

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: XI.2
Meeting Date: June 5, 2023**

TO: Mayor Rogin and Members of the Board of Trustees

FROM: Aaron Caplan, Director of Utilities, Engineering and Building

DATE: May 30, 2023

ITEM: Resolution 2023-35 – A Resolution of the Town of Lyons, Colorado Awarding a Construction Agreement with Mountain Constructors for Broadway Utility Undergrounding Conduit Installation, Project 23-BROADWAYUTIL-01

☐ ORDINANCE
☒ MOTION / RESOLUTION
☐ INFORMATION

- I. REQUEST OR ISSUE:**
This resolution awards a construction agreement with Mountain Constructors, Inc for the Broadway Utility Undergrounding Conduit Installation Project. The town staff is recommending a total award of \$194,000.
- II. RECOMMENDED ACTION / NEXT STEP:** Approve Resolution 2023-36.
- III. FISCAL IMPACTS:** Phase I expenses, \$115,500, will be covered using funds budgeted for capital improvements in 2023 from the Electric Fund. Phase II, \$78,500, if it is able to move forward, would be funded by a combination of private property owners and require an additional allocation of the Electric Fund Balance.
- IV. BACKGROUND INFORMATION:** The work is divided into two phases. Phase I consists of installing the conduit that will carry the primary electrical lines and the primary communications lines. The Town is needing to get this work completed as soon as possible so that the work is completed before the start of the Broadway Multimodal Path Project. Phase II of this work is installing the service conduits to each individual business and residence. Phase II Notice to Proceed is dependent on the Town obtaining agreements from the property owners. Given this uncertainty, Phase II could be delayed up to 90 days or removed from the contract if the Town is unable to move forward with the work.

The Town of Lyons is working on upgrading its electrical distribution infrastructure. This includes moving overhead power lines underground to help reduce the frequency of outages and reduce wildfire risk. The power lines along Broadway will be more difficult and disruptive to underground after the Broadway Multimodal project is completed later this year. The Broadway Multimodal project will add additional paved parking along Broadway Avenue, concrete sidewalk, curb, and gutter, and the existing gravel frontage road will be paved with asphalt. If the conduit are not installed before the Broadway

multimodal project, then the undergrounding could not occur later without some disturbance to all of these improvements.

This contract is for installing the underground conduits only. The Town's electrical contractor, N-Line, will do the electrical cable work. The two communications companies that also utilize the power poles, CenturyLink and Lyons Communications, have agreed to underground their cables at the same time as this project.

For phase II Town staff have reached out to all of the building owners to see if they are interested in having their services undergrounded and most of them are. The Town has discussed paying for half of the cost of the individual services and the property owners being responsible for the other half of the cost. The Revolving Loan Fund is available to the property owners for this service installation.

Again, the reason for the phasing is that phase I has some urgency to get accomplished before or during the Broadway Multimodal project. Phase II depends on individual private property owners deciding if they would like to move forward with undergrounding their service lines. Property owners need to know the cost before they can decide if they want to move forward with their portion of the funding requirements for phase II.

The contract does document that phase II of the project is not yet authorized and therefore might not happen. Contractors proposed costs knowing this and that if phase II does happen it would be at some point in the future.

V. LEGAL ISSUES:

None

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None

VII. SUMMARY AND ALTERNATIVES:

The alternative is to not perform the project.

PROPOSED MOTION:

"I move to approve Resolution 2023-35, A Resolution of the Town of Lyons, Colorado Awarding and Approving a Construction Agreement with Mountain Constructors for the Broadway Utility Undergrounding Conduit Installation Project."