

**RESOLUTION NO. 19-R-110**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO EXTEND THE CONTRACTS WITH MALDANADO NURSERY AND LANDSCAPING AND ACE CO FOR THREE (1) ONE YEAR EXTENSIONS TOTALING NO MORE THAN \$131,500 PER YEAR FOR A TOTAL NOT TO EXCEED \$394,500 TO PROVIDE LANDSCAPE MAINTENANCE FOR MEDIANS, PARKWAYS, AND PUBLIC GROUNDS AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the City of Schertz sought out prospective vendors who could provide landscape maintenance services through a competitive RFP process; and

WHEREAS, City awarded contracts to Maldonado Nursery and Landscaping and ACE CO to provide landscape maintenance for medians, parkways, and public grounds; and

WHEREAS, both firms have been providing landscape maintenance services for the past two years; and

WHEREAS, City staff has recommended the City extending the contracts for three (1) one-year extensions, with up to \$95,000 with Maldonado Nursery and Landscaping and up to \$60,000 with ACE CO, but not to exceed \$131,500 per year in total; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to extend the contracts with Maldonado Nursery and Landscaping in an amount up to \$95,000 per year and ACE CO in an amount up to \$60,000 per year but not to exceed \$131,500 between the two companies.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this the 24th day of September 2019

CITY OF SCHERTZ, TEXAS

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Michael R. Carpenter, Mayor

ATTEST:

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Brenda Dennis, City Secretary

(CITY SEAL)