

**RESOLUTION NO. 22-R-05**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF ONE (1) FIRE APPARATUS AND ASSOCIATED EQUIPMENT**

WHEREAS, the Schertz Fire Rescue has a need to replace unit 218 due to the age and replacement schedule; and

WHEREAS, the City Council approved Ordinance 21-T-50 for the budget adjustment on December 14, 2021, which included funds to purchase a fire apparatus in the amount of \$1,298,921; and

WHEREAS, the Schertz Fire Rescue has chosen Pierce Manufacturing, Siddons Martin Emergency Group as meeting its pricing and functional requirements for fire apparatus, this vendor is participating in the HGAC Cooperative Program and will purchase associated capital equipment as part of this project, and

WHEREAS, purchases under the cooperative programs meet the requirements under Subchapter C, Chapter 791.025 of the Texas Government Code, which states that a local government that purchases goods and services under this section satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and services; then

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 a contract with Pierce Manufacturing and/or its dealer Siddons-Martin Emergency Group, to purchase one (1) fire apparatus as described in Exhibit A for a purchase price of \$1,298,921.00.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 4<sup>th</sup> day of January, 2022.

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary

(CITY SEAL)