

**A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING AND RATIFYING CHANGE ORDERS TO THE CONSTRUCTION AGREEMENT
WITH HALCYON CONSTRUCTION, INC. CONCERNING THE QUINCY FARM HISTORIC
BARN REHABILITATION**

WHEREAS, the City of Cherry Hills Village ("City") and Halcyon Construction, Inc., a Colorado corporation ("Contractor"), entered into a Construction Agreement in September 2024 ("Agreement") for the Quincy Farm historic barn rehabilitation ("Project") in the amount of \$718,408.00; and

WHEREAS, in conjunction with approving the Agreement, City Council approved a five percent contingency of \$35,920.00, for a total authorized maximum expenditure of \$754,328.00 on the Project; and

WHEREAS, as noted in the staff report, conditions in the barn and existing utilities have necessitated additional work for the Project, some anticipated and some unanticipated; and

WHEREAS, Change Orders 1 and 2, which require expenditures within the contingency amount authorized by City Council, have been approved administratively; and

WHEREAS, to facilitate the completion of necessary work on the Project that was unknown at the time of the Agreement, the City and Contractor desire to amend the Contract through Change Order 3 ("Change Order 3"), a copy of which is attached to this resolution as **Exhibit 1**, to: (1) adjust the Contract Sum to include an additional ten percent contingency in the amount of \$75,432.00, for a new not-to-exceed Contract Sum in the amount of \$829,760.00; (2) ratify Change Orders 1 and 2 in light of the adjusted Contract Sum; and (3) to extend the Contract Time from 120 working days to 160 working days from the date of the Notice to Proceed; and

WHEREAS, the City's Purchasing Policy requires City Council approval for non-budgeted transactions over \$10,000.00; and

WHEREAS, the City has appropriated sufficient funds to support expenditures within the proposed adjusted Contract Sum; and

WHEREAS, City Council desires to approve Change Order 3 to bring the revised total not-to-exceed Contract Sum to \$829,760.00, to extend the Contract Time to 160 working days of the date of the Notice to Proceed, to ratify Change Orders 1 and 2, and to authorize the Mayor to execute Change Order 3 on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cherry Hills Village, Colorado that:

Section 1. The foregoing recitals and findings are incorporated into this resolution as findings and conclusions of the City Council.

Section 2. The City Council hereby: (1) approves Change Order 3 in substantially the same form as is attached in **Exhibit 1**; (2) ratifies Change Orders 1 and 2; (3) authorizes the Mayor to execute Change Order 3 on behalf of the City.

Section 3. This resolution is effective immediately upon adoption.

Section 4. Repealer. All resolutions or parts of resolutions in conflict with this resolution are repealed.

Introduced, passed and adopted at the
regular meeting of City Council this 19th day
of November, 2024, by a vote of 6 yes 0 no.

(SEAL)

Kathleen O'Brien
Kathleen Brown, Mayor


ATTEST:

APPROVED AS TO FORM:

Laura Gillespie
Laura Gillespie, City Clerk

Kathie B. Guckenberger
Kathie B. Guckenberger, City Attorney

Exhibit 1
Change Order 3

 CITY OF CHERRY HILLS VILLAGE	<h2>CHANGE ORDER</h2>	
City Project No.: 2024-005	Project Name: 2024 Quincy Farm Historic Barn Rehabilitation	Change Order No.: #003
To (Contractor): Halcyon Construction		City Contract No.: 2024-005
Description of Original Contract Work: The work includes foundation and slab repair/replacement, interior remodel and exterior renovation of the existing agricultural structure, and the conversion of space necessary to use the facility to house public meetings and events.		Date : Nov. 19, 2024

It is hereby mutually agreed that when this Change Order has been signed by the contracting parties, the following described changes shall be in effect without changing terms of the Contract, except as herein stipulated and agreed:

<i>CHANGE TO CONTRACT SUM</i>	<i>AMOUNT / DATED / AVG</i>
Original CONTRACT SUM	\$ 718,408.00
Current CONTRACT SUM adjusted by Change Orders 1 thru 2	\$ 752,972.00
The CONTRACT SUM due to this Change Order will be Increased by	\$ 75,432.00
The new CONTRACT SUM including this Change Order will be	\$ 829,760.00
<i>CHANGE TO CONTRACT TIME</i>	
Current CONTRACT Completion Date	March 4, 2025
CONTRACT TIME will be increased by this number of Working days	40
The DATE for completion of all WORK (Amended Contract Time) will be	April 30, 2025

RECOMMENDED FOR ACCEPTANCE:

PROJECT MANAGER

BY: Emily C Black

DATE: 11/20/24

ACCEPTED:

CONTRACTOR:

Halcyon Construction

BY: [Signature]

DATE: 11/26/24

CITY OF CHERRY HILLS VILLAGE:

BY: Kathleen Brown
Mayor

DATE: 11/20/24