

**TOWN OF LYONS, COLORADO
RESOLUTION 2020-50**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO APPROVING THE FIRST
AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH INTERWEST
CONSULTING GROUP, INC. FOR PROGRAM MANAGEMENT SERVICES RELATED TO
FLOOD RECOVERY CONSTRUCTION**

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

WHEREAS, pursuant to Resolution 2019-57, the Town entered into that certain Professional Services Agreement dated May 7, 2019 ("Original Agreement") with Interwest Consulting Group, Inc. ("Contractor") to perform work as specified in the Contract Documents, for a not-to-exceed cost of **ONE HUNDRED TWENTY SEVEN THOUSAND TWO HUNDRED DOLLARS AND NO CENTS (\$127,200.00)** for Program Management Services for Flood Recovery Construction (the "Project"); and

WHEREAS, the Town has secured funding for the Project from both the Federal Emergency Management Agency ("FEMA") under multiple PWs and the Department of Housing and Urban Development Community ("HUD") Development Block Grant Disaster Recovery ("CBDG-DR") under Boulder County Collaborative under various sub-allocations, dependent on the project; and

WHEREAS, the Contractor requires a **First Amendment** to the Professional Services Agreement in order to increase scope to include necessary additional projects and services at an increase to the total contract amount of **ONE HUNDRED ONE THOUSAND THREE HUNDRED DOLLARS (\$101,300.00)**; and

WHEREAS, the First Amendment increases the not-to-exceed amount from ONE HUNDRED ONE THOUSAND THREE HUNDRED DOLLARS (\$127,200.00) to **TWO HUNDRED TWENTY- EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$228,500.00)**; and

WHEREAS, the Parties desire to amend the Original Agreement pursuant to the First Amendment; and

WHEREAS, the Town of Lyons Board of Trustees desires to approve the First Amendment to the Agreement with the Contractor and authorizes the Mayor to execute such First Amendment on behalf of the Town.

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 Town Board of Trustees hereby:

- (a) Approves the First Amendment in substantially the form attached as 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 First Amendment that do not increase the financial obligations of the Town.

- (c) Authorizes the Mayor or Mayor Pro Tem to execute the complete Agreement on behalf of the Town after Contractor has signed the Agreement and the Town Clerk to attest such signature.

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

ADOPTED this 16th day of MARCH 2020.

TOWN OF LYONS

By: _____
Connie Sullivan, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

EXHIBIT 1

INTERWEST CONSULTING GROUP, INC

Program Management

Amendment 1