

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

RESOLUTION NO. ____, SERIES OF 2007
(Authorization to Execute Agreement with CH2M Hill)

WHEREAS, SEMSWA in a letter agreement dated November 8, 2006 agreed to make payment to CH2M Hill for reasonable and necessary costs of their services and out-of-pocket expenses incurred beyond their contract authorization of \$250,000 with Arapahoe County through the period ending October 31, 2006 upon presentation of statements to SEMSWA; and

WHEREAS, SEMSWA further agreed in the November 8, 2006 letter agreement to compensate CH2M Hill for services performed from November 1, 2006 until an Agreement for Services could be negotiated and executed by SEMSWA and CH2M Hill. Such compensation was to be based on billing information attached to the proposed Agreement for Services; and

WHEREAS, an Agreement for Services was negotiated, signed by CH2M Hill but not signed by SEMSWA that identified seventeen tasks plus project management services costing a total of \$399,891 for a time of performance ending December 31, 2007; and

WHEREAS, it was recognized in the proposed Agreement for Services that the nature of the work elements and deliverables associated with the enumerated tasks were likely to change; and

WHEREAS, CH2M Hill has been providing business start-up assistance based on the letter agreement dated November 8, 2006 and the proposed but not fully executed proposed Agreement for Services, and has been billing SEMSWA for the services they have provided on a time and materials basis; and

WHEREAS, approximately \$137,032.48 of the \$399,891 amount that would have been authorized in the proposed Agreement for Services has been billed by CH2M Hill as of December 29, 2006; and

WHEREAS, as included in the letter agreement dated November 8, 2006, the Board desires to execute an Agreement for Services with CH2M Hill in order to more clearly define, control and track costs and to more effectively manage the project;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board authorizes the Executive Director to execute an Agreement for Services with CH2M Hill for the work generally outlined in the proposed but not fully executed Agreement for Services cited above.

2. Total cost for the work authorized herein is not to exceed \$399,891 without prior authorization by the Board.

3. The time of performance for the work authorized herein is December 31, 2007.

(SEAL)

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Date:_____

ATTEST:

Secretary

Chairperson