

RESOLUTION NO. 10-02

INTRODUCED BY:

Councilperson Hamilton-Bruer

Councilperson Gilbert

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES NORTH
APPROVING A MEMORANDUM OF UNDERSTANDING WITH CH2M HILL, INC.
REGARDING THE PROFESSIONAL SERVICES AGREEMENT FOR
CITY MANAGEMENT SERVICES**

WHEREAS, pursuant to Section 31-15-101, C.R.S., the City Council of the City of Castle Pines North has the authority to enter into contracts; and

WHEREAS, the City Council previously entered into an agreement for professional services with CH2M Hill Inc. ("CH2"), effective as of August 15, 2008, for city management services as amended by a first, second, and third amendment (Collectively, the "Agreement"); and

WHEREAS, the City and CH2 desire to further amend the Agreement but recognize that such amendment will require one or more meetings among the parties to discuss the scope of changes; and

WHEREAS, as an interim measure to address the compensation to be paid CH2 beginning January 1, 2010, the parties desire to enter into a memorandum of understanding ("MOU") that amends the Agreement until such time as the parties can agree upon the scope and extent of a fourth amendment to the Agreement.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH, COLORADO:

Section 1. The City Council hereby approves the MOU between the City of Castle Pines North and CH2M Hill, Inc., in substantially the same form as that attached hereto as **Exhibit A**.

Section 2. The effective date of the MOU shall be January 1, 2010.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES NORTH by a vote of six (6) in favor, none against and one (1) absent this 9th day of February, 2010.


Jeffrey T. Huff, Mayor

ATTEST:

APPROVED AS TO FORM:


Carl E. Kollmar, Interim City Clerk


Linda C. Michow, City Attorney

Exhibit A

**MEMORANDUM OF UNDERSTANDING
BETWEEN CITY OF CASTLE PINES NORTH AND CH2M HILL, INC. REGARDING
PROFESSIONAL SERVICES AGREEMENT FOR CITY MANAGEMENT SERVICES**



CH2M HILL OMI
9193 South Jamaica Street
Suite 400
Englewood, CO 80112-5946
P.O. Box 6607
Englewood, CO 80155-6607
Tel 303.740.0019
Fax 720.286.4448

January 25, 2010

Mayor Jeffrey Huff
558 Castle Pines Parkway, Unit B4-208
Castle Rock, CO 80108

Subject: MEMORANDUM OF UNDERSTANDING

Dear Mayor Huff:

This letter is to serve as a summary of the understanding between the City of Castle Pines North, Colorado (the "City") and CH2M HILL, Inc. ("CH2M HILL") regarding the contract amount to be paid by the City beginning January 1, 2010 continuing until December 31, 2010. This Memorandum of Understanding is only an interim step toward finalizing any contractual changes necessary for contract year 2010 between the City and CH2M HILL concerning that certain Professional Services Agreement/Contract Management Services between the City and CH2MHILL effective August 15, 2008, as amended ("Agreement"). We expect this process to be completed on or before March 31, 2010. This Memorandum of Understanding is not meant to be inclusive of all proposed changes to the Agreement, but rather is intended to address the compensation which needs immediate attention.

1. Baseline Compensation Amount

Under the Agreement between the City and CH2M HILL, the City is obligated to pay a minimum increase of three percent (3%) or a calculated CPI/ECI increase whichever is greater commencing in January of each calendar year. The parties agree the three percent (3%) increase is greater. Beginning January 1, 2010, CH2M HILL will bill the City a monthly amount calculated as follows:

Monthly Amount of	\$79,124
Three percent (3%) Escalation	\$ 2,374
<u>Snow Management Monthly amount January 1, 2010 to April 30, 2010</u>	<u>\$12,500</u>
Total Monthly Amount for January through April, 30 2010	\$93,998
Total Monthly Amount for May 1, 2010 through December 31, 2010	\$81,498

2. Scope of Services

Mayor Jeffrey T. Huff

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CH2M HILL will continue to perform the Scope of Services, Exhibit A, as described in Amendment No. 3 to the Agreement, dated June 29, 2009, and except as amended herein, the Agreement, as amended, shall remain in full force and effect.

Please sign and return one copy of this Memorandum of Understanding, acknowledging the City's agreement to the above-described changes in pricing to the Agreement which shall be effective January 1, 2010.

Thank you for the opportunity to continue to serve the citizens of Castle Pines North.

Sincerely,



Natalie L. Eldredge

Vice President and Business Manager

Cc: Elisa Speranza, President, CH2M HILL OMI
Don Howell, Director of Operations, Municipal Services, CH2M HILL OMI

CITY OF CASTLE PINES NORTH, COLORADO



Name: Jeffrey T. Huff

Title: Mayor

Date: 2-9-2010

ATTEST:

By: 
Interim City Clerk

APPROVED AS TO FORM:

By: 
City Attorney