

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: X.7
Meeting Date: 8/2/2021**

TO: Mayor Angelo and Members of Board of Trustees
FROM: Tracy Sanders, Flood Recovery Manager
DATE: July 26, 2021
ITEM: Resolution 2021-78 – A Resolution of the Town of Lyons, Colorado Accepting Public Improvements of the Outfall Extension Project

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

I. REQUEST OR ISSUE:

This resolution authorizes acceptance of public improvements of the Outfall Extension Project.

II. RECOMMENDED ACTION / NEXT STEP:

Approve Resolution 2021-78

III. FISCAL IMPACTS:

The Town obtained a Wastewater Natural Disaster Grant from the Colorado Department of Public Health and Environment (CDPHE), and the City of Longmont agreed to cover any shortfall in funding for the outfall extension project.

IV. BACKGROUND INFORMATION:

About the Sewer Outfall Project

The 2013 Flood overtopped the embankments of the St. Vrain River resulting in severe damage to the Town of Lyons' Wastewater Treatment Facility, the Sanitary Sewer Collection System, and the Storm Sewer Collection System. This included severe damage to the Town's Sewer Outfall line.

After the flood, the Town entered into an Intergovernmental Agreement (IGA) with the City of Longmont for various supportive resources during flood recovery. Within the IGA, the Town agreed to obtain funding to extend the outfall line downstream of the Highland Ditch Company Diversion and Headgate for water quality purposes.

The Town of Lyons acquired a CDPHE Natural Disaster Grant in 2014 for many recovery projects. Through this grant agreement, the Town received funding to construct

a new outfall line. The City of Longmont requested the extension of the outfall past their intake for potable water and provided the additional funds for this project to be used after the CDPHE funding was exhausted. The outfall construction was completed in 2019, and the connection to the Wastewater Treatment Facility was completed in 2021. All construction of the Outfall Extension Project is now complete.

Because the outfall line physically crossed over into several other recovery projects, the phases of the outfall construction were incorporated into the contracts for those other recovery projects. Primary Contractors who worked on this project over the course of multiple years are many and include the following: Zak Dirt, Inc., CAP Excavation, Roberts Excavation Corporation, DeFalco Construction Company, Murraysmith, Inc. (Town Consulting Engineer) and JLB Engineering (Town Consulting Engineer).

The Construction Contractors have completed all work for the Outfall Extension Project as described in the Project Manuals and Construction Drawings have been provided. All work has been tested, inspected and found to be acceptable. The Town has filed Notices of Acceptance for the work performed by Roberts, Zak Dirt and CAP. A Notice of Acceptance was not filed for DeFalco's contract, but construction was complete in 2018 and was found to be acceptable. Because of the staggered completion dates for each of the components of the various contracts, the warranty dates are also staggered, and may be found within the Notices of Acceptance or the General Conditions.

It is the Staff recommendation that the Board of Trustees accept the public infrastructure installed as noted.

The purpose of the current resolution is to formally recognize the project, to accept the maintenance, and the new public improvements of the Sewer Outfall Project as a Town asset.

V. LEGAL ISSUES:

None

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None

VII. SUMMARY AND ALTERNATIVES:

None.

PROPOSED MOTION:

“I move to approve Resolution 2021-78, A Resolution of the Town of Lyons Colorado Accepting Public Improvements of the Outfall Extension Project.”