

**TOWN OF LYONS, COLORADO
RESOLUTION 2021-05**

**A RESOLUTION OF THE TOWN OF LYONS, COLORADO ACCEPTING PUBLIC
IMPROVEMENTS OF THE ST VRAIN CREEK RECOVERY PROJECT**

WHEREAS, the Town of Lyons determined to restore and stabilize approximately 350 linear feet of the St. Vrain Creek corridor south of McConnell Drive, including debris removal, slope stabilization, bank protection, boulder and rip rap installation, and revegetation during the flood as part of Flood Recovery ("Project"); and

WHEREAS, the Town obtained funding for the St Vrain Creek Recovery Project through 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, Sub-allocation INF-00066; and

WHEREAS, all construction work for the project by Na Ali'i Consulting and Sales, LLC ("Construction Contractor") is complete and has been inspected by Anderson Consulting Engineers ("Design Engineer") and the Public Works Department, and has been found to be acceptable and in accordance with the plans and specifications; and

WHEREAS, a Certificate of Substantial Completion was executed on October 14, 2020 as shown in **Exhibit 1**; and

WHEREAS, the Design Engineer has submitted a Recommendation of Acceptance dated November 23, 2020 as shown in **Exhibit 2**; and

WHEREAS, Staff has received the record drawings from the Contractor, which reflect how the project was built, as well as lien releases for the improvements constructed; and

WHEREAS, Staff recommends accepting the St. Vrain Creek Recovery Project improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

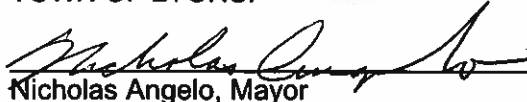
Section 1. The above recitals are hereby incorporated by reference.

Section 2. The Board of Trustees hereby accepts ownership and maintenance of the Public Improvements for the Lyons Valley River Park Project.

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

ADOPTED this 4th day of JANUARY, 2021.

TOWN OF LYONS:


Nicholas Angelo, Mayor

ATTEST:


Dolores Vasquez, CMC, Town Clerk



**EXHIBIT 1 –
Na Ali'i Certificate of Substantial Completion**

SAINT VRAIN CREEK RECOVERY PROJECT

CERTIFICATE OF SUBSTANTIAL COMPLETION

Owner's Contract No: 20-SVCR-02

Project: **SAINT VRAIN CREEK RECOVERY PROJECT**

Contractor: Na Ali'i Consulting & Sales, LLC

12295 W. 48th Avenue

Wheat Ridge, CO 80033

Contract Date: April 1, 2020

This Certificate of Substantial Completion applies to all Work under the Contract Documents except for the following specified parts thereof: (see attached)

The Work to which this Certificate applies has been to the best of my knowledge inspected by authorized representatives of the Owner, Contractor and Engineer, and that Work is hereby declared to be substantially complete in accordance with the Contract Documents on **October 14th, 2020**.

A list of items to be completed or corrected may be attached hereto. This list may not be all-inclusive, and the failure to include an item in it does not alter the responsibility of the Contractor to complete the Work in accordance with the Contract Documents.

The items in the list shall be completed or corrected by the Contractor within 30 days of the above date of Substantial Completion.

To be effective, this form must be signed by the Owner, the Engineer, and the Contractor.

ML (Nicole Turner)
Engineer:

X Clark D. Murray
Contractor:

Wally Sanders
Owner

23 NOVEMBER 2020

Date

23 Nov 2020

Date

12/1/20
Date

**EXHIBIT 2 –
Engineer Acceptance**



23 November 2020

Dear Victoria:

Per the work agreed to in the Construction Agreement between the Town of Lyons and Na Ali'i Consulting & Sales, LLC (the "Contractor"), executed April 1st, 2020, please see the attached Certificate of Substantial Completion. This letter serves as the Certificate for Final Completion for the Town of Lyons Saint Vrain Creek Recovery Project.

Na Ali'i has completed the work in general conformance with the contract documents. The contractor has provided as-built survey of the site, demonstrating general conformance with the grading plan. All the work has been tested, inspected, and is found to be acceptable. Possible exceptions are listed in the attached punchlist.

It is our recommendation that the Board of Trustees accept the public infrastructure installed as noted with a warranty period beginning on October 14, 2020, hence expiring at the end of the day on October 14, 2022.


Michael Turner, P.E., Project Engineer/Construction Oversight