

TOWN OF HOT SULPHUR SPRINGS,
COLORADO

RESOLUTION NO. 2010-09-5

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF HOT SULPHUR SPRINGS, COLORADO, AMENDING THE KUMAR & ASSOCIATES, INC. CONTRACT FOR GEOTECHNICAL TESTING RELATED TO THE CONSTRUCTION OF THE HOT SULPHUR SPRINGS WATER TREATMENT PLANT, INTAKE, AND STORAGE TANK UPGRADE, FOR ADDITIONAL GEOTECHNICAL SUPPORT FOR ADDITIONAL ROCK EXCAVATION, CONCRETE POURS, AND REBAR TESTING, FOR AN ADDITIONAL COST OF \$4,138.50 AND A TOTAL NOT TO EXCEED CONTRACT COST OF \$15,138.50.

WHEREAS, the Town of Hot Sulphur Springs Water Enterprise entered into a Loan Agreement with the Colorado Water Resources and Power Development Authority for funding from the Drinking Water Revolving Fund pursuant to the American Recovery and Reinvestment Act to finance water treatment plant upgrades, construction of a new clearwell, new intake and associated piping, and storage improvements ("Project"); and

WHEREAS, by prior resolution, the Town approved a contract with Kumar & Associates, Inc. in an amount not to exceed \$11,000.00 to provide observation and construction materials testing services ("the Agreement") related to the Project; and

WHEREAS, the Board of Trustees desires to approve an amendment to the Agreement for additional geotechnical support for additional rock excavation, concrete pours, and rebar testing, for an additional amount of up to \$4,138.50 and a total not to exceed cost of the Agreement of \$15,138.50.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOT SULPHUR SPRINGS, COLORADO:

Section 1. The Board of Trustees on behalf of the Town (a) incorporates the recitations set forth herein as findings of the Board; (b) approves an amendment to the Agreement with Kumar & Associates, Inc for the purposes as set forth in the recitations hereto, in an additional amount not to exceed \$4,138.50 and a total not to exceed cost of the Agreement, as amended, of \$15,138.50, subject to approval of the same by the CDPHE and the Project Engineer, if such approval is required; and (c) authorizes the Mayor to execute, on behalf of the Town, as and if required, a written amendment to such Agreement in conformity with the approval set forth in this resolution.

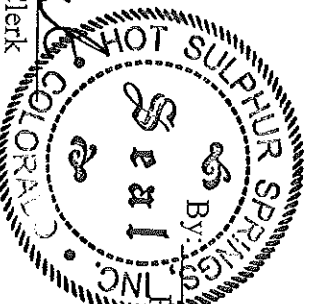
Section 2. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

Section 3. This Resolution shall be effective immediately upon approval of the Board of Trustees for the Town of Hot Sulphur Springs.

ADOPTED by a vote of 5 in favor and 0 against, and 0 abstaining, this 16th day of September, 2010.

ATTEST:

By: Sandy White
Sandy White, Town Clerk



Marschal
Marschal Deputy, Mayor