

Resolution

Approve Directing Staff to Issue Request for Proposal for Construction Manager / General Contractor to Construct Weld County Justice Center

Whereas, the Board of County Commissioners of Weld County, Colorado (“the Board”), pursuant to Colorado statute and the Weld County Home Rule Charter (“Charter”), is vested with the authority of administering the affairs of Weld County, Colorado, and

Whereas, the Board is required by Charter Sec. 3-8 to perform all duties required by State law to be performed by counties and county commissioners, and

Whereas, §30-11-104(1)(a), C.R.S., requires a county to provide a suitable courthouse, and

Whereas, §13-3-308(1), C.R.S., requires county commissioners to provide and maintain adequate courtrooms and other court facilities, and

Whereas, the existing Weld County Courthouse and Centennial Center Complex (“Current Weld Court Facilities”) have no more capacity for new courtrooms to accommodate the growth in population of Weld County, and

Whereas, the Current Weld Court Facilities do not allow for adequate circulation of judges, judicial staff, victims, defendants, witnesses, jurors, and the public, and

Whereas, on July 28, 2025, by Resolution 2025-2128, the Board decided to construct a new Weld County Justice Center (“Justice Center”) on the West Block (block 66) in downtown Greeley, and

Whereas, the Board, after national searches, competitive bidding processes, and intensive interviews, hired Level5 Collaborative to serve as an owner’s representative and Fentress Studios to serve as the architect for the Justice Center, and

Whereas, Level5, Fentress, and the Weld County Facilities Department (“Facilities Department”) have explored all possible options and configurations for the Justice Center to ensure it is suitable for many years to come, and

Whereas, the Board put an estimated \$346,821,265 in the Capital Projects Five Year Plan in the 2026 Budget for all the pieces of the Justice Center, and

Whereas, the Board owes a duty to its current and future taxpayers to be as fiscally responsible as possible, and

Whereas, Level5 and the Facilities Department issued a request for proposal for a construction manager and general contractor for the core and shell of the Justice Center and are soon to issue a request for bids for a construction manager and general contractor for an adjacent parking garage, and

2026-1553
BC0060
BG0028

Whereas, after discussions with potential bidders, Level5 has advised the Board it will save tens of millions of dollars by building the Justice Center as one unified project and not as three separate projects with potentially different contractors, and

Whereas, Charter Sec. 14-8 provides that any one project requiring a capital expenditure out of funds ***procured by ad valorem taxation equal to a three mill levy for three years*** shall be prohibited until such time as the question of expenditure of said funds shall have been first submitted to a vote of the qualified electors (emphasis added), and

Whereas, §35-20-202, C.R.S. 1973 (in effect at the time of the writing of the Charter), authorized a board of county commissioners in any county to raise taxes up to three mills and spend the resulting funds for as many years as it chose after a single public hearing and without a vote of the people, and

Whereas, Charter Sec. 14-8 is, therefore, best read in context to be a departure from that statute as a limitation on the Board to only tax three mills for three years to raise funds for expenditure on a single capital project if authorized by a vote of the County's qualified electors, and

Whereas, the Board has sufficient funds available to construct the Justice Center and will not be raising taxes to accomplish that obligation, and

Whereas, additionally, the Board will be complying with the fiscal constraints of the Taxpayers Bill of Rights, Article X, § 20 of the Colorado Constitution ("TABOR"), which prohibits increased taxes or multi-year financial obligations, and

Whereas, therefore, pursuant to Charter Sec. 14-8 and TABOR, no vote of the County's qualified electors is necessary for the Board to construct the Justice Center, and

Whereas, each member of the Board swore an oath to uphold the Constitution of the United States, the Constitution of the State of Colorado, the laws of the State of Colorado, the Charter, and the ordinances of Weld County, Colorado, and

Whereas, refusing to provide a suitable courthouse would be a violation of the Commissioners' oaths to uphold the Charter and thereby violating Charter Sec. 3-8 (requiring the Board to perform all mandatory functions required by state law), and

Whereas, issuing a request for proposals for a single construction manager and general contractor for the Justice Center will be the safest, most efficient, and least costly way to build the Justice Center.

Direct Staff to Issue Request for Proposal for Construction Manager / General Contractor
to Construct Weld County Justice Center
Page 3

Now, therefore, be it resolved by the Board that Level5 and the Facilities Department shall issue a single request for proposal for a construction manager/general contractor for the entire Justice Center, including core and shell along with the tenant finish, as well as the adjacent parking garage.

The Board of County Commissioners of Weld County, Colorado, approved the above and foregoing Resolution, on motion duly made and seconded, by the following vote on the 22nd day of June, A.D., 2026:

[Insert Resolution Attestation Block Post Meeting]