

RESOLUTION NO. 13-35

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,
COLORADO APPROVING A CONTRACT EXTENSION OF THE PROFESSIONAL
SERVICES AGREEMENT WITH CH2M HILL ENGINEERS, INC.**

WHEREAS, the City of Castle Pines (“City”) is authorized to enter into contracts for the performance of general municipal governance and services; and

WHEREAS, the City has previously entered into a Professional Services Agreement (the “Agreement”) with CH2M HILL Engineers, Inc. (the “Consultant”), to provide the City with on-call engineering services related to technical review of land development applications submitted to the City; and

WHEREAS, the Agreement is scheduled to terminate on December 31, 2013; and

WHEREAS, Section 4 of the Agreement provides that the term may be renewed or extended by mutual agreement of the Parties by the City Authorized Representative and the Consultant Authorized Representative, as those terms are defined in the Agreement; and

WHEREAS, City Council desires to enter into a Second Amendment to the Agreement for calendar year 2014, a copy of which is attached to this Resolution as **Exhibit 1** and is incorporated herein.

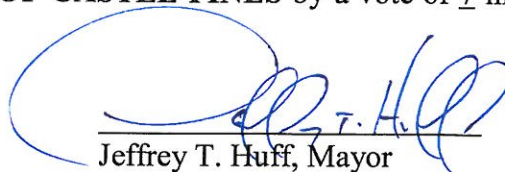
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO:

Section 1. The City Council hereby: (a) approves the Second Amendment to Professional Services Agreement between the City and the Consultant, in substantially the form attached hereto as **Exhibit 1** (the “Agreement”); and (b) authorizes the City Manager to execute the same on behalf of the City in a form approved by the City Attorney.

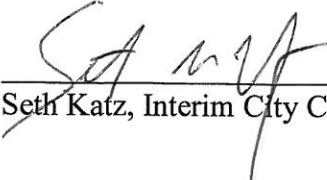
Section 2. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

Section 3. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES by a vote of 7 in favor and 0 against this 26th day of November, 2013.

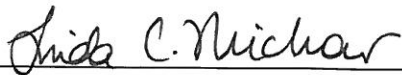

Jeffrey T. Huff, Mayor

ATTEST:



Seth Katz, Interim City Clerk

APPROVED AS TO FORM:



Linda C. Michow, City Attorney

EXHIBIT 1
SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
WITH CH2M HILL ENGINEERS, INC.

**SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF CASTLE PINES AND CH2M HILL ENGINEERS, INC.**

THIS SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (the "Second Amendment") is made and entered by and between the **CITY OF CASTLE PINES**, a Colorado municipal corporation (the "City") and **CH2M HILL Engineers, Inc.**, a Delaware corporation (the "Consultant").

WHEREAS, the City and Consultant are parties to a Professional Services Agreement (the "Agreement") for on-call engineering services related to technical review of land development applications submitted to the City; and

WHEREAS, the Agreement is scheduled to terminate on December 31, 2013; and

WHEREAS, Section 4 of the Agreement provides that the term may be renewed or extended by mutual agreement of the Parties signed by the City Authorized Representative and the Consultant Authorized Representative, as those terms are defined in the Agreement; and

WHEREAS, the Parties desire to extend the term of the Agreement for calendar year 2014; and

WHEREAS, the City desires to engage the Consultant to provide the Services more particularly described in the Agreement during calendar year 2014 subject to the terms and conditions of the Agreement and this First Amendment.

NOW, THEREFORE, the City and the Consultant, in consideration of the mutual covenants hereinafter set forth and for other good and valuable consideration, agree to amend the Agreement between the parties signed by the City Authorized Representative on August 20, 2012 as follows:

SECTION 1. Section 4 of the Agreement shall be replaced in its entirety with the following:

4. **TERM:** It is mutually agreed by the Parties that the term of this Agreement shall commence as of January 1, 2014 and shall terminate on December 31, 2014, unless earlier terminated by the terms of this Agreement. This Agreement may be renewed or extended by mutual agreement of the Parties signed in writing by the City Authorized Representative and the Consultant Authorized Representative. This Agreement and/or any extension of its term beyond the current fiscal year shall be contingent upon annual funding being appropriated, budgeted and otherwise made available for such purposes and subject to the City's satisfaction with all services received during the preceding term.


SECTION 2. Exhibit A, Time and Materials Rate Schedule, is replaced in its entirety with **Exhibit A** attached hereto.

SECTION 3. Except as amended herein, the terms of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City and the Consultant have executed this First Amendment as of the dates set forth below.

CITY:

CITY OF CASTLE PINES, a Colorado municipal corporation


BY: 
Don Van Wormer, City Manager

DATE: 11-27-13

ATTEST:


City Clerk or Deputy City Clerk

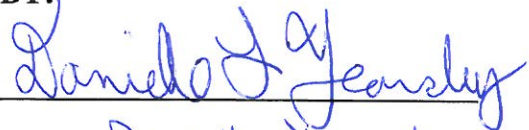
APPROVED AS TO FORM:


Linda C. Michow, City Attorney

CONSULTANT:

CH2M HILL Engineers, Inc., a Delaware corporation

BY:



Name: Danielle Yearsley

Title: Transportation Operations Manager

DATE: 12/19, 2013

Exhibit A – Time and Materials Rate Schedule

CH2M HILL 2014 Rate schedule for Castle Pines Development Review

<u>Classification</u>	<u>Rate</u>
Project Manager	\$170/hr
Senior Engineer	\$185/hr
Engineering Specialist/Task Lead	\$160/hr
Contracts Administer	\$155/hr
Project Accountant	\$110/hr
Clerical	\$60/hr

All reimbursables will be billed at actual cost to the Consultant. Reimbursables may consist of travel, printing, mailing copying and supplies.