

**NORTH WELD COUNTY WATER DISTRICT and
EAST LARIMER COUNTY WATER DISTRICT**

Joint Meeting

Notice of Meeting

Tuesday, July 26, 2022, at 6:00 PM

32825 Co Rd 39, Lucerne, CO 80646 or by Teleconference

THE JOINT MEETING WILL BE OPEN TO THE PUBLIC BY TELECONFERENCE

Information to join by Phone is below:

Call-In Number: 1(720)707-2699, Meeting ID: 873 5785 0771, Passcode: 475314

AGENDA

- 1. Call to Order**
- 2. Confirmation of Disclosures of Conflicts of Interest**
- 3. Action: Consider Approval of July 26, 2022, NWCWD and ELCO Joint Board Meeting Agenda**
- 4. Action: Review NEWT III CMAR Contractor Proposal Scoring and Consider Adoption of Joint Resolution 20220726-01: Resolution Approving the Selection of the NEWT III CMAR Contractor**
 - a. Proposal Scoring (Enclosure Privileged and Confidential)**
 - b. Resolution (Enclosure)**

ADJOURN _____ P.M.

RESOLUTION NO. 20220726-01

**JOINT RESOLUTION
OF THE BOARDS OF DIRECTORS OF
NORTH WELD COUNTY WATER DISTRICT
AND
EAST LARIMER COUNTY WATER DISTRICT**

APPROVING THE SELECTION OF THE NEWT III CMAR CONTRACTOR

WHEREAS, the North Weld County Water District (the “North Weld”) was organized pursuant to §§ 32-1-101 *et seq.*, C.R.S. (the “Special District Act”), as amended, and is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, the East Larimer County Water District (the “ELCO”) was organized pursuant to §§ 32-1-101 *et seq.*, C.R.S. (the “Special District Act”), as amended, and is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to section 32-1-1001(l)(d)(I), C.R.S., North Weld and ELCO (each a “District”, and collectively, the “Districts”) are each empowered to enter into contracts and agreements affecting the affairs of their respective District; and

WHEREAS, the Districts entered into an Intergovernmental Agreement, dated June 14, 2021, to cooperate in the acquisition of certain water pipeline easements and in the engineering, construction and operation of approximately five and one-half (5.5) miles of a treated water pipeline (the “**Project**”); and

WHEREAS, on March 20, 2022, on behalf of the Districts, Providence Infrastructure Consultants solicited proposals for construction manager at risk (“CMAR”) contractors for the Project (the “Proposals”); and

WHEREAS, representatives of North Weld, ELCO, Providence Infrastructure Consultants, and Ditesco each evaluated and scored the Proposals received from various CMAR contractors (the “Proposal Scoring”); and

WHEREAS, the Boards have reviewed the Proposals and Proposal Scoring, and desire to jointly select a CMAR Contractor to be engaged by the Districts for the Project; and

WHEREAS, the Boards find that the adoption of this Resolution and selection of a CMAR contractor is in the best interest of the public health, safety, and welfare of the Districts.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARDS OF DIRECTORS OF THE DISTRICTS AS FOLLOWS:

1. Selection of CMAR Contractor. The Boards, having reviewed the Proposals, Proposal Scoring, and recommendations from staff and consultants, hereby select [INSERT CONTRACTOR SELECTED], a [Colorado corporation, limited liability company, etc.] as the CMAR Contractor for the Project (“CMAR Contractor”).

2. Contracting. The Boards hereby approve and authorize their respective staff and consultants to negotiate and prepare an initial contract with the CMAR Contractor for preconstruction services for the Project. Thereafter, the Boards, pending approval of an initial contract, may direct their respective staff and consultants to negotiate and prepare a Guaranteed Maximum Price contract with the CMAR Contractor to construct the project, which contract may be an amendment or supplement to the initial contract or a second contract with the CMAR Contractor for the construction phase of the Project.

3. Authorization. The Boards hereby direct their district managers, as may be necessary, to implement and otherwise oversee the contracting process.

[Remainder of the page intentionally left blank. Signature page to follow.]

ADOPTED THIS 26TH DAY OF JULY, 2022.

NORTH WELD COUNTY WATER DISTRICT, a
quasi-municipal corporation and political
subdivision of the State of Colorado

President

ATTEST:

Secretary

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to North Weld

*North Weld Signature page to Joint Resolution Approving the Selection of the NEWT III CMAR
Contractor*

EAST LARIMER COUNTY WATER DISTRICT, a
quasi-municipal corporation and political
subdivision of the State of Colorado

President

ATTEST:

Secretary

APPROVED AS TO FORM:

General Counsel to ELCO

*ELCO Signature page to Joint Resolution Approving the Selection of the NEWT III CMAR
Contractor*