

RESOLUTION NO. 2120-07

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR AUTHORIZING THE TOWN MANAGER TO EXECUTE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CH2MHILL, INC. TO PROVIDE ENGINEERING AND RELATED SERVICES FOR THE PONDS S AND T PROJECT

WHEREAS, additional reclaimed water storage or alternative disposal means are necessary to accommodate anticipated development within the Town in accordance with the Town's adopted General Plan; and

WHEREAS, the Ponds S and T project is an identified element of the Town of Windsor's adopted Water Reclamation Master Plan to provide such additional storage and such additional storage is required at this time; and

WHEREAS, on November 1, 2006, the Town Council adopted Resolution No. 1984-06, authorizing the Town Manager to execute a professional services agreement with CH2MHill, Inc., to perform Phase 1A, Preliminary Analysis Services with respect to the Ponds S and T project, and said agreement was subsequently executed; and

WHEREAS, on March 26, 2007, the Town Manager executed Amendment No. 1 to the professional services agreement with CH2MHill, Inc. for additional services described in Exhibit 1-A of the amendment with the total revised Phase 1A not-to-exceed amount within the total not-to-exceed amount authorized by Town Council at the November 1, 2006 Town Council meeting; and

WHEREAS, said Phase 1A, Preliminary Analysis Services have now been completed; and

WHEREAS, during the period of performance of said Preliminary Analysis Services the project formerly known as the Pond S and T Project has been renamed the Eastside Road Storage Project, without change to the nature or scope of the project; and

WHEREAS, on August 1, 2007, the Town Council received a report of the results of Phase 1A, Preliminary Analysis Services for the Eastside Road Storage Project, including recommendations that:

1. Phase 1B, Preliminary Design and Supplemental Environmental Review Services for the Eastside Road Storage Project be undertaken on the basis of a medium-sized storage pond to be constructed at Site T of approximately 215 million gallons as the preferred pond configuration, preserving the option for a future pond at Site S.
2. A Supplemental Environmental Impact Report be prepared for the proposed project, tiering from the 2001 EIR, focusing on the effects of changed conditions and new project-level information obtained since the preparation of the 2001 EIR.
3. Preservation in perpetuity of appropriate portions of the oak woodland and grassland habitats occupying portions of the project site not impacted by construction of Pond S and/or T or facilities ancillary thereto be pursued as a potential mitigation for the oak woodland and grassland habitat impacts, including tree loss, resulting from said construction.

WHEREAS, to the extent practical, the preliminary design shall include efforts to integrate the pond visually with the natural surroundings with consideration of alternative fencing, road appearance, and selection of a liner, if needed, to enhance a more natural look; and

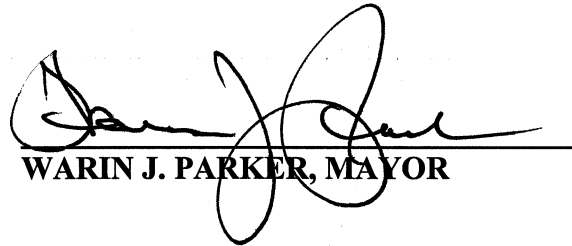
WHEREAS, negotiations regarding scope and compensation for Phase 1B (Preliminary Design and Supplemental Environmental Review Services) for the Eastside Road Storage Project have been substantially completed with CH2MHill, Inc.;

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor authorizes the Town Manager to execute Amendment No. 2 to the existing Professional Services Agreement with CH2MHill, Inc. ("Consultant") for Phase 1A (Preliminary Analysis) and Phase 1B (Preliminary Design and Supplemental Environmental Review) services for the Eastside Road Storage Project for an additional amount not to exceed \$1,460,000.00; and


BE IT FURTHER RESOLVED that the Town Council authorizes the Administrative Services Director to pay all proper claims for the performance of said services.

PASSED, APPROVED AND ADOPTED this 15th day of August 2007 by the following vote:

**AYES: COUNCILMEMBERS ALLEN, FUDGE, GOBLE, SALMON
AND MAYOR PARKER**
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE


WARIN J. PARKER, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK