

**TOWN OF LYONS, COLORADO
RESOLUTION 2023-26**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
APPROVING THE FOURTH AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH N LINE ELECTRIC, LLC**

WHEREAS, the Town of Lyons ("Town") is authorized to contract for the performance of necessary public services; and

WHEREAS, pursuant to Resolution 2016-60, on June 20, 2016, the Town of Lyons entered into an agreement with N Line, LLC ("Contractor") to provide Electric Utility Services Operations and Maintenance – RFP NUMBER 2016-E100 ("Agreement"); and

WHEREAS, pursuant to Resolution 2019-115, the Town and Contractor updated that certain Professional Services Agreement, dated October 21, 2019 ("First Amendment") for the Contractor to perform the Work as specified in the Contract Documents; and

WHEREAS, pursuant to Resolution 2019-149, the Town and Contractor updated that certain Professional Services Agreement, dated December 16, 2019 ("Second Amendment") for the Contractor to perform the Work as specified in the Contract Documents; and

WHEREAS, pursuant to Resolution 2021-117, the Town and Contractor updated that certain Professional Services Agreement, dated November 15, 2021 ("Third Amendment") to extend the term of the Agreement to create a term to Dec 31, 2022; and

WHEREAS, this Fourth Amendment to the Agreement is to extend the term of the Agreement to create a term to Dec 31, 2023; and

WHEREAS, the Fourth Amendment does not increase the financial obligations of the Town nor increase the scope of work for the Agreement; and

WHEREAS, the Town of Lyons Board of Trustees desires to approve the Fourth Amendment to the Agreement with the Contractor and authorizes the Mayor to execute such Fourth Amendment on behalf of the Town.

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 Town Board of Trustees hereby:

- (a) Approves the Fourth Amendment 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 Fourth Amendment that do not increase the obligations of the Town.

(c) Authorizes the Mayor to execute the Fourth Amendment and the Town Clerk to attest to the Fourth Amendment when in final form.

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

ADOPTED THIS 17th DAY OF APRIL 2023.

TOWN OF LYONS

Hollie Rogin, Mayor

ATTEST:

Dolores M. Vasquez, CMC
Town Clerk