

**TOWN OF LYONS, COLORADO
RESOLUTION 2022-04**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
AWARDING AND APPROVING A CONSTRUCTION AGREEMENT WITH
NETWORK INFRASTRUCTURE CONSTRUCTION COMPANY, DBA, "NICX". FOR
THE GOCO BLACK BEAR HOLE & 2ND AVE TRAILHEAD PROJECT
21-BBH2NDAveTH-01**

WHEREAS, the Town of Lyons (the "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 Construction Services for BBH & 2nd Trailhead Improvements Project ("Project"); and

WHEREAS, the Town advertised an Invitation for Bid for Construction on BidNet on November 17, 2021, and received and publicly opened four bids by the due date of December 15, 2021; and

WHEREAS, Town Staff evaluated the bids received to determine the scope of work and cost by Network infrastructure Construction Company d/b/a "NICX" ("Contractor") are both reasonable and necessary for the Project; and

WHEREAS, expenses for this Construction Agreement are eligible for reimbursement through the Great Outdoors Colorado (GOCO); and

WHEREAS, the Town Staff and the Town Consulting Engineer recommend 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 and the Town Consulting Engineer, finds that the bid submitted by 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 **Three Hundred Fifty-Five Thousand, Three Hundred Twenty-Three Dollars and Seventy Four Cents (\$355,232.74)** 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) Awards the Construction Agreement for the Project to the Contractor.
- (b) Approves the Construction Agreement for a total not-to-exceed amount of **Three Hundred Fifty-Five Thousand, Three Hundred Twenty-Three Dollars and Seventy**

Four Cents (\$355,232.74)) in substantially the form attached hereto as **Exhibit 1**.

(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 Term 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 18TH DAY OF JANUARY 2022.

TOWN OF LYONS

BY:

Nicholas Angelo, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

Exhibit 1

Network infrastructure Construction Company d/b/a "NICX"