

**TOWN OF GRAND LAKE, COLORADO  
RESOLUTION NO. 39-2025**

**A RESOLUTION APPROVING A GUARANTEED MAXIMUM PRICE  
QUALIFICATION LETTER WITH ELK MOUNTAIN CONSTRUCTION  
FOR SPACE TO CREATE**

**WHEREAS**, the Board of Trustees of the Town of Grand Lake, Colorado (the “Board”), pursuant to Colorado statute, is vested with the authority of administering the affairs of the Town of Grand Lake, Colorado (the “Town”); and

**WHEREAS**, the Town has entered into various contacts and agreement to construct the Spcae to Create Project (“Space to Create”); and

**WHEREAS**, the Town desires to contract with Elk Mountain Construction (the “Contractor”) for construction of the Space to Create; and

**WHEREAS**, to Board finds it in the best interest of the Town to approve the Space to Create – GMP Qualification Letter and Space 2 Create – Guaranteed Maximum Price spreadsheet (collectively the “GMP”) attached hereto as Exhibit A and incorporated herein by reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO, AS FOLLOWS:**

Section 1. The proposed GMP, attached hereto and incorporated herein as Exhibit A, is hereby approved subject to the conditions below, and the Mayor or their designee is hereby authorized and directed to execute the same.

Section 2. The Mayor or their designee is hereby authorized and directed to negotiate and approve on behalf of the Town such revisions to the GMP as the Mayor or their designee determines are necessary or desirable for the protection of the Town, so long as the essential terms and conditions of the GMP are not altered.

Section 3. Severability: If any Article, Section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Trustees declares that it would have passed this Resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. Repeal: Existing Resolutions or parts of Resolutions covering the same matters as embraced in this Resolution are hereby repealed and all Resolutions or parts of Resolutions inconsistent with the provisions of this Resolution are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Resolution hereby repealed prior to the taking effect of this Resolution.

**INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE ON THIS 8<sup>TH</sup> DAY OF SEPTEMBER, 2025.**

TOWN OF GRAND LAKE, COLORADO

BY: \_\_\_\_\_  
Christina Bergquest, Mayor

ATTEST:

\_\_\_\_\_  
Alayna Carrell, Town Clerk