

RESOLUTION NO. 20-R-37

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, INCREASING THE BUDGET EXPENDITURES FOR THE CONTRACT WITH FUQUAY, INC., RELATING TO THE 2018 SPAM RESURFACING PROJECT

WHEREAS, The City staff of the City of Schertz (the “City”) has recommended that the City increase the maximum expenditure amount for the construction contract relating to the 2018 Street Preservation and Maintenance (SPAM) Resurfacing project; and

WHEREAS, some of the street segments’ conditions deteriorated significantly since the project was designed, requiring additional base repair efforts and asphalt levelling; and

WHEREAS, the City desires to perform the additional repairs and levelling before the new surfacing is applied to the streets; and

WHEREAS, excess Certificates of Obligation for Road Improvements funding is available to provide for the additional repairs and levelling.

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

Section 1. The City Council hereby increases the not to exceed amount for the construction contract with Fuquay, Inc., for the 2018 SPAM Resurfacing project to \$857,739.00.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 14th day of April, 2020.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)