

**CITY OF LEADVILLE, COLORADO  
RESOLUTION NO. 27  
SERIES 2018**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE,  
COLORADO, APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES  
WITH KOEHLER ENGINEERING AND LAND SURVEYING, INC.**

**WHEREAS**, the City of Leadville (“City”) has the authority to enter into contracts for any lawful municipal purpose pursuant to C.R.S. § 31-15-101; and

**WHEREAS**, the City has secured state grant funding for a portion of the cost of a traffic signal to be installed at the intersection of U.S. Highway 24 and Mountain View Drive within Leadville as part of the development of the Railyard at Leadville PUD (“Project”); and

**WHEREAS**, the City is working in conjunction with the developer of the Railyard at Leadville PUD, High Country Developers, LLC, a Colorado limited liability company (“HCD”), and the Colorado Department of Transportation (“CDOT”) to complete the Project; and

**WHEREAS**, the City, upon the recommendation of HCD, desires to retain Koehler Engineering and Land Surveying, Inc., a Missouri corporation (“Contractor”), as the professional engineering firm to provide construction administration services for the Project (“Services”) and to help ensure that CDOT requirements for the Project are timely and competently met; and

**WHEREAS**, the City desires to enter into an agreement for professional services (“Agreement”) with Contractor so that Contractor may perform the Services, as more particularly described in the Agreement, attached hereto as **Attachment 1**; and

**WHEREAS**, pursuant to that certain Agreement for Funding between the City and HCD, dated August 17, 2017 and as amended from time to time (“Funding Agreement”), HCD shall be solely responsible for payment of all costs associated with the Services provided by Contractor; and

**WHEREAS**, the City Council desires to approve the Agreement with Contractor subject to the terms and conditions set forth in the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Leadville, Colorado as follows:

**Section 1.** The Leadville City Council hereby: (1) approves the Agreement for Professional Services between the City and Contractor in substantially the same form as attached hereto as **Attachment 1** for an amount not to exceed **One Hundred Fifty-Two Thousand Two Hundred Thirty-Four Dollars and No Cents (\$152,234.00)** (“Not-to-Exceed Amount”); (2)

authorizes the City Administrative Services Manager, in consultation with the City Attorney, to make such changes as may be necessary that do not materially increase the obligations or decrease the rights of and benefits to the City, as needed; (3) authorizes the Mayor to execute the Agreement on behalf of the City when in final form; and (4) authorizes the Deputy City Clerk to attest the Mayor's signature.

**Section 2.** **Effective Date.** This Resolution shall take effect upon its adoption by the City Council.

CITY OF LEADVILLE, COLORADO

By: Greg Labbe  
Greg Labbe, Mayor

ATTEST:  
Boll  
Deputy City Clerk

ADOPTED by a vote of 6 in favor and 0 against, and 0 abstaining, this 2nd day of October, 2018.