

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

RESOLUTION NO. 09-37

(Authorization to Fund and Enter Into Agreements for the Construction of the Outfall C Project)

WHEREAS, a storm sewer collection system has been designed by Arapahoe County to convey the 100-year storm event runoff from Arapahoe Road to Piney Creek at Caley Drive ("Project"); and

WHEREAS, the construction of the Project is planned to be funded with an agreement between Arapahoe County and SEMSWA, with each entities' contribution to the Project being fifty percent; and

WHEREAS, SEMSWA's estimated share of the Project costs is \$367,276.99; and

WHEREAS, the SEMSWA Capital Improvement Program 2009 budget includes \$247,200 funding for the Project; and

WHEREAS, the SEMSWA Capital Improvement Program 2009 budget includes \$160,000 funding for a proposed storm sewer along Dayton Street in the vicinity of Mississippi Avenue associated with a proposed development. The proposed development is not expected to be constructed in 2009; and

WHEREAS, the outfall of the Project at Piney Creek is located at the proposed Caley Drive Bridge which is anticipated to be bid for construction this fall. Combining the Project with the bridge project would result in cost savings; and

WHEREAS, SEMSWA and the Urban Drainage and Flood Control District (UDFCD) have an agreement whereby the UDFCD is managing the Piney Creek Bridge and Stream Stability Improvements at Caley Drive project; and

WHEREAS, the construction engineering services are typically conducted by the design engineer; and

WHEREAS, although the construction of the Outfall C Project can be included in the existing agreement with UDFCD in regard to the Piney Creek Bridge and Stream Stability Improvements at Caley Drive project, UDFCD has requested the engineering services during construction of Outfall C be contracted separately by SEMSWA.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of SEMSWA authorizes the Executive Director to execute an agreement with Arapahoe County for the funding and construction of Outfall C.
2. The Executive Director is authorized to enter into an amendment to the existing agreement with UDFCD to combine the Outfall C Project with the Piney Creek Bridge and Stream Stability Improvements at Caley Drive Project.
3. The Executive Director is authorized to execute an agreement with an engineering company for engineering services during the construction of Outfall C Project.

4. SEMSWA's funding of the Outfall C Project shall not exceed \$367,276.99 without additional authorization from the Board.
5. The funding exceeding the SEMSWA 2009 Capital Project Budget for Outfall C will be deducted from the budgeted Dayton Street storm sewer project. The Dayton Street storm sewer project will be re-budgeted in 2010.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:

Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor