

COUNTY OF GUADALUPE

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED AGREEMENT WITH JORDAN AND FOSTER IN AN AMOUNT NOT TO EXCEED \$ 34,547.12 FOR ADDITIONAL TIME AND MATERIALS WORK NEEDED FOR THE COMPLETION OF THE UNDERGROUND UTILITY WORK REQUIRED FOR PHASE V OF THE GERONIMO CREEK SEWER PROJECT**

**WHEREAS**, on October 15, 2013, the City Council awarded an emergency contract to Jordon Foster Construction for the repair and completion of the underground utilities after Salinas was terminated from Phase V of the Geronimo Creek Sewer Project; and

**WHEREAS**, during the repair phase it was discovered that Salinas's defective workmanship was far more extensive than originally predicted thereby requiring more time and work than originally expected; and

**WHEREAS**, further investigation of the line at manhole 4 showed that, after clearing all debris and silt the line was not allowing water to freely flow leaving about three inches remaining in the line; and

**WHEREAS**, the line at manhole 4 is the deepest area of the project (at 28 feet) necessitating more work than anticipated; and

**WHEREAS**, the amount of this Amendment also includes testing and videography of the entire line upon completion of this last phase; and

**WHEREAS**, due to the nature and condition of the construction site as left by Salinas in order to provide for the health and safety of the residents of Oak Village North, it is necessary for the City to have a replacement contract immediately; and

**WHEREAS**, unforeseen damage to public infrastructure is foreseeable if the City follows the normal bidding procedures to complete the ongoing work; and

**WHEREAS**, considering the circumstances and the discovery of additional unforeseen defective workmanship Jordan Foster has been doing a good job completing the repairs in a timely fashion.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Seguin, Texas:**

**SECTION 1.** The above recitals are adopted as a formal part of this resolution as if fully set forth herein.

**SECTION 2.** The above recitals set forth sufficient basis to declare this contract an emergency contract excepted from the public bidding requirement by Section 252.022 of the Texas Local Government Code.

**SECTION 3.** The City Manager, Douglas G. Faseler, is authorized to execute an amendment to the emergency time and materials agreement with Jordan and Foster in an amount not to exceed \$34,547.12.

**SECTION 4.** This Resolution shall be in full force and effect immediately from and after its passage.

**PASSED AND APPROVED this 4<sup>th</sup> day of March 2014.**

  
DON KEIL  
MAYOR

**ATTEST:**

  
Thalia Stautzenberger  
City Secretary