

RESOLUTION 25-R-148

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONTRACT AMENDMENT WITH MARKSMEN GENERAL CONTRACTORS SETTING A GUARANTEED MAXIMUM PRICE FOR THE CONSTRUCTION OF FIRE STATION NO. 4

WHEREAS, the Fire Station No. 4 project is identified as a critical component of the City of Schertz's Capital Improvement Plan (CIP), necessary to enhance emergency response capabilities and support the safety of our growing community; and

WHEREAS, the City Council previously authorized the use of the Construction Manager at Risk (CMR) project delivery method to maximize collaboration, efficiency, and budget certainty during the design phase of the project, with Marksman General Contractors selected as the CMR; and

WHEREAS, the Guaranteed Maximum Price (GMP) represents the final phase of the CMR process, establishing a fixed ceiling price for all costs associated with the construction of Fire Station No. 4; and

WHEREAS, Marksman General Contractors has submitted a final GMP proposal in an amount not to exceed NINE MILLION SEVEN HUNDRED TWENTY THOUSAND SIXTY-THREE DOLLARS AND NO CENTS (\$9,720,063.00); and

WHEREAS, the proposed FMP includes necessary contract concessions related to the Fee on Self Perform Work and Lump Sum General Conditions, which staff has reviewed and recommend proceeding with, given the overall competitive pricing and cost certainty achieved; and

WHEREAS, staff has confirmed that the final FMP amount aligns successfully with the total authorized project budget, following internal reconciliation that accounts for the Pre-Construction Fee, resulting in the final project cost coming in under the total budget ceiling; and

WHEREAS, the City Council finds that approval of this FMP is in the best interest of the City and its citizens, allowing the project to transition from design phase to the full construction phase.

NOW THEREFORE, 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 amendment with Marksmen General Contractors setting the Guaranteed Maximum Price (GMP) for the construction of Fire Station No. 4 in an amount not to exceed NINE MILLION SEVEN HUNDRED TWENTY THOUSAND SIXTY-THREE DOLLARS AND NO CENTS (\$9,720,063.00).

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 APPROVED on the 21st day of October, 2025.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary