

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CONTRACT AMENDMENT NUMBER 23 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP, INC. FOR CONSTRUCTION PHASE SERVICES ASSOCIATED WITH PHASE 4C OF THE BIRD CREEK INTERCEPTOR PROJECT IN THE ESTIMATED AMOUNT OF \$61,442; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this item will allow for the execution of Contract Amendment No. 23 to the professional services agreement with Jacobs Engineering Group, Inc. (Jacobs) for construction phase services required for the construction of Phase 4C of the Bird Creek Interceptor Project;

Whereas, on December 23, 2024, Change Order No. 3 to the construction contract with Phase 4C contractor D Guerra Construction was approved, extending contract time by 45 days - this Change Order No. 3 time extension allows for completion of construction, testing, and completion of punch list items;

Whereas, these Contract Amendment No. 23 additional services are needed to extend expired contract time and construction phase services through project completion - as outlined in the Engineer's Proposal Letter, attached hereto and incorporated herein as Exhibit A, the budget for on-site construction observation services was expended the second week of October 2024 due to underestimating time required on-site in Contract Amendment No. 22 negotiations;

Whereas, in 2007, Council authorized a professional services agreement with Carter Burgess, Inc. (now Jacobs) for engineering services related to the Bird Creek Interceptor Project - this project, phased and implemented over several years, is targeted toward reducing overflows and rehabilitating infrastructure, ultimately providing for increased capacity within the wastewater collection system;

Whereas, Phases 1, 2, 3, 4A, 4B, and 5 of this project have been completed, and Phase 4C is the final phase, with construction beginning at the intersection of Birdcreek Drive and Daniels Drive and extending just south of the H K Dodgen Loop 363;

Whereas, this Contract Amendment No. 23 extends Jacobs construction phase services through project completion, and total authorized professional fees for Jacobs related to this project are currently \$4,948,898.40 - with the execution of this Contract Amendment No. 23 in the amount of \$61,442, the revised value of the professional services agreement will be \$5,352,574.40;

Whereas, the proposed timeline for these construction phase services extends to February 07, 2025;

Whereas, Staff recommends Council authorize Contract Amendment No. 23 to the professional services agreement with Jacobs for construction phase services associated with Phase 4C of the Bird Creek Interceptor Project in the estimated amount of \$61,442;

Whereas, funding for this contract amendment in the amount of \$61,442 is available in Account No. 561-5400-535-6925, Project No. 102661; 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. 23 to the professional services agreement with Jacobs Engineering Group, Inc. for construction phase services associated with Phase 4C of the Bird Creek Interceptor Project in the estimated amount of \$61,442, 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 16th day of **January, 2025.**

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Liz Caraway
Deputy City Secretary

Kathryn H. Davis
City Attorney