

**TOWN OF LYON, COLORADO**  
**RESOLUTION 2017- 48**

**A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH EB  
ENGINEERING, INC. DBA SCOTT, COX & ASSOCIATES, INC. FOR PROFESSIONAL  
DESIGN SERVICES FOR STRUCTURE ELEVATIONS**

**WHEREAS**, the Town of Lyons ("Town") is authorized to contract for performance of necessary public services; and

**WHEREAS**, the Town desires to enter into a contract with a qualified professional services firm to design, engineer, provide construction cost estimates, draft construction bid documents, and provide construction administration for the elevation of two structures within the Town; and

**WHEREAS**, in accordance with the Town's purchasing policies, the Town solicited proposals for such structure elevation by posting a Request for Qualifications on Rocky Mountain e-Purchasing on February 16, 2017 ; and

**WHEREAS**, the Town received a proposal from one qualified firm or entity, and that proposal was reviewed by Town staff; and

**WHEREAS**, after reviewing the proposal, Town staff has determined that the proposal submitted by EB Engineering, Inc. DBA Scott, Cox & Associates, Inc. ("Proposal") qualifies that company as the lowest responsible bidder; and

**WHEREAS**, the Proposal has been incorporated into a proposed professional services agreement between the Town and EB Engineering, Inc. DBA Scott, Cox & Associates, Inc. ("Contractor"), a copy of which is attached to this Resolution ("Agreement") as **Exhibit 1**; and

**WHEREAS**, the Agreement establishes a not-to-exceed amount of **Fifty Thousand Two Hundred Seventy-Three Dollars and No Cents (\$50,273.00)** for the services requested; and

**WHEREAS**, the Agreement shall take effect on May 2, 2017 and shall remain in effect until May 1, 2018 or until the Agreement is otherwise terminated pursuant to the terms of the Agreement; and

**WHEREAS**, the Town of Lyons Board of Trustees desires to award the bid to and approve the Professional Services Agreement with the Contractor, and authorizes the Mayor to execute such Agreement on behalf of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:**

**Section 1.** The Town Board of Trustees hereby (a) awards the bid for structure elevation design services for the Town of Lyons to EB Engineering, Inc. DBA Scott, Cox & Associates,

Inc.; (b) approves the Professional Services Agreement with EB Engineering, Inc. DBA Scott, Cox & Associates, Inc. in substantially the form attached hereto; (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 Agreement that does not increase the obligations of the Town; and (d) authorizes the Mayor to execute the Agreement and the Town Clerk to attest the Agreement when in final form.

Section 2. If any provision of this Resolution should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Resolution that can be given effect without the invalid portion, provided that such remaining portions or applications of this Resolution are not determined by the court to be inoperable. The Board of Trustees declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

Section 3. This resolution shall become effective immediately upon adoption.

**ADOPTED THIS 1ST DAY OF MAY, 2017.**

TOWN OF LYONS

BY: \_\_\_\_\_  
Connie Sullivan, Mayor

ATTEST

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Debra K. Anthony, Town Clerk

**[PLACEHOLDER - Professional Services Agreement]**