

Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: X. 4.
Meeting Date: February 22, 2022

TO: Mayor Angelo and Members of Board of Trustees
FROM: Tracy Sanders, Flood Recovery Manager
DATE: February 11, 2021
ITEM: Resolution 2022-21 – A Resolution of the Town of Lyons, Colorado Approving the First Amendment to the Construction Agreement with Mountain Constructors, Inc. for the 4th Ave Pedestrian Bridge and Connections SRTS Project, Project 21-4AVE-PB-05

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. **REQUEST OR ISSUE:**
This resolution approves a First Amendment to the construction agreement with Mountain Constructors, Inc. for the 4th Ave Pedestrian Bridge Project.
- II. **RECOMMENDED ACTION / NEXT STEP:**
Approve Resolution 2022-21
- III. **FISCAL IMPACTS:**
Expenses for this Construction Agreement are eligible for reimbursement through the Safe Routes to School Grant and through the Colorado Department of Transportation (CDOT) and additional funding from the Department of Housing and Urban Development (HUD) Community Development Block Grant - Disaster Recovery (CBDG-DR) administered by the Boulder County Collaborative (BCC) under the Intergovernmental Agreement between the Town of Lyons and the City of Longmont (INF-00072). Other sources may also be available.
- IV. **BACKGROUND INFORMATION:**
4th Ave Pedestrian Bridge and Connection Scope
Extreme rains during the incident period of September 11, 2013, overwhelmed the Town of Lyons and destroyed an existing pedestrian bridge at 4th Avenue, over the North St. Vrain Creek, as well as the adjacent creek bank. The Town received HUD Community Development Block Grant – Disaster Recovery funds in addition to Safe Routes to School funding from the Colorado Department of Transportation to replace the pedestrian bridge and stabilize the adjacent creek bank. Additionally, safety improvements to sidewalks and streets north of the

creek are planned to safely connect students from the north side of town to the south side of town, diverting them from busy, urban roads via the pedestrian bridge and connection.

Mountain Constructors Contract Scope:

This work consists of constructing or replacing concrete sidewalk, concrete curb, and gutter, ADA compliant curb ramps, crusher fines path; constructing bridge abutments, retaining walls; constructing a riprap and soil riprap slope; accepting delivery of and installing a prefabricated bridge purchased under a separate contract; constructing the aggregate base, concrete pavement, asphalt pavement; seeding and landscape restoration; pavement markings.

About This Amendment:

This Amendment adds in a 10% contingency 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 accidentally skipped in the creation of this Original Agreement.

Encountering unforeseen expenses in a construction project related to a change in scope is very normal. Overall, the recovery construction contracts have been within or just under budget however it is necessary to have the flexibility to approve changes if needed in a timely manner to stay within schedule. All unforeseen expenses and scope changes are reviewed to be reasonable and necessary through the Town's and in this case CDOT's change order process. Therefore, we are requesting a 10% MCR line added to the contract budget for possible change orders.

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

Contract Info: Mountain Constructors, Inc.

Original Agreement:	\$784,570.25
Amendment 1:	<u>\$78,457.02</u>
TOTAL:	\$863,027.27

- V. **LEGAL ISSUES:** None known.
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None known.
- VII. **SUMMARY AND ALTERNATIVES:** N/A

PROPOSED MOTION: "I move to approve Resolution 2022-21, A Resolution of the Town of Lyons, Colorado Approving the First Amendment to the Construction Agreement with Mountain Constructors, Inc. for the 4th Ave Pedestrian Bridge and Connections SRTS Project, Project 21-4AVE-PB-05."