

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CONTRACT AMENDMENT NUMBER SIX TO THE PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP FOR BIDDING AND CONSTRUCTION PHASE SERVICES REQUIRED FOR THE 24TH STREET OVERPASS AND PEDESTRIAN IMPROVEMENTS IN THE ESTIMATED AMOUNT OF \$215,300; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, approval of this item will allow for the execution of Contract Amendment No. 6 to the professional services agreement with Kasberg, Patrick & Associates, LP (KPA) for bidding and construction phase services related to the construction of the 24th Street Overpass and Pedestrian Improvements - as detailed in the engineer's proposal letter related to this contract amendment, attached hereto and incorporated herein as Exhibit A, these additional services are needed to provide bidding and construction phase services as follows:

Contract Amendment 6

Bidding	\$ 9,000
Construction Administration	\$105,100
On Site Representation	<u>\$101,200</u>
Total	\$215,300

Whereas, on December 15, 2022, Council authorized a professional services agreement with KPA to design the 24th Street Pedestrian Facilities in the estimated amount of \$106,000 - during design, Staff identified overpass roadway approach failures that would impact pedestrian improvements;

Whereas, Contract Amendment Nos. 1 through 5 were executed to include geotechnical reports, surveys, and design of roadway improvements - during design, the Texas Department of Transportation performed a bridge inspection and required repairs are included in this design;

Whereas, the previous contract amendments increased the contract amount by \$88,200 - this Contract Amendment No. 6 will address all roadway overpass deficiencies and add pedestrian improvements, including lighting;

Whereas, with the execution of this contract amendment, the revised value of the professional services agreement will be \$409,500 - bids opened July 25, 2024, with the low bid of \$4,022,450 recommended for award;

Whereas, Staff recommends Council authorize Contract Amendment No. 6 to the professional services agreement with KPA for bidding and construction phase services required for the 24th Street Overpass and Pedestrian Improvements in the estimated amount of \$215,300;

Whereas, a budget adjustment is being presented to Council with the concurrent agenda item related to construction of the 24th Street Overpass and Pedestrian Improvements - funding for Contract Amendment No. 6 to the professional services agreement with KPA in the amount of \$215,300 is available in Account No. 365-3400-531-6974, Project No. 102897; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes Contract Amendment No. 6 to the professional services agreement with Kasberg, Patrick & Associates, LP for bidding and construction phase services required for the 24th Street Overpass and Pedestrian Improvements in the estimated amount of \$215,300, and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's Office, to execute any necessary documents.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 18th day of **July, 2024.**

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney