

TOWN OF LYONS, COLORADO
RESOLUTION 2025-13

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
APPROVING THE FIRST AMENDMENT TO THE CONSTRUCTION AGREEMENT
WITH DREAM BUILDERS, INC. FOR
THE US36 WATERLINE REPAIR PROJECT 24-US36WATERLINE-01**

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, pursuant to Resolution 2024-95, the Town and Dream Builders, Inc ("Contractor") entered into that certain Construction Agreement, Project Number 24-US36WATERLINE-01, dated November 4, 2024 ("Original Agreement") for Contractor to perform the work as specified in the Contract Documents, for a not-to-exceed cost of **SEVENTY-SIX THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$76,400.00)** (the "Project"); and

WHEREAS, Section 7 of the Agreement requires that any amendment to the Agreement be in writing and signed by the Parties; and

WHEREAS, pursuant to the amendment provisions of the Original Agreement, the Town and the Contractor have negotiated a first amendment to the Original Agreement to add scope for the additional pipe replacement and the replacement of a nonfunctional fire hydrant for an increase to the contract amount by **FOURTEEN THOUSAND NINE HUNDRED AND THIRTY DOLLARS AND ZERO CENTS (\$14,930.00)** (the "First Amendment"); and

WHEREAS, the Town Board of Trustees desires to approve the First Amendment in substantially the form attached hereto as **Exhibit 1**.

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) Approves the First Amendment to the Construction Agreement to add **FOURTEEN THOUSAND NINE HUNDRED AND THIRTY DOLLARS AND ZERO CENTS (\$14,930.00)**; for a total not-to-exceed contract amount of **NINETY-ONE THOUSAND THREE HUNDRED AND THIRTY-THREE DOLLARS AND ZERO CENTS (\$91,330.00)**, in substantially the form attached hereto in **Exhibit 1**.

(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.

(c) Authorizes the Mayor or Mayor Pro Tem to execute the First Amendment on behalf of the Town after the Contractor has signed the Amendment and the Town Clerk to attest such signature; and

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

ADOPTED this 18TH day of February 2025.

TOWN OF LYONS

Hollie Rogin, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

Exhibit 1:
Contract Amendment 1