

RESOLUTION NO. 22  
SERIES 2019

INTRODUCED BY: KATY BROWN  
SECONDED BY: RANDY WEIL

**A RESOLUTION  
OF THE CITY COUNCIL  
OF THE CITY OF CHERRY HILLS VILLAGE  
AWARDING THE BID FOR THE JOHN MEADE PARK/ALAN HUTTO MEMORIAL  
COMMONS CONSTRUCTION PROJECT, PROJECT NO. 2019-003, 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 John Meade Park/ Alan Hutto Memorial Commons Construction Project, Project No. 2019-03 (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 March 29, 2019; and

**WHEREAS**, City Staff has evaluated the bids received by the deadline of May 15, 2019 from four (4) companies that submitted proposals and has selected HPM, Inc., 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 the City's standard construction contract, including General Conditions for the Contract 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 July 16, 2019 regular meeting, finds that the proposal submitted by HPM, Inc., a Delaware corporation (the successful bidder, hereinafter the "Contractor"), qualifies that company as the lowest responsive, responsible, qualified 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**, the City has applied for a grant from Arapahoe County Open Space in the amount of \$500,000.00 as partial funding for the Project (the "Grant"), which City staff anticipates the City has a reasonable likelihood of receiving; and

**WHEREAS**, the decision regarding the application for the Grant will not be finalized until August 1, 2019, and authorizing the Mayor to sign the Construction Contract contingent upon the City receiving notice that it has been awarded the Grant will facilitate adherence to the construction timeline for the Project; and

**WHEREAS**, it is in the best interests of the City to award the bid for the Project to the Contractor in an amount not to exceed **Three Million Four Hundred Thirty-One Thousand Seven Hundred Dollars(\$3,431,700.00)**, based on the specific scope of work set forth in the IFB, the Contractor's bid, Pond Dredging Estimates as set forth in the staff memorandum, and One Hundred Twenty-Five Thousand Dollars (\$125,000.00) in contingency; 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 contingent upon the City receiving notice that it has been awarded the Grant.

**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. 2019-003 (John Meade Park Alan Hutto Memorial Commons Construction) to HPM, Inc. in the not-to-exceed amount of **Three Million Four Hundred Thirty-One Thousand Seven Hundred Dollars (\$3,431,700.00)**;

(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;

(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;

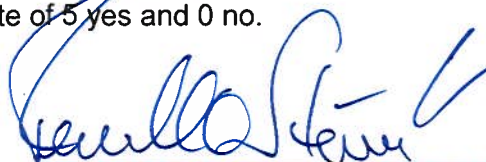
(e) authorizes the Mayor to execute the completed Construction Contract on behalf of the City in a form approved by the City Attorney if the City has received notice that it has been awarded the Grant and after Contractor has signed the Construction Contract; and

(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 16<sup>th</sup> day of July 2019, by a vote of 5 yes and 0 no.


(SEAL)

  
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Russell O. Stewart, Mayor

ATTEST:

  
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Laura Gillespie, City Clerk

APPROVED AS TO FORM:

  
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Kathie B. Guckenberger, City Attorney