**EXHIBIT 1 –
Memo Recommending Acceptance**

**EXHIBIT 2 –
Letter of Final Acceptance**