

RESOLUTION NO. 24-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, APPROVING A CONSTRUCTION CONTRACT WITH EDW. C. LEVY CO., DOING BUSINESS AS SCHMIDT CONSTRUCTION COMPANY, FOR PROJECT NO. 2024-PW-003, 2024 PAVEMENT REHABILITATION – STREET IMPROVEMENT PROGRAM, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT IN THE CITY’S STANDARD FORM

WHEREAS, the City of Castle Pines, Colorado (“City”) is authorized to enter into contracts for the performance of general municipal governance and services; and

WHEREAS, the City entered into a construction contract with EDW. C. LEVY CO., doing business as Schmidt Construction Company (“Contractor”) in 2023 following the issuance of an invitation for bids for Project No. 2023-PW-002 for the Pavement Rehabilitation Street Improvement Program; and

WHEREAS, based on the Contractor’s performance in 2023, the City wishes to enter into a construction contract with Contractor in the City’s standard form (“Construction Contract”) for Contractor to perform work associated with the 2024 Pavement Rehabilitation—Street Improvement Program, Project No. 2024-PW-003 (the “Work”); and

WHEREAS, the Construction Contract will establish a not-to-exceed amount of One Million Five Hundred Ninety-Six Thousand Three Hundred Ninety-Six Dollars and Fifty Cents (\$1,596,396.50) for Contractor’s completion of the Work; and

WHEREAS, the City Council desires to approve the Construction Contract and further desires to delegate authority to the City Manager to execute the Construction Contract in the City’s standard form.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THAT:

Section 1. The City Council hereby: (a) approves the Construction Contract with Contractor in the City’s standard form; (b) authorizes the City Attorney, in consultation with the City Manager, to make such changes to the Construction Contract as may be necessary to correct any non-material errors that do not increase the obligations of the City; and (c) authorizes the City Manager to execute the Construction Contract in the City’s standard form.

Section 2. If any section, paragraph, clause, or provision of this Resolution is held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining sections, paragraphs, clauses, or provisions of this Resolution.

Section 3. This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF 7 IN FAVOR, 0 AGAINST, AND 0 ABSENT THIS 28th DAY OF MAY, 2024.


Tracy Engerman (Jun 10, 2024 05:30 MDT)

Tracy Engerman, Mayor

ATTEST:





Tobi Duffey, MMC, City Clerk

APPROVED AS TO FORM:



Linda C. Michow, City Attorney