

RESOLUTION NO. 21-03

A RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TOWN OF BERTHOUD'S CLAIMS AGAINST BLACK & VEATCH CORPORATION

WHEREAS, the Board of Trustees of the Town of Berthoud entered into a contract with Black & Veatch Corporation to provide financial and engineering services for the design, construction, operation and financing of the Town's wastewater treatment plant; and,

WHEREAS, various issues of concern between the Town and Black & Veatch Corporation arose during the construction of the Town's two (2) million gallon wastewater treatment plant, as more fully set forth in the letter by James J. White, Town Administrator, to Jim Abbott, Vice President, at Black & Veatch Corporation dated May 28, 2003, which letter is incorporated herein by reference; and,


WHEREAS, Black & Veatch Corporation denies any wrongdoing or liability to the Town, but agrees to give to the Town a credit of \$50,000 on its current billings;


NOW, THEREFORE, be it resolved that the Mayor and Town Clerk are hereby authorized to execute the Settlement Agreement which the parties have negotiated.

This Resolution was read and approved by a vote of 5 in favor and 0 opposed on the 16th day of December, 2003.

ATTEST:

TOWN OF BERTHOUD


Mary K. Cowdin - Town Clerk


Milan Karspeck - Mayor