

SOUTHEAST METRO STORMWATER AUTHORITY  
acting by and through  
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 12-10  
Authorization to Fund and Award Contracts in Regard to  
the Construction of the Lone Tree Creek Regional Pond L-2

WHEREAS, the Lone Tree Creek Regional Pond L-2 (Project) is identified in the 2010 “Lone Tree Creek, Windmill Creek, and Dove Creek – Major Drainageway Plan” report; and

WHEREAS, with Resolution No. 09-05 the SEMSWA Board authorized a total funding in the amount of \$250,000 for the design and construction of Phase 1 of the Project; and

WHEREAS, SEMSWA has re-evaluated the scope of the Project and determined that significant cost efficiencies can be achieved by constructing the ultimate pond configuration initially as opposed to constructing the Project in phases as originally proposed; and

WHEREAS, with Resolution 11-41 the SEMSWA Board authorized a total funding in the amount of \$54,600 for the purchase of wetland bank credits to comply with the Corps of Engineers 404 permit requirements for construction of the Project; and

WHEREAS, SEMSWA entered into a contract with WRC Engineering, Inc. for the preparation of the final design and construction documents for the Project; and

WHEREAS, the design is complete, the bidding process for the construction of the Project has also been completed and the lowest responsible bidder selected; and

WHEREAS, the selected bid for the construction of the Project is \$588,712, submitted by JBS Pipeline Contractors; and

WHEREAS, SEMSWA has estimated the cost of contracting for construction management and material testing services during construction at \$38,900; and

WHEREAS, it is typical to budget the construction bid amount plus an additional ten (10) percent (\$58,871) to cover contingencies that may be encountered during construction; and

WHEREAS, SEMSWA had adopted a budget for calendar year 2012 subsequent to public hearing, which includes funds for construction of the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to enter into a contract in the amount of \$588,712, with JBS Pipeline Contractors on behalf of SEMSWA for the construction of the Project.
2. The Executive Director, on behalf of SEMSWA, is authorized to enter into contracts and expend an amount not to exceed \$38,900 for construction management and material testing services associated with the Project.
3. Total funding for the construction of the Project; including contingency (\$58,871) and costs associated with services for construction engineering, construction management and materials testing, is limited to \$686,483 without prior approval of the Board.

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Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

APPROVED AS TO FORM:

Attorney for  
Southeast Metro Stormwater Authority

By \_\_\_\_\_  
Edward J. Krisor