



## MEMORANDUM

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**MEETING TYPE:** Board of County Commissioners  
**MEETING DATE:** March 18, 2028  
**ITEM NAME:** Fox Theatre Walsenburg Phase 2.1 Construction Agreement  
**SUBMITTED BY:** Carl Young, County Administrator  
**SUMMARY:** This is a construction agreement for a portion of the Fox Theatre Walsenburg, Phase 2 Rehabilitation. Specifically, this agreement covers stage lighting, power, and a new roof top unit for the Fox Theatre Walsenburg. Design and engineering for the remainder of the project is ongoing and we expect to present a change order in the coming weeks. This agreement is to be signed by the Spanish Peaks Community Foundation dba Fox Theatre Walsenburg who will pay McKinstry directly, pursuant to our agreement signed earlier this year. The County's signature is as a guarantor for the agreement.

**RECOMMENDATION:** Motion to approve the agreement with McKinstry for the Fox Theatre Phase 2 Rehabilitation with the County to act as guarantor.

**BACKGROUND:**

Project Cost Summary	
McKinstry Construction Total	\$552,874
Contingency	\$25,123
<b>McKinstry Construction Contract w/Contingency</b>	<b>\$577,997</b>
Project Funding Summary	
Department of Local Affairs	\$427,703
Public Building Electrification Grant	\$138,570
Spanish Peaks Community Foundation	\$11,704
<b>Funding Total</b>	<b>\$577,997</b>

**BOARD ACTION TAKEN:**

APPROVED

DENIED

OTHER

SIGNATURE OF THE CHAIR: \_\_\_\_\_  
**NOTES:**