

**TOWN OF LYONS, COLORADO  
RESOLUTION 2022-75**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO  
RATIFYING THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT  
WITH KUMAR AND ASSOCIATES, INC. FOR THE GREAT OUTDOORS COLORADO  
(GOCO) BLACK BEAR HOLE & 2<sup>ND</sup> AVE TRAILHEAD PROJECT**

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

**WHEREAS**, the Town has obtained funding for the Project from the Federal Emergency Management Agency under PW 613; and

**WHEREAS**, pursuant to Resolution 2022-10, the Town and Contractor entered into that certain Construction Agreement dated February 3, 2022 (“Original Agreement”) for the Contractor to perform the Work as specified in the Contract Documents, for a not-to-exceed cost of **Two Thousand Two Hundred Fifteen Dollars and No Cents (\$2,215.00)** as part of the Construction Services for the GOCO Black Bear Hole & 2<sup>nd</sup> Ave Trailhead Project, Project # 21-BBH2NDAveTH-10 (the “Project”); and

**WHEREAS**, Section 7.00 of the Original Agreement permits the Town to adjust the Contract Price and requires that the Town pay for the work beyond that described in the Original Agreement in a separate agreement signed by both of the Parties prior to the commencement of the additional work; and

**WHEREAS**, the Consultant and the Town Administrator have executed an amendment to the Original Agreement dated February 3, 2022, to extend the term of the contract until August 15, 2022, at no increase to the contract for a total not-to-exceed amount of **Two Thousand Two Hundred Fifteen Dollars and No Cents (\$2,215.00)** and

**WHEREAS**, the Town’s Purchasing Policies allow the Mayor or Town Administrator to authorize and execute professional services contracts for less than or equal to \$20,000 and modifications to professional service contracts for less than or equal to \$10,000, and/or for date extensions; and

**WHEREAS**, the Town Board of Trustees desires to ratify this First Amendment in substantially the form attached hereto as **Exhibit 1** for the purpose of entering it into the permanent Town record;

**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:

- (a) Ratifies the Second Amendment to the Construction Agreement extending the term of the contract until August 15, 2022, at no increase to the contract for a total not-to-exceed amount of **Two Thousand Two Hundred Fifteen Dollars and No Cents (\$2,215.00)** in substantially the

form attached hereto.

- (b) Authorizes the Town Administrator and the Town Attorney, in consultation with the Mayor, to make such changes as may be necessary to correct any non-material errors or language in the Construction Agreement that does not increase the obligations of the Town.

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

**ADOPTED THIS 18TH DAY of JULY 2022.**

**TOWN OF LYONS, COLORADO**

By: \_\_\_\_\_  
Hollie Rogin, Mayor

ATTEST:

\_\_\_\_\_  
Dolores M. Vasquez, CMC Town Clerk

**EXHIBIT 1-  
NICX: Amendment 2**