

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

RESOLUTION 13-05

Authorization to Fund and Award Contracts in Regard to the Construction of the  
Lincoln Executive Pond

WHEREAS, the Lincoln Executive Pond (Project) is identified in the 2009 "Cottonwood Creek (Lower) Outfall Systems Planning Study" report; and

WHEREAS, the Cottonwood Creek basin is in need of regional stormwater detention and water quality capture volume to master planned levels thereby allowing development of the basin to continue; and

WHEREAS, with Resolution No. 10-16, the Board approved the *Property Conveyance Agreement* between SEMSWA and Lincoln Executive Center Owners' Association (LECOA) which resulted in SEMSWA accepting ownership of the existing Lincoln Executive Center wet pond and committing to design and construct improvements to the pond; and

WHEREAS, also, as a part of the *Property Conveyance Agreement*, LECOA agreed to pay SEMSWA \$300,000.00 to be used for the design and construction of the wet pond; and

WHEREAS, LECOA to date has paid SEMSWA a total of \$250,000.00 of the amount due with the last payment of \$50,000.00 being due and payable in July 2013; and

WHEREAS, with Resolution 12-02 the Board authorized a total funding of \$175,000.00 for the design of the Project; and

WHEREAS, the design for the Project is complete, the bidding process for the construction of the Project has been initiated, but the bids have not yet been received by SEMSWA; and

WHEREAS, due to weather considerations, the construction of the Project needs to proceed as soon as possible and cannot wait for Board approval until its February 2013 Board Meeting; and

WHEREAS, the estimated cost for the construction of the Project is \$550,000.00; and

WHEREAS, SEMSWA has estimated the cost of contracting for materials testing and construction engineering services during construction at \$26,500.00; and

WHEREAS, it is typical to budget the construction bid amount plus an additional ten (10) percent (\$55,000.00) to cover contingencies that may be encountered during construction; and

WHEREAS, SEMSWA had adopted a budget for calendar year 2013 subsequent to public hearing, which includes funds for construction of the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director, on behalf of SEMSWA, is authorized to enter into a contract in an amount not to exceed \$550,000.00 with the lowest responsible bidder 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 \$26,500.00 for materials testing and construction management services associated with the Project.
3. Total funding for the construction of the Project; including contingency and costs associated with services for materials testing and construction engineering is limited to \$631,500.00 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



Project Area

E PEAKVIEW AVE

S KENTON ST

S LIMA ST

E ARAPAHOE RD