

**TOWN OF LYONS, COLORADO
RESOLUTION 2024-48**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
AWARDING A CONSTRUCTION AGREEMENT TO POWELL RESTORATION,
INC. FOR DEPOT PROPERTY LANDSCAPE UPGRADES
PROJECT NUMBER 24-DEPOT-01**

WHEREAS, the Town of Lyons (the “Town”) has the authority to enter contracts for any lawful municipal purpose pursuant to C.R.S. § 31-15-10;1 and

WHEREAS, the Town desires to enter into a contract for Construction Services for the Depot Property Landscape Upgrades (“Project”); and

WHEREAS, the Town advertised an Invitation for Bid for Construction on BidNet on May 2, 2024, and received and publicly opened two bids by the due date of May 16, 2024; and

WHEREAS, Town Staff evaluated the bids received to determine that the scope of work and cost proposed by Powell Restoration, Inc. (“Contractor”) are both reasonable and necessary for the Project; and

WHEREAS, the Town has budgeted for this project through Town funds; 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 **SIXTY-NINE THOUSAND THREE HUNDRED DOLLARS AND ZERO CENTS (\$69,300.00)** 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 **SIXTY-NINE THOUSAND THREE HUNDRED DOLLARS AND ZERO CENTS (\$69,300.00)** 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 the completed Construction Agreement to the Contractor for review and signature.

(e) Authorizes the Mayor or Mayor Pro Term to execute the complete Construction Agreement on behalf of the Town after the Contractor has signed the Construction Agreement and the Town Clerk attests to such signature.

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

ADOPTED THIS 20TH DAY OF MAY 2024.

TOWN OF LYONS

BY:

Hollie Rogin, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

Exhibit 1
Construction Agreement