RESOLUTION NO. 20-R-89

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, AUTHORIZING A CONTRACT WITH M&C FONSECA CONSTRUCTION CO., INC. RELATING TO THE CONSTRUCTION OF THE F.M. 1103 TXDOT UTILITY ADJUSTMENTS PHASE II PROJECT AND AUTHORIZING THE BUDGET EXPENDITURES FOR THE PROJECT.

WHEREAS, the City of Schertz (the "City") has a need to relocate existing water utilities adjacent to F.M. 1103 in conjunction with the upcoming TxDOT F.M. 1103 Expansion Project; and

WHEREAS, the City solicited competitive proposals from qualified vendors for constructions services related to the F.M. 1103 TxDOT Utility Adjustments Phase II Project; and

WHEREAS, City staff has determined that M&C Fonseca Construction CO., Inc. is qualified to provide such services for the City; and

WHEREAS, City Council has authorized funding for the F.M. 1103 TxDOT Utility Adjustments Phase II Project from the CO 2018 Bond Funds.

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 M&C Fonseca Construction CO., Inc. for an amount of $130,283.75 with a contingency amount of $13,028.25 for an overall not to exceed amount of $143,312.00.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 11th day of August, 2020

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary

(CITY SEAL)