

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AGREEMENT WITH BURLINGTON NORTHERN SANTA FE FOR PROJECT INSPECTION OF THE 24TH STREET OVERPASS AND PEDESTRIAN IMPROVEMENTS IN THE ESTIMATED AMOUNT OF \$79,992; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the bridge over the Burlington Northern Santa Fe (BNSF) railroad on 24th Street between Martin Luther King, Jr. Boulevard is to be reconstructed to allow for pedestrian improvements as designed by Kasberg, Patrick & Associates, LP (KPA) - this includes removing and replacing concrete traffic rails on the outside of the bridge, installation of new walkway protective throw fencing, and re-striping the roadway;

Whereas, BNSF has prepared an Overpass Agreement in an estimated amount of \$79,992 which outlines the City's and BNSF's responsibilities - on December 15, 2022, Council authorized a professional services agreement with KPA to design the 24th Street Pedestrian Facilities;

Whereas, Council authorized Contract Amendment Nos. 1 through 6 for geotechnical investigations, related design changes, and bidding and construction phase services - on July 18, 2024, Council authorized a construction award to Patin Construction, LLC for this project;

Whereas, Staff recommends Council authorize an agreement with BNSF for project inspection of the 24th Street Overpass and Pedestrian Improvements in the estimated amount of \$79,992;

Whereas, funding for an agreement with BNSF for project inspection of the 24th Street Overpass and Pedestrian Improvements in the estimated amount of \$79,992 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 an agreement with Burlington Northern Santa Fe for project inspection of the 24th Street Overpass and Pedestrian Improvements in the estimated amount of \$79,992, 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 **19th** day of **September, 2024**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney