

RESOLUTION NO. 8
SERIES 2017

INTRODUCED BY: KATY BROWN
SECONDED BY: AL BLUM

**A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
AUTHORIZING THE CITY MANAGER TO EXECUTE CERTAIN CONSULTANT
CONTRACTS, CONSTRUCTION CONTRACTS, AND OTHER DOCUMENTS ON BEHALF OF
THE CITY RELATED TO THE CITY HALL PROJECT (2450 E. QUINCY AVENUE) AND THE
PUBLIC WORKS BUILDING PROJECT (2101 W. QUINCY AVENUE)**

WHEREAS, the City of Cherry Hills Village is a home rule municipality governed by a Charter that established a Council/Mayor form of government in which the Mayor is the chief administrative officer of the City; and

WHEREAS, the powers and duties of the Mayor are set forth in Section 5.4 of the Charter and Section 5.4(l) specifically references the power to "[o]btain engineering, architectural, maintenance, construction and work equipment services required by the City"; and

WHEREAS, Section 5.7 of the Charter authorizes the City Council to delegate to the City Manager "any or all of the powers and duties of the Mayor enumerated in Section 5.4 [of the Charter], except the power and duty to preside at Council meetings"; and

WHEREAS, the City is planning to commence two important public projects, the City Hall Project and the Public Works Building Project (together, the "Projects") in calendar year 2017; and

WHEREAS, the timely and successful commencement and completion of the Projects will require the execution of various service contracts necessary to prepare the Project sites for major construction activities, including pre-construction services such as the removal or capping of underground tanks, surveys, demolition, soils testing, water and sewer line design, and similar services ("Pre-Construction Contracts"); and

WHEREAS, Section 2-3-40(b)(12) of the Municipal Code authorizes the City Manager to obtain engineering, architectural, maintenance, construction and work equipment services required by the City; and

WHEREAS, City Council desires to expressly delegate authority to the City Manager to execute Pre-Construction Contracts directly related to the Projects and necessary to ensure that the Projects are able to move forward in an expedited and accelerated manner, subject to adherence to all competitive bidding rules and policies set forth in the City's Purchasing Policy ("Purchasing Policy"); and

WHEREAS, the City Council desires the City Manager to update the City Council on a periodic basis regarding the status of the Projects.

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

Section 1. The City Council authorizes the City Manager to execute on behalf of the City of Cherry Hills Village Pre-Construction Contracts directly related to the Projects and necessary to ensure the completion of the Projects within the applicable budget line items for the Projects, as set forth and identified in the City's budget, as the same may be amended from time to time (collectively, the "Project Budget"), provided that any such Contracts are less than \$75,000 in value and approved as to form by the City Attorney. If costs and expenses associated with completing the Projects exceed the Project Budget, such that a supplemental appropriation is required to be approved by City Council following a public hearing thereon, the signature authority set forth in this Resolution shall be temporarily suspended until such time as the City Council has considered and approved the supplemental appropriation(s) approving the funding necessary to continue with or complete the Projects.

Section 2. In exercising the powers and authority granted by this Resolution, the City Manager shall adhere to all applicable competitive bidding rules and policies set forth in the Purchasing Policy. During the pendency of the Projects, and subject to the condition set forth in Section 3 of this Resolution below, the requirement that City Council approve any award of any General Fund bid or Public Improvement Fund bid in excess of ten thousand dollars (\$10,000.00), as set forth in the Purchasing Policy, shall temporarily be waived in order to

permit the City Manager to award bids on an as-needed basis, and in accordance with Section 1, and allow the Projects to move forward on an accelerated timeframe.

Section 3. During the pendency of the Projects, the City Manager shall provide periodic updates to City Council regarding the status of the Projects, which updates shall include a listing of any General Fund bid or Public Improvement Fund bid awarded in excess of \$10,000.00, if and to the extent applicable.

Section 4. The City shall indemnify, hold harmless, and defend the City Manager in the exercise of the powers granted by this Resolution provided that such exercise is made in a reasonable and good faith reliance on the authority granted by this Resolution and such exercise is within the scope of the City Manager's duties and authorities as set forth in the Charter and Section 2-3-40 of the Municipal Code.

Section 5. This Resolution shall be effective immediately.

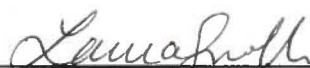
Introduced, passed and adopted at the
regular meeting of City Council this 21st day
of February, 2017, by a vote of 6 yes 0 no.

(SEAL)


Laura Christman, Mayor

ATTEST:

APPROVED AS TO FORM:


Laura Smith, City Clerk


Linda C. Michow, City Attorney