



**WATER AND ENVIRONMENTAL SERVICES
MEMORANDUM # 07-08**

DATE: September 27, 2007

TO: Honorable Mayor Kathleen M. Novak and City Council Members

FROM: A.J. Krieger, City Manager 
David Allen, Director of Water and Environmental Services 

SUBJECT: CR-89 – Berthoud Pass Ditch Pipe Installation Project

RECOMMENDATION:

Attached to this memorandum is a Resolution which, if approved, would authorize the Mayor to execute an Agreement between the City of Northglenn and Concrete Express, Inc. to provide construction services in an amount of \$93,000 and authorize a contingency in the amount of \$14,000. Staff recommends approval.

BACKGROUND:

The City of Northglenn (Northglenn) purchased the Berthoud Pass Ditch (Ditch) from the Farmers Reservoir and Irrigation Company (FRICO) in 1978. As part of the purchase, Northglenn also assumed FRICO's obligation to provide the City of Golden (Golden) with a portion of the water diverted by the Ditch. Golden initially contested the sale of the Ditch to Northglenn since they held a Right of First Refusal with FRICO that was not exercised. Northglenn and Golden subsequently reached an agreement whereby Northglenn would continue to provide a specified amount of the water from the Ditch to Golden and in exchange, Golden would pay for one-half of the annual operations and maintenance costs.

As the owner, Northglenn is responsible for maintaining and operating the Ditch to maximize Northglenn's water supply, and for meeting its contractual obligations to provide Golden with their share of the water. On average, Northglenn receives about 350 acre-feet per year which is enough water to supply approximately 1000 single-family homes for a year.

The Ditch has been in continuous operation since 1910. During the course of Northglenn's ownership, certain sections of the Ditch embankment have been susceptible to frequent collapse. This type of failure is not uncommon due to the extreme high-altitude environment. However, these collapses have become so frequent and severe they are now impeding the flow of water and threatening the overall integrity of the Ditch. To remedy this situation, Northglenn is proposing to install approximately 315 linear feet of 36-inch diameter pipe within a portion of the Ditch. This project will eliminate future collapses which in turn reduces maintenance costs, increases water diversions, and improves water quality.

POTENTIAL OBJECTION:

City Staff is not aware of any specific opposition to the proposed project.

BUDGET/TIME IMPLICATIONS:

There is no impact to the General Fund. The cost to provide construction services is \$93,000 with a contingency in the amount of \$14,000 for a total of \$107,000. Golden will reimburse Northglenn for their proportionate share of the costs after the project is completed. There are sufficient funds in the 2007 Water and Environmental Services Budget (account number 510.65102.000.3999) to pay for the construction services provided by this agreement.

STAFF REFERENCE:

If Council Members have any comments or questions, they may contact David Allen at (303) 450-8783 or dallen@northglenn.org.

SPONSORED BY: COUNCIL MEMBER MARTIN

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-89
Series of 2007

Series of 2007

A RESOLUTION APPROVING AN AGREEMENT BETWEEN CONCRETE EXPRESS, INC. AND THE CITY OF NORTHGLENN FOR THE 2007 BERTHOUD PASS DITCH PIPE INSTALLATION PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Agreement between the City of Northglenn and Concrete Express, Inc., attached hereto, for the 2007 Berthoud Pass Ditch Pipe Installation Project is hereby approved, and the Mayor is authorized to enter into the Agreement on behalf of the City Council of the City of Northglenn.

DATED at Northglenn, Colorado, this _____ day of _____, 2007.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

AGREEMENT

PROJECT NAME: 2007 Berthoud Pass Ditch Pipe Installation Project

PROJECT NUMBER: IFB 2007-13

PROJECT MANAGER: Cory Peterson

THIS AGREEMENT, made this ____ day of _____, 2007, by and between the City of Northglenn, hereinafter called "CITY", and Concrete Express Inc , hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the project named:

"2007 BERTHOUD PASS DITCH Pipe Installation Project"

2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor supervision, and other services necessary for the completion of the PROJECT described herein.

3. The CONTRACTOR will provide performance and payment bonds and a certificate of insurance naming the City as an additional insured for purposes of said project within 10 days after the date of the NOTICE OF AWARD.

4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$93,000.00, or as shown in the BID schedule. The CONTRACTOR will commence the work within 7 calendar days after the date of NOTICE TO PROCEED. The CONTRACTOR will complete the work within 25 working days after the date of NOTICE TO PROCEED unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.

5. The term "CONTRACT DOCUMENTS" means and includes all items as set forth in Section 1.01 of the General Conditions.

6. The CITY will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

7. This AGREEMENT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

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IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in TWO copies, each of which shall be deemed an original on the date first above written.

CITY:

City of Northglenn

By _____

Name Kathleen M. Novak

Title Mayor

ATTEST:

Name Diana L. Lentz, CMC

Title City Clerk

(SEAL)

APPROVED AS TO FORM:

Corey Y. Hoffmann, City Attorney

CONTRACTOR:

By _____

Name JOSEPH M. O'DEA

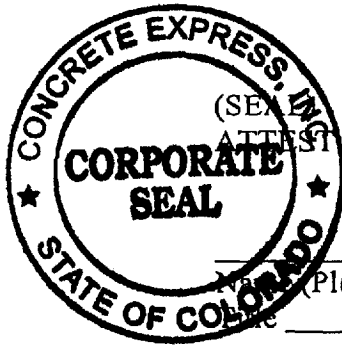
(Please Type or Print) VICE PRESIDENT

Title _____

Address CONCRETE EXPRESS, INC.

2027 W. Colfax Avenue

Denver, Colorado 80204



[Handwritten Signature]

(Please Print or Type)

Daniel P. O'Dea
Secretary



**CITY OF NORTHGLENN
FORMAL BID SUMMARY**

BID NUMBER: IFB 2007-13

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BID NAME: 2007 Berthoud Pass Ditch Pipe Installation Project

DEPARTMENT: Logistics

	T. Lowell construction, inc.	Glacier construction	Concrete Express, Inc.		
DATE DUE: 9/13/07	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:
	DATE: 9/13/07	DATE: 9/13/07	DATE: 9/13/07	DATE:	DATE:
TIME: 1:00 P.M.	TIME: 9:15am	TIME: 12:39pm	TIME: 12:45pm	TIME:	TIME:
Total Cost	\$69,000.00	\$112,339.00	\$93,000.00		
Addendums Acknowledged:	NO	yes	yes		
Illegal Alien form submitted	yes	yes	yes		

William Krasnik 9/13/07
Buyer

CHRISTO MESSICK
City Clerk / Deputy

9/13/07
Date

Reference Check

Project: Berthoud Pass Ditch Pipe Installation Project

Contractor: Concrete Express Inc

Date: September 27th, 2007

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Project Location:	Contact for Reference:	Contact Phone Number:	Reference:
Highlands Ranch bike trail	Jim Crump	(303) 791-0430	Performed well, project was on time and in budget. They would employ the contractor again.
Hess-Hilltop roadway project for the Town of Parker	Chris Hudson	(303) 840-9546	Did a high quality job. Good organization and has used the contractor on several projects.
Concrete trail rehabilitation for the City of Aurora	John Bruneau	(303) 326-8208	Did a great job and were easy to work with. Project went smoothly. Has worked with the contractor for the last 10 years.