

RESOLUTION NO. {{item.sequential\_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CONTRACT AMENDMENT NUMBER ONE TO THE PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS FOR DESIGN SERVICES FOR THE SOUTHWEST COMMUNITY PARK PROJECT, TO INCLUDE 1.28 MILES OF REGIONAL TRAIL NORTH TO WEST ADAMS AVENUE, IN THE ESTIMATED AMOUNT OF \$374,900; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, this item will allow for the execution of Contract Amendment No. 1 to the professional services agreement with Kasberg, Patrick & Associates, LP (KPA) of Temple, Texas for the design services related to the construction of the Southwest Community Park – Hog Pen Creek Trail Project - these additional services are needed to design 1.28 miles of regional trail from Southwest Community Park, north to West Adams Avenue;

**Whereas**, on December 7, 2023, Council authorized a professional services agreement with KPA for this project - with the execution of this contract amendment, the revised value of the professional services agreement will be \$1,365,200;

**Whereas**, the revised opinion of probable construction cost as a result of this additional design work is \$17,075,000 - these plan modifications will require 270 additional contractual days to make the plan modifications;

**Whereas**, Staff recommends Council authorize Contract Amendment No. 1 to the professional services agreement with KPA for design services for the Southwest Community Park Project, to include 1.28 miles of regional trail north to West Adams Avenue, in the estimated amount of \$374,900;

**Whereas**, a budget adjustment is being presented to Council for approval to appropriate additional funding for Contract Amendment No. 1 to the professional services agreement with KPA - after approval of the budget adjustment, funding in the amount of \$374,900 will be available in Account No. 362-3500-552-6415, Project No. 102970;

**Whereas**, funding for construction is planned for in the Fiscal Year 2025 Capital Improvement Program (CIP) - scope and amenities will be revised after final design and during the bidding phase of the project to ensure the construction contract remains in line with CIP budget parameters; 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. 1 to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple, Texas for design services for the Southwest Community Park Project, to include 1.28 miles of regional trail north to West Adams Avenue, in the estimated amount of \$374,900, 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:** The City Council authorizes an amendment to the Fiscal Year 2024 Budget, substantially in the form of the copy attached hereto as Exhibit A.

**Part 4:** 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 5<sup>th</sup> day of **September, 2024.**

THE CITY OF TEMPLE, TEXAS

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TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

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Jana Lewellen  
City Secretary

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Kathryn H. Davis  
City Attorney