

**TOWN OF LYONS, COLORADO  
RESOLUTION 2021-61**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO AWARDED AND APPROVING A  
CONSTRUCTION AGREEMENT WITH SOUTHPAW ELECTRIC CORPORATION FOR THE  
BACK-UP POWER PROJECT – PUBLIC WORKS GENERATOR**

**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**, the Town desires to enter into a contract for the Back-Up Power Project – Public Works Generator: Project 21-BUPP-01 (“Project”) as part of Flood Recovery; and

**WHEREAS**, the scope of work for this project includes the design, permitting, and installation of back-up propane powered generators at the Public Works Operations Building; and

**WHEREAS**, the Town has secured funding for the Project from the Department of Housing and Urban Development Community Development Block Grant Disaster Recovery (CBDG-DR) administered by the Boulder County Collaborative under the Intergovernmental Agreement between the Town of Lyons and the City of Longmont (INF-00075); and

**WHEREAS**, the Town advertised the Invitation for Bid on BidNet and OEDIT on May 14, 2021 and received four bids by the due date of June 11, 2021 and opened them in a public bid opening; and

**WHEREAS**, Town Staff evaluated the bids received to determine the scope of work and cost are both reasonable and necessary for the Project; and

**WHEREAS**, Town Staff recommends that the Town award the Agreement for work based on the Contractor’s Bid; and

**WHEREAS**, the Board, after full consideration of the proposed agreement and the recommendation of the Town Staff finds that the bid submitted by Southpaw Electric, Corporation (the “Contractor”) qualifies that company as the lowest, qualified bidder; and

**WHEREAS**, the Town Board of Trustees desires to approve the Construction Agreement in substantially the form attached hereto as **Exhibit 1** for the not-to-exceed amount of **SEVENTY-FIVE THOUSAND FOUR HUNDRED THIRTY-ONE DOLLARS AND FOUR CENTS (\$75,431.04)** 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 of Trustees hereby:

- (a) Approves the Construction Agreement for the Project in substantially the form attached as **Exhibit 1**.
- (b) Approves the Construction Agreement for a total not-to-exceed amount of

**SEVENTY-FIVE THOUSAND FOUR HUNDRED THIRTY-ONE DOLLARS AND FOUR CENTS (\$75,431.04)** 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 Construction Services Agreement that does not increase the obligations of the Town.

(d) Authorizes Town Staff to complete and send to the Contractor the completed Construction Agreement for review and signature.

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

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

**ADOPTED this 21<sup>st</sup> day of June, 2021.**

TOWN OF LYONS:

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Nicholas Angelo, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

**EXHIBIT 1 –  
Construction Agreement with Southpaw Electric**