

**TOWN OF LYONS, COLORADO
RESOLUTION 2021-81**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
AWARDING THE PROPOSAL FOR THE LONGS PEAK DRIVE SEWER &
WATER PROJECT TO DURAN EXCAVATION CORPORATION**

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 Longs Peak Drive Sewer & Water Project (the "Project") as shown in the attached **Exhibit A**; and

WHEREAS, the Town has obtained funding for the Project from Town Sewer & Water Enterprise funds; and

WHEREAS, the project will help alleviate issues with the sewer and water lines; and

WHEREAS, Town Staff has evaluated the competitive proposal and that the scope of work and cost are both reasonable and necessary for the Project; and

WHEREAS, the Board, after consideration of the proposal submitted to the Town and the recommendation of the Town Staff and the Town Engineer, finds that the proposal submitted by Duran Excavation Corp. (the "Contractor") qualifies that entity as a qualified and responsible bidder; and

WHEREAS, Town Staff and the Town Engineer recommend that the Town award the contract for work based on the Contractor's proposal; and

WHEREAS, the Town Board of Trustees desires to award the proposal to the Contractor in substantially the form attached hereto as **Exhibit A** for the not-to-exceed amount of **one million four hundred and sixty-four thousand four hundred and fifty-five dollars (\$1,464,455.00)**.

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

Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Board of Trustees hereby:

- (a) Awards the proposal for the Project to Duran Excavation Corp. for construction specifically for the Longs Peak Drive Sewer and Water lines.

- (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 Proposal that does not increase the financial obligations of the Town;

- (c) Authorizes Town Staff to complete and send to the Contractor a Notice of Award and a Construction Contract for review and signature;
- (d) Authorizes the Mayor or Mayor Pro Tern to execute the completed Construction Contract on behalf of the Town after Contractor has signed the Construction Contract and the Town Clerk to attest such signature; and
- (e) Authorizes Town Staff to complete and send to the Contractor a Notice to Proceed after the Mayor or Mayor Pro Tern has executed the Construction Contract.

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

ADOPTED THIS 2nd DAY OF August 2021.

TOWN OF LYONS

Nicholas Angelo, Mayor

ATTEST:

Dolores M. Vasquez, CMC
Town Clerk