

**RESOLUTION NO. 19-R-150**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONTRACT WITH D & S CONCRETE CONTRACTORS RELATING TO SCHEDULE I OF THE 2018 STREET PRESERVATION AND MAINTENANCE/REHABILITATION PROJECT AND AUTHORIZING THE BUDGET EXPENDITURES FOR THE PROJECT AND REJECTING ALL BIDS FOR SCHEDULES II AND III OF THE PROJECT**

WHEREAS, The City staff of the City of Schertz (the “City”) has recommended that the City accept the bid from D & S Concrete Contractors relating to Schedule I of the 2018 Street Preservation and Maintenance/Rehabilitation project and approve the project expenditures; and

WHEREAS, City staff has recommended that the City reject all bids relating to Schedules II and III of the 2018 Street Preservation and Maintenance/Rehabilitation project; and

WHEREAS, City staff has received qualifications indicating that D & S Concrete Contractors. is qualified to provide such services for the City; and

WHEREAS, the project will be funded from Bond Sale proceeds.

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 execute and deliver the contract with D & S Concrete Contractors for an amount of \$1,501,199 with an amount not to exceed \$1,651,000,00.

Section 2. The City Council hereby rejects all bids received for Schedules II and III of the 2018 Street Preservation and Maintenance/Rehabilitation Project.

Section 3. 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 4. 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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. 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 7. 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 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 12th day of November, 2019.

CITY OF SCHERTZ, TEXAS

---

Michael R. Carpenter, Mayor

ATTEST:

---

Brenda Dennis, City Secretary

(CITY SEAL)