

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING CONTRACT AMENDMENT NUMBER ONE TO THE EMERGENCY SERVICES AGREEMENT WITH D&J ENTERPRISES, INC. OF AUBURN, ALABAMA FOR DEBRIS REMOVAL SERVICES IN THE AMOUNT OF \$114,760.02; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the tornadoes and storm that struck the City of Temple on May 22, 2024 caused an abundance of brush and material debris throughout the City - based on the volume of debris, and in order to be responsive to citizen needs, Staff initiated an emergency 20-day services agreement with D&J Enterprises, Inc. (D&J) of Auburn, Alabama for curbside debris pickup and disposal services, which Council ratified on June 6, 2024;

Whereas, D&J worked approximately 12 to 14 hours per day, seven days a week (weather permitting) during the 20-day emergency contract period to assist the City with debris removal and Staff directed D&J to dispatch additional resources in order to expedite the removal process - additional funding is needed to pay for all work completed within the 20-day emergency contract period;

Whereas, D&J was awarded a debris removal and disposal services contract by the City of Southlake, Texas in accordance with Texas Government Code § 791.001(g) to allow the two cities to use each other's purchasing arrangements, bids, proposals, and contracts - accordingly, Staff is recommending the use of Southlake's solicitation process and contract for this purchase;

Whereas, the scope of services as outlined in the services agreement with D&J provides for unit rates defined in Southlake's contract with D&J and the City of Temple will pay D&J for the work completed at the unit rates defined in the contract - with the addition of \$114,760.02, the total contract value is \$1,279,760.02;

Whereas, Staff recommends Council ratify Contract Amendment No. 1 to the emergency services agreement with D&J for debris removal services in the amount of \$114,760.02;

Whereas, a budget adjustment is being presented to Council for approval to appropriate funding for Contract Amendment No. 1 to the emergency services agreement with D&J for the debris removal services agreement - upon approval of the budget adjustment, funding for the debris removal services in the amount of \$114,760.02 will be available in Account No. 110-2320-540-2191; 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 ratifies Contract Amendment No. 1 to the emergency services agreement with D&J Enterprises, Inc. of Auburn, Alabama for debris removal services in the amount of \$114,760.02 and authorizes the City Manager, or her designee, after approval a 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