

**TOWN OF LYONS, COLORADO
RESOLUTION 2022-18**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO
RATIFYING THE FIRST AMENDMENT TO THE CONSTRUCTION AGREEMENT
WITH CGRS INC. FOR THE CONSTRUCTION OF
THE WELCH CT. SEWER AND FIRST AVE. WATERLINE 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 2021-115, the Town and Contractor entered into that certain Construction Agreement dated November 2nd, 2021 (“Original Agreement”) for the Contractor to perform the Work as specified in the Contract Documents, for a not-to-exceed cost of **TWO HUNDRED THIRTY-EIGHT THOUSAND THREE HUNDRED EIGHTY DOLLARS AND NO CENTS (\$238,380.00)**; as part of the Construction Services for Stormwater Improvements Project, Project # 21-WCFA-02 (the “Project”); 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 had an emergency water repair that was needed; 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 February 11, 2022, to add additional scope and fee, for an increase of **THREE THOUSAND FOUR HUNDRED EIGHTY DOLLARS AND NINE CENTS (\$3,480.09)**, for a total not-to-exceed contract amount of **TWO HUNDRED FORTY-ONE THOUSAND EIGHT HUNDRED SIXTY DOLLARS AND NINE CENTS (\$241,860.09)** (“First Amendment”); and

WHEREAS, the Town Board of Trustees desires to ratify the First Amendment 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 1) add additional scope and fee, for an increase of **THREE THOUSAND FOUR HUNDRED EIGHTY DOLLARS AND NINE CENTS (\$3,480.09)**, for a total not-to-exceed contract amount of **TWO HUNDRED FORTY-ONE THOUSAND EIGHT HUNDRED SIXTY DOLLARS AND NINE CENTS (\$241,860.09)** 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 22nd day of February 2022.

TOWN OF LYONS
Nicholas Angelo, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

**Exhibit 1:
CGRS Amendment 1**