

**RESOLUTION NO. 23-R-125**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONTRACT AMENDMENT WITH MALDONADO NURSERY & LANDSCAPING IN EXCESS OF \$50,000 FOR MOWING AND LANDSCAPE MAINTENANCE OF MEDIANS, PARKWAYS, AND PUBLIC GROUNDS.**

WHEREAS, the City staff of the City of Schertz (the “City”) has determined that the City requires landscape maintenance of medians, parkways, and public grounds; and

WHEREAS, City staff performed an extensive Request for Proposals process in 2022 that ranked companies based on experience and references, equipment and resources, cost proposal, and operational plans; and

WHEREAS, City staff has previously determined Maldonado Nursery & Landscaping is qualified to provide such services for the City and previously awarded a contract via Resolution 23-R-08 ; and

WHEREAS, the City of Schertz has a policy to seek authorization for purchases in excess of \$50,000 with a single vendor; and

WHEREAS, the City of Schertz will amend the current contract to add properties detailed in the attached amendment (Exhibit A).

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 amend the contract with Maldonado Nursery & Landscaping, totaling no more than \$270,000 for each fiscal year, for landscape maintenance of medians, parkways, and public grounds.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 \_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Sheila Edmondson, City Secretar

## **ATTACHMENT A**

## AMENDMENT ONE

This Amendment is made to that Service Agreement previously executed by and between the CITY OF SCHERTZ, TEXAS ("City") and Maldonado Nursery & Landscaping ("Contractor") on March 2, 2023.

It is mutually understood and agreed by and between the undersigned contracting parties to amend that previously executed agreement as follows:

Attachment One (Contract Properties) will be amended to include the following additional City locations:

### Campuses

Location	Cycles	Price	Extended Price	Location	Cycles	Price	Extended Price
CAMPUSES							
HB Complex (6.59 acres)	36	\$ 411.43	\$ 14,811.48	HB Complex (16.94 acres)	36	\$ 1,057.60	\$ 38,073.60
Fire Station #2	36	\$ 138.59	\$ 4,989.24				
Fire Station #3	36	\$ 291.50	\$ 10,494.00				
				Library & Recreation Campus	36	\$ 562.26	\$ 20,241.36
Subtotal Campuses			\$ 30,294.72	Subtotal Campuses			\$ 58,314.96
Additional Cost			\$ 11,584.44	Additional Cost			\$ 25,349.76

### Parkway Medians & Sidewalks

Location	Cycles	Price	Extended Price	Location	Cycles	Price	Extended Price
PARKWAY MEDIANS & SIDEWALKS							
				Schertz Parkway NORTH	36	\$ 643.12	\$ 23,152.32
				Schertz Parkway SOUTH	36	\$ 156.02	\$ 5,616.72
				Legacy Oaks Parkway	36	\$ 62.79	\$ 2,260.44
				Country Club Drive	36	\$ 198.05	\$ 7,129.80
				Cibolo Valley Drive	36	\$ 82.04	\$ 2,953.44
				Subtotal Medians			\$ 41,112.72
				Additional Cost			\$ 22,415.76

Cost for Additional Locations = \$59,349.93

New Contract Not-To-Exceed Amount = \$270,000/fiscal year

All other requirements, terms, and conditions that are not hereby amended are to remain in full force and effect

**EXECUTED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY:**

**CONTRACTOR:**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Steve Williams

Name: \_\_\_\_\_

Title: City Manager

Title: \_\_\_\_\_

**ADDRESS FOR NOTICE:**

**CITY:**

**CONTRACTOR:**

City of Schertz  
Attn: City Manager  
1400 Schertz Parkway  
Schertz, Texas 78154

Maldonado Nursery & Landscaping  
Attn: Jerry Maldonado  
16348 Nacogdoches Road  
San Antonio, TX 78247