

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 17-05

Authorization to Fund the Construction of Nameless Tributary, The Mesa - Filing 1, Tract C
Improvements

WHEREAS, SEMSWA is the property owner of Tract C, a tract of land that is part of The Mesa 1st Filing; and

WHEREAS, Arapahoe Park and Recreation District (the District) operates and maintains a recreational concrete trail network on Tract C; and

WHEREAS, Nameless Tributary's drainage way flows through and along Tract C and the District's trail network crosses Nameless Tributary's drainage way; and

WHEREAS, the drainage way has aggraded, restricting drainage flows and is resulting in unsafe passage for pedestrians and bicyclists and the necessity to close portions of the District's trail network; and

WHEREAS, the District has requested that SEMSWA develop a solution and participate in a cost share for the project with the District for improvements on Tract C; and

WHEREAS, SEMSWA developed and completed the design for improvements on Tract C, completed the bidding process and selected the lowest responsible bidder; and

WHEREAS, with Resolution 16-30 the Board authorized a total funding of \$268,444 for construction of the Project and authorized the Executive Director to enter into an intergovernmental agreement (IGA) with the District; and

WHEREAS, SEMSWA and the District entered into an IGA and SEMSWA collected the District's initial funding contribution of \$109,373 for the planned trail improvements; and

WHEREAS, SEMSWA entered into a contract with Edge Contracting, Inc. in the amount \$229,040 and Edge Contracting, Inc. commenced construction of the Project; and

WHEREAS, SEMSWA entered into contracts with Ground Engineering Consultants, and Erosion Controls of Colorado, Inc. for an amount not exceed \$15,000 for materials testing, and post construction services associated with the Project; and

WHEREAS, the District has since made requests for additional trail improvements outside the planned project limits and has agreed to enter into an amendment to the IGA with SEMSWA for the

District to increase the District's funding contribution to fund the requested, additional trail improvements; and

WHEREAS, all Parties have determined the estimated cost for the additional trail improvements to be \$49,618.00; and

WHEREAS, it is typical to budget the estimated amount plus an additional ten (10) percent (\$4,961.80) to cover contingencies that may be encountered during construction of the additional trail improvements.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to enter into an amendment to the IGA with the District and collect \$54,579.80 from the District on behalf of SEMSWA for the additional trail improvements.
2. The Executive Director is authorized to issue a change order to the contract of Edge Contracting, Inc. in the amount of \$49,618.00 on behalf of SEMSWA for the construction of the additional trail improvements.
3. Total funding for the construction of the Project; including contingency, including costs associated with materials testing, and post construction re-vegetation services, is limited to \$323,023.80 without prior approval of the Board.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:
Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor

Nameless Tributary Mesa Filing 1 Tract C Improvements

