

**TOWN OF LYONS, COLORADO  
RESOLUTION 2022-12**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO RATIFYING THE FIRST AMENDMENT  
TO THE CONSTRUCTION AGREEMENT WITH ANDERSON BRIDGES, LLC  
FOR THE 4<sup>th</sup> AVE PEDESTRIAN BRIDGE AND CONNECTION SRTS PROJECT**

**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**, pursuant to Resolution 2021-89, the Town and Anderson Bridges, LLC ("Contractor") entered into that certain Construction Agreement, Project Number 21-4AVE-PB-03, dated September 2, 2021 ("Original Agreement") for Contractor to perform the Work as specified in the Contract Documents, for a not-to-exceed cost of **ONE HUNDRED THIRTY-NINE THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$139,600.00)** (the "Project"); and

**WHEREAS**, the Town has obtained funding for the 4<sup>TH</sup> Avenue Pedestrian Bridge and Connection SRTS Project from a Safe Routes to School Grant and 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-00072); and

**WHEREAS**, Section 7 of the Agreement requires that any amendment to the Agreement be in writing and signed by the Parties; and

**WHEREAS**, the Town's Purchasing Policy allows the Town Administrator to execute modifications to construction agreements that incur less than or equal to a \$10,000 increase to the contract price and/or for term extensions; and

**WHEREAS**, the Contractor and the Town Administrator executed an amendment dated January 21, 2022, to extend the term of the contract until April 30, 2022, at no increase to the total not-to-exceed contract amount of **ONE HUNDRED THIRTY-NINE THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$139,600.00)** ("First Amendment"); and

**WHEREAS**, the Town of Lyons Board of Trustees desires to ratify the First Amendment to the Original Agreement in substantially the form attached hereto as **Exhibit 1** for the purpose of entering the Amendment into the permanent Town record;

**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) Ratifies the First Amendment to the Construction Agreement to extend the term of the contract until April 21, 2022 at no increase to the total not-to-exceed contract amount of **ONE HUNDRED THIRTY-NINE THOUSAND SIX HUNDRED AND 00/100 DOLLARS (\$139,600.00)** ("First Amendment"), in substantially the form attached hereto 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 Construction Agreement that does not increase the obligations of the Town;

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

**ADOPTED this 7<sup>th</sup> day of February 2022.**

TOWN OF LYONS

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Nicholas Angelo, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

**Exhibit 1:**  
**Anderson Bridges - Amendment 1**