

**RESOLUTION NO. 11-75**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF CASTLE PINES, COLORADO  
APPROVING A ONE YEAR EXTENSION OF THE PROFESSIONAL SERVICES  
AGREEMENT WITH MERRICK & COMPANY FOR THE PROVISION OF ON-CALL  
PUBLIC WORKS AND ENGINEERING SERVICES TO THE CITY OF CASTLE PINES**

**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 Merrick & Company (the “Consultant”) to provide the City with on-call public works and engineering services provided on an as-needed basis (the “Services”); and

**WHEREAS**, the Agreement was approved by Resolution No. 11-39; and

**WHEREAS**, Section 4.1 of the Agreement authorizes the City to extend the term of the Agreement for up to three (3) additional one (1) year terms; and

**WHEREAS**, City Council desires to extend the term of the Agreement for calendar year 2012 and further desires the Consultant to provide the Services to the City in accordance with the terms and conditions of the Agreement; and

**WHEREAS**, pursuant to Section 2.1.A. of the Agreement, total compensation to be paid to the Consultant during the one (1) year extension shall not exceed Fifty Thousand Dollars (\$50,000.00); and

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

**Section 1.** The City Council hereby (a) approves the one (1) year extension of the Agreement between the City and the Consultant, (b) authorizes the City Manager to mail the notice of extension, in substantially the form attached hereto as **Exhibit 1** to the Consultant following the effective date of this Resolution, and (c) authorizes the City Attorney to make such changes as may be needed to correct any nonmaterial errors or language or to negotiate such changes to the notice of extension as may be appropriate that do not substantially increase the obligations of the City.

**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.

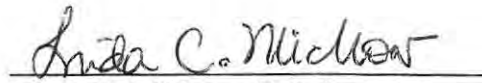
INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES by a vote of 4 in favor and 0 against this 22<sup>nd</sup> day of November, 2011.

  
Jeffrey T. Huff, Mayor

ATTEST:

  
Sharon DeRouen, City Clerk

APPROVED AS TO FORM:

  
Linda C. Michow, City Attorney



November 23, 2011

Mr. Barney J. Fix, P.E.  
Merrick & Company  
2450 South Peoria Street  
Aurora, Colorado 80014

**RE: On-Call Public Works and Engineering Services (through 2012)**

Dear Mr. Fix:

The City of Castle Pines is very pleased with the services being provided by Merrick & Company, pursuant to the terms and conditions of that certain Professional Services Agreement by and between the City and Merrick dated July 1, 2011, as approved by City Resolution No. 11-39 (the "Agreement").

As set forth in Section 4.1 of the Agreement, the City may extend the term of the Agreement for up to three (3) additional one (1) year terms. The City Council has considered and approved the extension of the Agreement for calendar year 2012.

Please consider this letter as the City's notice of extension, as contemplated by Section 4.1 of the Agreement. Merrick's Standard Hourly Billing Rates that will be applicable during calendar year 2012 is attached to this letter as Exhibit C, and replaces and supersedes Exhibit C currently attached to the Agreement.

As contemplated by Section 2.1.A. of the Agreement, total compensation paid to Merrick under this one (1) year extension shall not exceed Fifty Thousand Dollars (\$50,000.00).

Services should be completed in accordance with all remaining terms and conditions of the Agreement. I have enclosed two (2) copies of this letter, and a place for you to acknowledge receipt of this letter and further acknowledge your consent to the extension of the Agreement for calendar year 2012 is set forth on the next page. At your earliest convenience, please execute where indicated, and return an executed copy of this letter to the Deputy City Clerk in the enclosed self-addressed stamped envelope.

If you have any questions or would like to discuss this further, please do not hesitate to call me or send me an email. I look forward to continuing our relationship in 2012.

Sincerely,

A handwritten signature in blue ink that reads "James McGrady".  
Jim McGrady  
Interim City Manager

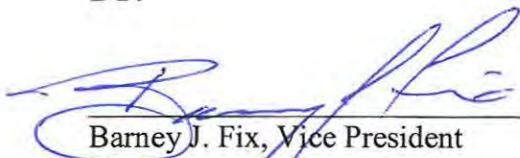
Enclosure  
(2012 Standard Hourly Billing Rates)

cc: Diane Spomer, Deputy City Clerk  
City Attorney

ACKNOWLEDGED AND AGREED:

CONSULTANT:  
**MERRICK & COMPANY**, a Colorado corporation

**BY:**

  
\_\_\_\_\_  
Barney J. Fix, Vice President

**DATE:** Dec. 1, 2011





**Civil Engineering Solutions Division**  
**Standard Hourly Billing Rates**

Work Class	Effective Jan. 2012 Per Hour
<b>PROJECT MANAGEMENT:</b>	
Project Manager	\$155.00
<b>PROJECT ENGINEERING:</b>	
Senior Project Engineer	\$145.00
Project Engineer	\$110.00
Senior Design Engineer	\$95.00
Design Engineer	\$85.00
Designer	\$65.00
<b>FIELD ENGINEERING:</b>	
Senior Construction Manager	\$140.00
Construction Manager/Construction Administrator	\$135.00
Senior Field Engineer	\$110.00
Cost Estimator	\$95.00
Field Engineer	\$90.00
Senior Field Technician	\$80.00
Field Engineering Technician	\$65.00
<b>DRAFTING:</b>	
Senior Drafter	\$90.00
Drafter	\$75.00
<b>SURVEYING:</b>	
Survey Manager	\$125.00
Professional Land Surveyor	\$90.00
Survey Party Chief	\$80.00
Computer Survey Technician (office)	\$85.00
Two-Person Crew	\$150.00
One-Person Crew	\$100.00
Two-Person OSHA Health/Safety Trained Crew	\$170.00
<b>GIS MAPPING:</b>	
GIS Manager	\$130.00
GIS Applications Engineer	\$100.00
GIS Applications Technician	\$80.00
GIS Photogrammetrist	\$80.00
GIS Technician	\$70.00
<b>ADMINISTRATION:</b>	
Clerical	\$65.00
<b>OTHER DIRECT COSTS:</b>	
Courier	Cost
Expert Witness Court Appearance	\$1,440.00/day
G.P.S. System	\$100.00/unit/day
Workstations/Specialized Equipment	\$40.00/day
Minimum Charge	\$20.00
Vehicle Mileage (personal vehicles)	Current Allowable IRS Rate
Truck Maximum Charge	\$60.00/day
Truck Minimum Charge	\$35.00/day
Special Software	Cost
Other Materials or Equipment	Cost

Standard rates are subject to review annually.  
 Client will be notified in writing of any changes.