

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: X. 3.
Meeting Date: February 22, 2022**

TO: Mayor Angelo and Members of Board of Trustees

FROM: Tracy Sanders, Flood Recovery Manager

DATE: February 9, 2022

ITEM: Resolution 2022-20 – A Resolution of the Town of Lyons, Colorado Approving the First Amendment to the Construction Agreement with Network Infrastructure Construction Company, dba “NIXCO” for the GOCO Black Bear Hole and 2nd Ave Trailhead Project

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

I. REQUEST OR ISSUE:

This resolution approves a First Amendment to the construction agreement with NIXCO for the Great Outdoors Colorado (GOCO) funded project for Black Bear Hole (BBH) and 2nd Ave Trailhead improvements.

II. RECOMMENDED ACTION / NEXT STEP:

Approve Resolution 2022-20

III. FISCAL IMPACTS:

Expenses for this Construction Agreement are eligible for reimbursement through a GOCO grant.

IV. BACKGROUND INFORMATION:

This project scope includes improvements at the Black Bear Hole and the 2nd Ave Trailhead.

The BBH location will include streambank improvements where there has been some heavy erosion in addition to improvements to landscaping, irrigation, and adding parking stops and kiosks.

At the 2nd Ave Trailhead, improvements will include adding parking stalls, wayfinding signs, irrigation, landscaping, and a public restroom.

About This Amendment:

This Amendment adds in a 10% buffer for Minor Contract Revisions (MCRs) above the original bid amount for this contractor.

The Town regularly adds MCRs into most large construction projects to allow for unforeseen expenses. While it is not mandatory, adding an allowance for MCRs into the contract streamlines change orders and allows for smoother construction. This is a common practice for the Town of Lyons and since it is usually built into the Original Agreement, it does not usually warrant an amendment, as in this case. The reason this situation requires an amendment is that it was an oversight in the drafting of this Original Agreement. All unforeseen expenses are reviewed to be reasonable and necessary through the change order process.

The Town Policy regarding the procedure for MCRs may be found in the Town Contract Management Policy (Document “D”), Section 8.

Contract Info:

Original Agreement:	\$355,232.74
Amendment 1	<u>\$35,523.27</u>
TOTAL:	\$390,756.01

V. **LEGAL ISSUES:**
None

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:**
None

VII. **SUMMARY AND ALTERNATIVES:**
N/A

PROPOSED MOTION:

“I move to approve Resolution 2022-20, A Resolution of the Town of Lyons, Colorado Approving the First Amendment to the Construction Agreement with Network Infrastructure Construction Company, dba ‘NIXCO’, for the GOCO Black Bear Hole and 2nd Ave Trailhead Project”.