

## RESOLUTION 2017-53

### A RESOLUTION AWARDING THE BID FOR THE NORTH OVERFLOW CHANNEL PROJECT, PROJECT NUMBER ITB-DH-2017-04, TO DEFALCO CONSTRUCTION COMPANY AND APPROVING A CONSTRUCTION AGREEMENT

**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 obtain all necessary components to construct a north overflow channel between South St. Vrain Creek and North St. Vrain Creek, Project Number ITB-DH-2017-04 (the "Project"); and

**WHEREAS**, the Town has grant funding for said construction; and

**WHEREAS**, the Town issued an Invitation to Bid for through the Rocky Mountain E-Purchasing System ("RMEPS") on March 25, 2017, and subsequently issued two addenda for the Project dated April 5, 2017 and April 11, 2017; and

**WHEREAS**, the Town received bid proposals from 11 firms in response to the Invitation to Bid; and

**WHEREAS**, one bid was below the Engineer's Opinion of Probable Cost; and

**WHEREAS**, the Town has reviewed the Bid Proposal from DeFalco Construction Company, and the Town finds said Bid Proposal acceptable and deems it the lowest responsible and responsive bid proposal received; and

**WHEREAS**, DeFalco Construction Company represents that it possesses the skill and experience required to complete the Project; and

**WHEREAS**, the Town Board of Trustees desires to award the bid to, and approve a Construction Agreement with, DeFalco Construction Company, subject to the terms and conditions in the Invitation to Bid, the Bid Documents, the Construction Agreement and all other Contract Documents.

### NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, THAT:

Section 1. The Board of Trustees hereby awards the bid for the North Overflow Channel Project, Project Number ITB-DH-2017-04, to DeFalco Construction Company for a not-to-exceed amount of **One Hundred Twenty-One Thousand Six Hundred Six Dollars and Nine Cents (\$121,606.09)**, subject to the terms of the Construction Agreement, a copy of which is attached hereto as **Attachment 1**.

Section 2. The Mayor or Mayor Pro Tem is hereby authorized to sign the Construction Agreement and any other documents needed to implement this resolution, and the Town Clerk is authorized to attest the Mayor's or Mayor Pro Tem's signature.

Section 3. This resolution shall become effective immediately upon its adoption by the

Board of Trustees.

**ADOPTED THIS 1<sup>st</sup> DAY OF MAY 2017.**

TOWN OF LYONS, COLORADO

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By: Connie Sullivan, Mayor

ATTEST:

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Debra K. Anthony, Town Clerk