

TOWN OF OPHIR



Box 683 • Ophir, CO 81426

TOWN OF OPHIR, COLORADO

ORDINANCE NO. 2019-5

AN ORDINANCE TO APPROVE AN AGREEMENT WITH GROUND POUNDERS, LLC FOR STREET AND TOWN-OWNED UTILITY INFRASTRUCTURE MAINTENANCE AND IMPROVEMENTS

WHEREAS, Town of Ophir has need for contracted street and town-owned utility infrastructure maintenance and improvements; and

WHEREAS, Town of Ophir shall utilize annually budgeted funds for street and utility maintenance and improvements, which for 2020 consist of the following:

- \$5,000 Road Maintenance
- \$12,000 Snow Removal
- \$15,000 Utility Infrastructure Repair & Maintenance
- \$3,500 Snowplow Equipment Maintenance
- \$1,500 Equipment R&M Labor
- Allocated fund infrastructure improvements
- Funds shall also be subject to unpredictable weather and unexpected utility repairs; and

WHEREAS, Town of Ophir has solicited and received pricing options from a qualified contractor; and

WHEREAS, Ground Pounders, LLC provided the most qualified options compatible with Town of Ophir budget.

NOW, THEREFORE, BE IT ORDAINED BY THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR, COLORADO that:

SECTION 1. The Town Mayor, Town Manager and Town Clerk are hereby authorized and directed to execute a **Street and Town-Owned Utility Infrastructure Maintenance and Improvements Contract** with Ground Pounders, LLC (the "Contract"), in the form attached hereto. Mayor and Manager may approve additional non-substantive changes.

SECTION 2. CONTRACT RATES. The following shall be the contracted rates:

1. Utilizing Town Equipment
 - a. Equipment operator labor = \$50/hr.

2. Utilizing Ground Pounders Equipment
 - a. 772BH Grader = \$160/hr.
 - b. 120C Excavator = \$160/hr.
 - c. 310E Backhoe = \$120/hr.
 - d. 50G Mini X = \$120/hr.
 - e. Plow Truck = \$100/hr.
 - f. Mack Dump Truck = \$95/hr.
 - g. Water Truck = \$95/hr.
 - h. Drum Roller = \$95/hr.
 - i. Snow Blower Attachment = \$80/hr.
 - j. Trench Compactor = \$60/hr.
3. Manual Labor
 - a. Supervisor = \$60/hr.
 - b. Laborer = \$50/hr.

Approval of the Town Manager prior to use of Contractor's equipment shall be required.

SECTION 3. The Contract may be annually renewed, and Contract Rates may be modified, upon motion and vote by the General Assembly, subject to annual appropriations.

SECTION 4. PUBLICATION. After final adoption, notice of passage shall be published in the manner prescribed by the Town Charter.

SECTION 5. SEVERABILITY. If any one or more sections or parts of this Ordinance is adjudged unenforceable or invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various provisions herein are severable.

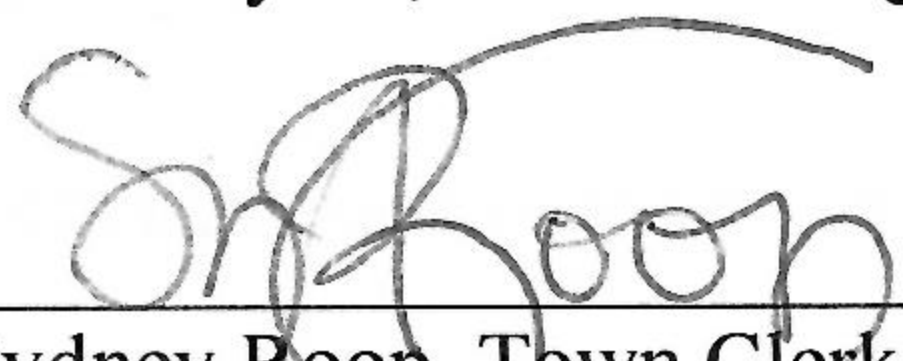
SECTION 6. EFFECTIVE DATE: This Ordinance shall take effect upon publication of notice of passage.

Introduced, Read and Heard at Public Hearing on First Reading by the General Assembly of the Town of Ophir on the 17th day of December 2019.

Approved and Adopted on Second and Final Reading by the General Assembly of the Town of Ophir on the 21 day of January 2020.

By: 
Corinne Platt, Mayor

By: 
Ken Haynes, Town Manager

Attest: 
Sydney Roop, Town Clerk

Approved as to Form: 
Stephen B. Johnson, Town Attorney

Attachment: Contract