

**RESOLUTION NO. 20-R-17**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, AUTHORIZING A CONTRACT WITH R.P. CONSTRUCTORS, INC. RELATING TO THE CONSTRUCTION OF THE E. LIVE OAK PUMP ADDITIONS PROJECT.**

WHEREAS, the City of Schertz (the "City") has a need to install redundant pumps and associated piping at the existing E. Live Oak tank site; and

WHEREAS, the City solicited competitive proposals from qualified vendors for construction services related to the E. Live Oak Pump Additions Project; and

WHEREAS, City staff has determined that R.P. Constructors, INC. is qualified to provide such services for the City; and

WHEREAS, City Council has authorized funding for the E. Live Oak Pump Additions Project from the Water and Sewer Operating Fund.

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 a contract in substantially the same form as Attachment A with R.P. Constructors, INC. for an amount of \$1,560,000.00 with a contingency amount of \$78,000.00 for an overall not to exceed amount of \$1,638,000.00.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 25<sup>th</sup> day of February, 2020

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary