

RESOLUTION NO. 5
SERIES 2018

INTRODUCED BY: EARL HOELLEN
SECONDED BY: KATY BROWN

**A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
AWARDING THE BID FOR THE CITY HALL DEMOLITION AND CONSTRUCTION
PROJECT, PROJECT NO. 2018-003, AND APPROVING THE FORM OF
CONSTRUCTION CONTRACT**

WHEREAS, the City of Cherry Hills Village is a home rule municipality and is authorized by its Home Rule Charter and C.R.S. § 31-15-101 to enter into contracts for any lawful municipal purpose; and

WHEREAS, the City desires to enter into a construction contract for the Cherry Hills Village City Hall Demolition and Construction Project, Project No. 2018-03 (the "Project"); and

WHEREAS, the City solicited proposals for the Project in accordance with Colorado law by posting an Invitation for Bids ("IFB") on the Rocky Mountain Bid Net System on February 8, 2018; and

WHEREAS, City Staff has evaluated the bids received by the deadline of February 28, 2018 from five (5) companies that submitted proposals and has selected W.E. O'Neil Construction Co. of Colorado, a Delaware corporation, as the lowest responsible bidder for the Project; and

WHEREAS, the IFB sets forth that the construction contract used for the Project shall be AIA Document A101-2017, *Standard Form of Agreement between Owner and Contractor where the basis of payment is a Stipulated Sum*, together with AIA Document A201-2017, *General Conditions for the Contract for Construction*, both as amended by the City and all other related contract documents (together, the "Construction Contract"); and

WHEREAS, the City Council, after full consideration of the bids submitted and the recommendation of the City staff presented to the City Council at the March 6, 2018 regular meeting, finds that the proposal submitted by W.E. O'Neil Construction Co. of Colorado, a Delaware corporation (the successful bidder, hereinafter the "Contractor"), qualifies that company as the lowest responsible bidder; and

WHEREAS, City Council desires to award the bid for the Project to the Contractor and authorize the City Manager and City Attorney to finalize the Construction Contract for signature by the Mayor and Contractor; and

WHEREAS, it is in the best interests of the City to award the bid for the Project to the Contractor in amount of **Four Million Three Hundred Fifty Thousand Dollars (\$4,350,000.00)**, based on the specific scope of work set forth in the IFB and the Contractor's bid; and

WHEREAS, the City Council of the City of Cherry Hills Village desires to award the bid to the Contractor and to authorize the Mayor to execute the Construction Contract.

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

Section 1. The City Council hereby:

(a) awards the bid for Project No. 2018-003 (City Hall Demolition and Construction Project) to W.E. O'Neil Construction Co. of Colorado in the not-to-exceed amount of **Four Million Three Hundred Fifty Thousand Dollars (\$4,350,000.00)**;

(b) authorizes the City Manager and City Attorney to finalize and to make such changes as may be needed to correct any nonmaterial errors or language or to negotiate such changes to the Construction Contract as may be appropriate that do not substantially increase the obligations of the City;

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(c) authorizes City staff to complete final revisions to exhibits and to attach such exhibits to the Construction Contract in consultation with the City Attorney;

(d) authorizes City staff to complete and send to the Contractor a Notice of Award and the completed Construction Contract for review and signature;

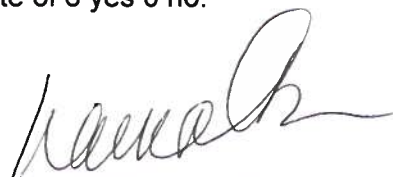
(e) authorizes the Mayor to execute the completed Construction Contract on behalf of the City in a form approved by the City Attorney after Contractor has signed the Construction Contract; and

(f) authorizes City Staff to complete and send to the Contractor a Notice to Proceed after the Mayor has reviewed and executed the Construction Contract.

Section 2. This Resolution shall be effective immediately.

Introduced, passed and adopted at the regular meeting of City Council this 6th day of March, 2018, by a vote of 6 yes 0 no.

(SEAL)



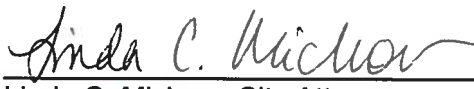
Laura Christman, Mayor

ATTEST:



Laura Smith, City Clerk

APPROVED AS TO FORM:



Linda C. Michow, City Attorney