

RESOLUTION NO. 24-R-29

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR CONSTRUCTION MANAGER AT RISK SERVICES RELATED TO THE CONSTRUCTION OF FIRE STATION 4

WHEREAS, the City of Schertz (the “City”) solicited Requests for Qualifications (RFQ) for professional Construction Manager at Risk services related to the design and construction of Fire Station #4, and

WHEREAS, after extensive analysis of the responses, City staff determined that Marksmen Construction is well qualified to provide the required services, and

WHEREAS, the City Council has determined that it is in the best interest of the City to enter into an agreement with Marksmen Construction.

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

Section 1. The City Council hereby approves resolution 24-R-29 authorizing the City Manager to execute an agreement with Marksmen Construction for professional construction manager at risk services related to the design and construction of Fire Station #4. This contract would be in accordance with the published RFQ that was issued by the City of Schertz. The City of Schertz intends to execute AIA Documents A133 Standard Form of Agreement between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with Guaranteed Maximum Price along with AIA A201-2007 General Conditions of the Contract for Construction.

Section 2. The recitals contained in the preamble hereof found to be true, and such recitals are hereby made a part of this Resolution for all purposes and adopted as a part of the judgement 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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provisions of this resolution shall be and remain controlling as to the matters resolved herein.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 55j, 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 _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary