

TOWN OF HOT SULPHUR SPRINGS,
COLORADO
RESOLUTION NO. 2011-4-2

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF HOT
SULPHUR SPRINGS, COLORADO, APPROVING A PROFESSIONAL
SERVICES AGREEMENT WITH MERRICK & COMPANY FOR
PROFESSIONAL ENGINEERING SERVICES FOR WASTEWATER
TREATMENT PLANT IMPROVEMENTS

WHEREAS, the Town's wastewater treatment plant is in need of improvements in order to improve the aeration and chemical feed systems at the plant; and

WHEREAS, the Town desires to have certain professional engineering services performed in order to acquire a preliminary engineering report to develop alternatives for consideration and to meet state funding requirements concerning engineering reports; and

WHEREAS, Merrick & Company has the skill, ability, and expertise to perform the services described in this Agreement, within the deadlines provided by the Agreement; and

WHEREAS, the Town desires to engage the Contractor to provide the services described in the Agreement attached hereto as Exhibit A subject to the terms and conditions of the Agreement; and

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

Section 1. The Board of Trustees (a) approves the Professional Services Agreement for a Preliminary Engineering Report for Wastewater Treatment Plant Improvements Between the Town and Merrick & Company as attached hereto as Exhibit A, including all exhibits thereto, (b) authorizes the Town Attorney, in consultation with the Mayor, to make such changes as may be needed to correct any nonmaterial errors or language that do not increase the obligations of the Town, and (c) authorizes the Mayor to execute the same on behalf of the Town.

Section 2. Adoption of this Resolution ratifies the action of the Board of Trustees taken on March 17, 2011 and supersedes such action if and only to the extent any conflict exists.

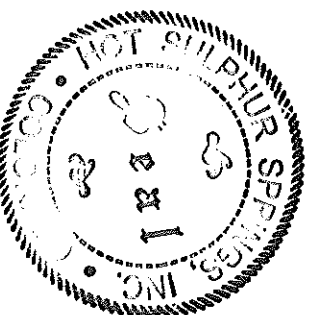
Section 3. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

Section 4. 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 6 in favor and 0 against, and 0 abstaining, this 21st day of April, 2011.

ATTEST:
By: Sandy White
Sandy White, Town Clerk

By: Hershal Deputy
Hershal Deputy, Mayor



**EXHIBIT A
PROFESSIONAL SERVICES AGREEMENT**