

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CONTRACT AMENDMENT NUMBER THREE TO THE PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK, & ASSOCIATES, LP OF TEMPLE, TEXAS FOR BIDDING AND CONSTRUCTION PHASE SERVICES FOR THE SYNERGY PARK IMPROVEMENTS – LORRAINE AVENUE AND UTILITIES EXTENSION PROJECT IN THE ESTIMATED AMOUNT OF \$271,700; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, approval of this item will allow for the execution of Contract Amendment No. 3 to the professional services agreement with Kasberg, Patrick, & Associates, LP (KPA) for bidding and construction administration services related to the construction of Synergy Park Improvements – Lorraine Avenue and Utilities Extension - these additional services are needed to provide onsite representation and construction administration services as outlined in the engineer’s proposal letter dated June 6, 2024, attached hereto and incorporated herein as Exhibit A;

Whereas, on October 7, 2021, Council authorized a professional services agreement with KPA for the design of this project which consists of extending Lorraine Avenue from Panda Drive to Bob White Road - the professional services agreement with KPA was originally authorized in the amount of \$419,700;

Whereas, on November 17, 2021, the City executed Contract Amendment No. 1 for right-of-way services in the amount of \$14,300 and, on August 8, 2022, Council authorized Contract Amendment No. 2 for additional design services in the amount of \$333,300 - with the execution of this contract amendment, the revised value of the professional services agreement will be \$1,039,000;

Whereas, the construction contract was advertised for bid on June 9, 2024 and the bids opened on July 11, 2024 - the opinion of probable construction cost for this project is \$4,600,000 with an anticipated construction timeline of nine months;

Whereas, the contract end date is revised to June 30, 2025 to coincide with the proposed construction timeline;

Whereas, Staff recommends Council authorize Contract Amendment No. 3 to the professional services agreement with KPA for bidding and construction phase services for the Synergy Park Improvements – Lorraine Avenue and Utilities Extension Project in the estimated amount of \$271,700; and

Whereas, funding for Contract Amendment No. 3 to the professional services agreement with KPA for the bidding and construction phase services for Synergy Park Improvements – Lorraine Avenue and Utilities Extension Project in the estimated amount of \$271,700 is available in the Reinvestment Zone No. 1 Financing Plan, Line 361, Project No. 102492, as shown below:

	795-9300-531-6869
	795-9400-531-6869
Project Budget	\$ 5,720,000
Encumbered/Committed to Date	(336,549)
Kasberg, Patrick, & Associates - CA #3	(271,700)
Langerman Engineering Company	(53,266)
Emerson Construction Company	(3,554,283)
Remaining Project Funds	\$ 1,504,202

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. 3 to the professional services agreement with Kasberg, Patrick, & Associates, LP of Temple, Texas for bidding and construction phase services for the Synergy Park Improvements – Lorraine Avenue and Utilities Extension Project in the estimated amount of \$271,700, 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 1st day of **August, 2024**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney