

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO,
AUTHORIZING AND DIRECTING THE TOWN MANAGER TO ENTER INTO A
CONTRACT WITH RUDD CONSTRUCTION FOR ARBANEY POOL
IMPROVEMENTS**

**Town of Basalt, Colorado
Resolution No. 40
Series of 2020**

RECITALS

- A. The Town of Basalt is in need of professional services as they relate to making improvements to the Arbaney Swimming Pool.
- B. Pursuant to the Town of Basalt Procurement Policy, the Town issued a Request for Bids (RFB) for the Arbaney Pool improvements work (the "Services") and, upon review and after interviewing the contractor and their references, wishes to enter an Agreement for Professional Services with Rudd Construction for the Services (the "Contract").
- C. Staff has identified that there are sufficient funds in 2020 and 2021 Town budget for the Services.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Basalt, Colorado, as follows:

- 1. The foregoing recitals are incorporated herein as if set forth in full.
- 2. The Town Council hereby approves the Contract with Rudd Construction to provide the Services attached hereto as Exhibit "A", substantially in the form included in the Agenda packet and incorporated herein, and authorizes the Town Manager to sign such Contract, with any amendments as determined appropriate by the Town Attorney. The terms of the Contract shall be as follows:
 - a. The Contract shall be for a base fee of \$2,660,115.77 for the reduced scope project as included in Exhibit "A".
 - b. At the direction of the Town Manager, if the Town obtains additional funding through the issuance of Certificates of Participation or other revenues in the form of grants or gifts, the Town Staff is authorized to expand the scope of the Contract to include services included in the original bid from Rudd Construction dated November 2, 2020, up to \$3,327,358.87.
- 3. The Town Council further authorizes the Town Manager and his assigns to direct Contractor in the performance of the Services, and ratifies all actions taken by the Town to date with respect to the procurement and performance of the Services.

READ AND ADOPTED on November 24, 2020, by a vote of 6 to 0.

TOWN OF BASALT, COLORADO

By: *William G. Kane*
William G. Kane, Mayor

ATTEST

By: *Pamela K. Schilling*
Pamela K. Schilling, Clerk



Exhibit "A"

Contract

SECTION 00500

STANDARD AGREEMENT

THIS AGREEMENT, made this November 24, 2020, by and between the Town of Basalt, hereinafter called "OWNER", and Rudd Construction, doing business as a Corporation, hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the construction of the **Arbaney Park Pool Renovation**
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other service necessary for the construction and completion of the WORK described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS after **November 24, 2020**. The CONTRACTOR will complete WORK by May 21, 2021 unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS or at the direction of the Town Manager.

By 5:00 PM MST on May 21, 2021 all construction equipment shall be removed from the property along with all and any evidence of construction activities.

4. The Contractor agrees to perform all of the Work described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of **\$2,660,115.77** as shown on the BID SCHEDULE, as amended by the spreadsheet prepared by Rudd Construction dated **November 17, 2020**.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
 - A. ADVERTISEMENT FOR BID
 - B. INSTRUCTIONS TO BIDDERS
 - C. BID
 - D. BID SECURITY
 - E. STANDARD AGREEMENT
 - F. STANDARD GENERAL CONDITIONS

- G. SUPPLEMENTARY GENERAL CONDITIONS
- H. PAYMENT BOND
- I. PERFORMANCE BOND
- J. NOTICE OF AWARD
- K. NOTICE TO PROCEED
- L. CHANGE ORDER
- M. DRAWINGS prepared by **ZGroup, BG Building Works, Storm Designs, Albright & Associates, Connect One Design, and Colorado Pool Designs** dated August 31, 2020.
- M. SPECIFICATIONS prepared and issued by **ZGroup, BG Building Works, Storm Designs, Albright & Associates, Connect One Design, and Colorado Pool Designs** dated August 31, 2020.
- N. MEASUREMENT AND PAYMENT (1025)
- O. ADDENDA:
 - No. 1, September 25, 2020
 - No. 2, October 7, 2020
 - No. 3, October 16, 2020
 - No. 4, October 28, 2020
 - No. 5, October 29, 2020

- 6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the GENERAL CONDITIONS such amounts as required by the CONTRACT DOCUMENTS.
- 7. This AGREEMENT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this AGREEMENT in triplicate, each of which shall be deemed an original on the date first above written.

OWNER: Town of Basalt
 BY: _____
 NAME: _____
 TITLE: _____

(SEAL)

ATTEST:

(Please Type)

NAME: _____

TITLE: _____

CONTRACTOR: _____

BY: Project Manager

NAME: Tim Thompson, Rudd Construction

ADDRESS: 132 Park Avenue

Basalt, CO 81621

(SEAL)

ATTEST:

(Please Type)

NAME: _____

TITLE: _____

END OF SECTION