

RESOLUTION NO. 21-R-73

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A TASK ORDER AGREEMENT WITH TERRACON CONSULTANTS, INC., FOR GEOTECHNICAL SERVICES RELATED TO THE SCHERTZ STREET PRESERVATION AND MAINTENANCE PROGRAM AND AUTHORIZING BUDGET EXPENDITURES FOR THE PROJECT, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City staff of the City of Schertz (the “City”) has determined that the City requires professional services relating to subsurface geotechnical sampling and analysis of various city streets; and

WHEREAS, Terracon Consultants Inc. is an on-call Geotechnical Engineering firm with the City of Schertz and is qualified to provide such services; and

WHEREAS, Terracon Consultants Inc. is able to provide the requested subsurface geotechnical sampling and analysis; and

WHEREAS, pursuant to Section 252.022(a)(4), the City is not required to seek bids or proposals with respect to a procurement for personal, professional, or planning purposes; and

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with Terracon Consultants Inc. pursuant to the Agreement attached hereto as Exhibit A (the “Agreement”) for \$65,845 and a not to exceed amount of \$70,000.

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 Task Order Agreement with Terracon Consultants, Inc. in accordance with the Agreement in substantially the form set forth on Exhibit A in the amount of \$65,845 and authorize the City Manager to execute and deliver the Agreement in a not to exceed amount of \$70,000.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 27th day of July, 2021.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

EXHIBIT A
TERRACON CONSULTANTS, INC.
TASK ORDER NO. 2 SERVICES AGREEMENT