

TOWN OF JOHNSTOWN, COLORADO
RESOLUTION NO. 2024-27

RESOLUTION CONCERNING RENOVATIONS AND IMPROVEMENTS TO THE JOHNSTOWN POLICE DEPARTMENT BUILDING: (i) APPROVING AN AGREEMENT BETWEEN THE TOWN OF JOHNSTOWN AND MARK YOUNG CONSTRUCTION, LLC FOR CONSTRUCTION SERVICES; (ii) APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF JOHNSTOWN AND D2C ARCHITECTS, INC. FOR CONSTRUCTION SUPPORT SERVICES; AND (iii) AMENDING THE FISCAL YEAR 2024 BUDGET AND APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE TOWN OF JOHNSTOWN

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is the governing body of the Town and is vested with authority to administer the affairs of the Town; and

WHEREAS, based on Town staff’s recommendation, the Town Council previously approved a proposal for the construction of renovations and improvements to the Johnstown Police Department building, located at 430 S. Parish Avenue, Johnstown, CO 80534 (“Project”); and

WHEREAS, on or about April 3, 2023, the Town entered into an agreement with D2C Architects, Inc., a Colorado corporation (“D2C”), for architectural services related to the Project (“D2C Agreement”); and

WHEREAS, D2C has completed the design of the Project and, after publicly posting the construction portion of the Project for bids and receiving multiple proposals, the Town desires to award a construction contract to Mark Young Construction, LLC, a Delaware limited liability company, for the construction of the Project; and

WHEREAS, based on a recommendation from Town staff, the Town Council further desires to expand the scope of the D2C Agreement to include construction observation support services for the Project; and

WHEREAS, on December 4, 2023, by Resolution No. 2023-57, the Town Council adopted the Fiscal Year 2024 Budget for the Town of Johnstown (“2024 Budget”); and

WHEREAS, for the purpose of constructing the Project, the Town Council desires to increase the expenditures set forth in the 2024 Budget by \$2,248,063 and amend the 2024 Budget accordingly to ensure the budget will be in balance as required by law; and

WHEREAS, the Town Council notes that the State of Colorado Department of Local Affairs (DOLA) awarded the Town a grant for the Project in the amount of \$1,000,000 and, while the expenditures are being increased by \$2,248,063, \$1,000,000 of such expenditure will be paid by the State of Colorado through the grant; and

WHEREAS, Town staff has certified that money is available in the General Fund to accommodate the additional expenses for the Project in the form of unappropriated or unrestricted reserves; and

WHEREAS, the Town Council finds that this Resolution is in the best interests of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. The Town Council hereby approves the Standard Form of Agreement between the Town of Johnstown and Mark Young, LLC, attached hereto and incorporated herein by reference as Exhibit A, and authorizes the Mayor to sign the agreement.

Section 2. The Town Council hereby approves the Amendment to Professional Services Agreement between the Town of Johnstown and D2C Architects, Inc., attached hereto and incorporated herein by reference as Exhibit B, and authorizes the Mayor to sign the agreement.

Section 3. The Town Council hereby increases the General Fund appropriations from \$75,653,137 to \$77,901,200 for the purpose of funding the construction of renovations and improvements to the Johnstown Police Department building and thereby amends the Fiscal Year 2024 Budget for the Town of Johnstown.

Section 4. All Resolutions, or parts thereof, in conflict with this Resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 5. This Resolution shall be effective upon adoption. The Town Clerk shall certify the passage of this Resolution and make not less than one copy of the adopted Resolution available for inspection by the public during regular business hours.

PASSED, SIGNED, APPROVED, AND ADOPTED this ___ day of _____, 2024.

ATTEST:

TOWN OF JOHNSTOWN, COLORADO

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor