

**RESOLUTION OF THE TOWN COUNCIL OF BASALT, COLORADO, APPROVING
BASALT RIVER PARK - PHASE 1 PROJECT AND AUTHORIZING STAFF TO
ENTER INTO A CONTRACT WITH WALTERS COMPANY, INC.**

**Town of Basalt
Resolution No. 31
Series of 2021**

RECITALS

- A. The Town of Basalt wishes to complete improvements to the Basalt River Park in two phases, with Phase 1 to include utility installation, grading, hardscape installation (concrete plaza), and temporary erosion control to close out the site for the winter and to prepare for the next phase (the "Basalt River Park - Phase 1 Project"), as more fully set forth in the bid documents.
- B. By Resolution No. 18, Series of 2021, Town Council approved the Basalt River Park Project phasing and directed staff to the Basalt River Park - Phase 1 Project out to bid.
- C. Accordingly, the Town issued a Request for Bids for construction services to complete the Basalt River Park - Phase 1 Project pursuant to the Town of Basalt Procurement Policy and Procedures and the Town received one bid for the Project from Walters Company, Inc., which came in under budget.
- D. The Town Engineer recommended that the project be awarded to Walters Company, Inc. from Glenwood Springs, Colorado (the "Contractor").
- E. Staff has identified that there are sufficient funds in 2021 Town budget for the Project.

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

1. Recitals. The foregoing recitals are incorporated herein as findings of Town Council.
2. Project. The Town Council hereby approves the Basalt River Park - Phase 1 Project and directs Staff to enter into a contract with the Contractor in substantially the same form as included in **Exhibit A**, subject to review and approval of the Town Attorney. The Town Council further authorizes the Town Manager and Town Engineer to direct Contractor in the completion of the Project, and ratifies all actions taken by the Town to date with respect to the procurement and performance of the Project.

READ AND ADOPTED on July 13, 2021, by a vote of 5 to 0.

TOWN OF BASALT, COLORADO

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

ATTEST

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



VII- CONTRACT AGREEMENT

THE AGREEMENT, made this _____ day of _____, 2021, by and between the **Town of Basalt**, hereinafter called "OWNER" or "THE TOWN" and _____, doing business as (an individual,) or (partnership,) or (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:

Basalt River Park Phase 1 Project
(PROJECT)
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT at an appropriate time in order to substantially complete the CONTRACT work by December 1, 2021 unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS or by the Town in writing.
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 \$_____, or as shown in the BID schedule.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
 - Invitation for Bid
 - Bid Form and Bid Schedules
 - Bid Bond
 - Payment Bond
 - Performance Bond
 - Notice of Award
 - Contract Agreement
 - Notice to Proceed
 - Change Order
 - Supplementary Conditions
 - Design Drawings
 - Calculations and Measurements (provided by Connect One Design)

SPECIFICATIONS Prepared or issued by _____ dated _____

ADDENDA:

No. dated, 20____.

No. dated, 20____.

No. dated, 20____.

No. dated, 20____.

The CONTRACT DOCUMENTS are incorporated into and made a part of this Agreement.

- 6. The OWNER will pay to the CONTRACTOR in the manner and at such times and in 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 three (3), each of which shall be deemed an original on the date first above written.

(SEAL)

OWNER:

ATTEST:

Name _____
(Please Type)

By _____

Name _____

Title _____

Title _____

Address _____

Telephone _____

(SEAL)

CONTRACTOR:

ATTEST:

Name _____
(Please Type)

By _____

Name _____

Title _____

Title _____

Address _____

Telephone _____