

RESOLUTION NO. 2022-003

A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRPERSON OF THE PUEBLO AREA COUNCIL OF GOVERNMENTS TO SIGN AN ASSIGNMENT AND NOVATION AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE PUEBLO AREA COUNCIL OF GOVERNMENTS AND JDS-HYDRO CONSULTANTS, INC. PERTAINING TO THE PHASE 1 IMPLEMENTATION OF THE 208 PLAN

BE IT RESOLVED BY THE PUEBLO AREA COUNCIL OF GOVERNMENTS, that:

SECTION 1.

The October 25, 2021 assignment and novation agreement ("Agreement") for professional services between PACOG and JDS-Hydro Consultants, Inc., pertaining to the Phase 1 implementation of PACOG's 208 Plan, a copy of which is attached hereto and incorporated herein by reference, having been approved as to form by the PACOG attorney, is hereby approved.

SECTION 2.

The chairperson of the Pueblo Area Council of Governments is hereby authorized to execute said Agreement on behalf of PACOG.

SECTION 3.

The officers and staff of PACOG are authorized to perform any and all acts consistent with the intent of this Resolution and the attached Agreement to implement the policies and procedures described therein.

SECTION 4.

This Resolution shall become effective immediately upon final passage and approval.

INTRODUCED: January 27, 2022

APPROVED: 
CHAIRPERSON *ProTem*
PUEBLO AREA COUNCIL
OF GOVERNMENTS

ATTEST: 
PACOG RECORDING SECRETARY

October 25, 2021

Louella Salazar
Pueblo Area Council of Governments
229 West 12th Street
Pueblo, CO 81003

Re: Request for Consent to Assign Contract

Ladies and Gentlemen:

RESPEC Company LLC (RESPEC), a mining, energy, water, environment and technology consulting company announced the acquisition of the multi-disciplined civil engineering firm JDS-Hydro Consultants Inc. (JDS). The teams combine JDS' established reputation and RESPEC's market experience and geographical footprint. JDS has established reputation throughout southern Colorado specializing in municipal water and wastewater engineering services. JDS's 18 professionals located in Colorado Springs have the capabilities to design projects from "cradle to grave," starting from source water, to treatment, storage, pumping, gravity sewer collection, sewer pumping, wastewater treatment, and finally back into streams and lakes. The organizations' combined market experience and RESPEC's geographic footprint create a company that is positioned to expand our water/wastewater utility offerings to existing and future clients.

To learn more information about RESPEC visit www.respec.com and to learn more about JDS visit <https://jdshydro.com/>.

Administratively, RESPEC and JDS request to novate all contracts to RESPEC. There are no changes to the management of the work that has been or will be performed. All JDS staff and expertise are continuing to serve its long-term clients.

As a result, the contracts numbered below

- 275.05 – PACOG Phase 1 Implementation of 208 Plan
(the "Contract") requires your prior written consent in connection with an assignment of the Contract to RESPEC Company LLC (the "Assignment").

In accordance with the Contract, please confirm by countersigning below that: (i) you consent to the Assignment of the Contract, and (ii) you acknowledge and agree that this letter satisfies any notice or other procedural requirements under the Contract in connection with the Assignment.

Please confirm your consent and agreement to the foregoing by signing this letter and returning an executed copy in print or by .pdf (or otherwise) to Tisha Moffett, Office Manager of JDS-Hydro Consultants, Inc., 5540 Tech Center Drive, Ste. 100, Colorado Springs, CO 80919 (email: tmoffett@jdshydro.com). Delivery of an executed counterpart of this letter by electronic methods shall be equally as effective as delivery of an original executed counterpart. Any party


delivering an executed counterpart of this letter by facsimile or email shall deliver an original executed copy, but the failure to deliver an original executed copy shall not affect the validity, enforceability and binding effect of this letter. In the interest of time, we ask that you send us the signed consent as soon as practicable.

If you have any questions regarding the Assignment or this request for consent, please direct them to Doug Schwenke, who can be reached by phone at 719-227-0072 or the email address listed above.

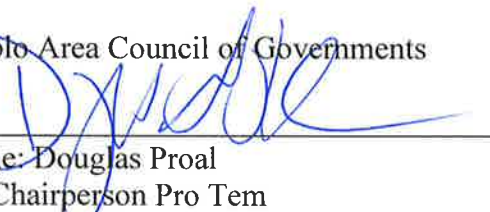
We appreciate your assistance and thank you in advance for your prompt attention to this matter.

Very truly yours,

JDS-Hydro Consultants, Inc.

By:  _____
Name: Douglas E. Schwenke
Its: Principal

Acknowledged, agreed and consented to as of the date set forth below:

Pueblo Area Council of Governments
By:  _____
Name: Douglas Proal
Its: Chairperson Pro Tem

Date: 1/27/2022