

STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JORDAN AND FOSTER IN AN AMOUNT NOT TO EXCEED \$675,270.00 FOR TIME AND MATERIALS RELATED TO THE COMPLETION OF THE UTILITY CONSTRUCTION FOR THE OAK VILLAGE NORTH SUBDIVISION PROJECT

WHEREAS, on October 7, 2013, the City Council passed a resolution terminating the construction contract Salinas Technologies, Inc. for the construction of a number of utility and road improvements for the Oak Village North Subdivision; and

WHEREAS, in relation to the termination of the contract with Salinas the City has formally requested that the surety bonding Salinas's project undertake completion of that project; and

WHEREAS, the contract with Salinas included terms that time was of the essence and that the sanitary sewer portion of the project was to be completed no later than March 2013; and

WHEREAS, due to the fact that the deadline to complete the sanitary sewer portion of the Oak Village North project has passed, the City is under an obligation to complete that portion of the project as quickly as possible; and

WHEREAS, part of the reason for the project is to make sanitary sewer services accessible to Oak Village North residents in an effort to reduce fecal coliform counts in Geronimo Creek; 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 hire a replacement contractor; and

WHEREAS, Jordan and Foster has recently successfully completed a sanitary sewer rehabilitation project for the City; and

WHEREAS, Jordan and Foster has agreed to survey the present ribbon curb and roadway midline to determine the existing points and elevation, repair and replace elements of the sanitary sewer line so that the line meets the specifications set forth in the Salinas contract documents, and complete the remaining water line connections on a time and material basis for an amount not to exceed \$675,270.00.

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 agreement with Jordan and Foster in an amount not to exceed \$675,270.00.

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

PASSED AND APPROVED this 15th day of October 2013.


DON KEIL
MAYOR

ATTEST:


Thalia Stautzenberger
City Secretary