

**TOWN OF LYONS, COLORADO  
RESOLUTION 2023-32**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO  
AWARDING A CONSTRUCTION AGREEMENT TO BRANNAN SAND AND  
GRAVEL COMPANY, LLC FOR 2023 PAVEMENT REHABILITATION,  
PROJECT NUMBER 23-PAVEREHB-01**

**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**, the Town desires to enter into a contract for Construction Services for the 2023 Pavement Rehabilitation Project ("Project"); and

**WHEREAS**, the Town advertised an Invitation for Bid for Construction on BidNet on March 30, 2023, and received and publicly opened three bids by the due date of April 20, 2023; and

**WHEREAS**, Town Staff evaluated the bids received to determine that the scope of work and cost proposed by Brannan Sand and Gravel Company, LLC ("Contractor") are both reasonable and necessary for the Project; and

**WHEREAS**, the Town has budgeted for this project through the street operating and capital budgets; and

**WHEREAS**, the Town Staff recommends that the Town award the Construction Agreement for work for both the base bid and bid alternate based on the Contractor's Bid; and

**WHEREAS**, the Town of Lyons Board of Trustees ("Board"), after full consideration of the proposed agreement and the recommendation of the Town Staff finds that the bid submitted by the Contractor qualifies that company as the lowest, qualified bidder; and

**WHEREAS**, the Board desires to approve the Construction Agreement in substantially the form attached hereto as **Exhibit 1** for the not-to-exceed amount of **FIVE HUNDRED AND NINETY-TWO THOUSAND, EIGHT HUNDRED AND NINETY-SIX DOLLARS AND SIXTY-TWO CENTS (\$592,896.62)** to have the Contractor perform the work described in the Construction Agreement;

**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 hereby:

- (a) Awards the Construction Agreement for the Project to the Contractor.
- (b) Approves the Construction Agreement for a total not-to-exceed amount of **FIVE HUNDRED AND NINETY-TWO THOUSAND, EIGHT HUNDRED AND NINETY-SIX DOLLARS AND SIXTY-TWO CENTS (\$592,896.62)** in substantially the form attached hereto as **Exhibit 1**.
- (c) 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 Services Agreement that does not increase the obligations of the Town.
- (d) Authorizes Town Staff to complete and send to the Contractor the completed Construction Agreement for review and signature.
- (e) Authorizes the Mayor or Mayor Pro Term to execute the complete Construction Agreement on behalf of the Town after Contractor has signed the Construction Agreement and the Town Clerk to attest such signature.

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

**ADOPTED THIS 15<sup>TH</sup> DAY OF MAY 2023.**

TOWN OF LYONS

BY:

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Hollie Rogin, Mayor

ATTEST:

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Dolores M. Vasquez, CMC, Town Clerk

**Exhibit 1**

**Construction Agreement with Brannan Sand & Gravel Company, LLC**