

RESOLUTION NO. 21-R-74

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN INCREASE TO THE CONTRACT WITH D&S CONCRETE CONSTRUCTORS. RELATING TO THE CSJ# 0915-46-050 SCHERTZ PEDESTRIAN ROUTES AND BIKE LANES PROJECT AND AUTHORIZING THE BUDGET EXPENDITURES FOR THE PROJECT

WHEREAS, The City Council of the City of Schertz (the “City”) previously adopted Resolution 20-R-118, authorizing a construction contract with D&S Concrete Constructors in the amount of \$1,256,960.95 for the CSJ# 0915-46-050 Schertz Pedestrian Routes and Bike Lanes Project; and

WHEREAS, the City Council of the City of Schertz previously adopted Resolution 21-R-48 amending the contract with D&S Concrete Constructors for the CSJ# 0915-46-050 Schertz Pedestrian Routes and Bike Lanes Project to provide a not to exceed amount to fund additional costs identified during construction; and

WHEREAS, as construction progressed, additional costs exceeding the previously approved not to exceed amount, specifically the need for additional traffic control efforts on Live Oak; and

WHEREAS, the City Council wishes to increase the not to exceed amount for the construction project to cover the additional traffic control costs,

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

Section 1. The City Council hereby authorizes and establishes a not to exceed amount of \$1,311,600 for the contract with D&S Concrete Constructors for CSJ# 0915-46-050 Schertz Pedestrian Routes and Bike Lanes Project and authorizes the City Manager to execute Change Orders to the project up to the not to exceed amount.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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