

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH EMERSON CONSTRUCTION COMPANY, INC. OF TEMPLE, TEXAS FOR THE CONSTRUCTION OF SYNERGY PARK – LORRAINE AVENUE AND UTILITY IMPROVEMENTS IN THE ESTIMATED AMOUNT OF \$3,554,283; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, approval of this item will allow for the execution of a construction contract with Emerson Construction Company, Inc. (Emerson) for the construction of Synergy Park – Lorraine Avenue and Utility Improvements, also known as Lorraine Avenue;

Whereas, on October 7, 2021, Council approved a professional services agreement with Kasberg, Patrick & Associates, LP (Engineer) to design the Lorraine Avenue - these street and utility improvements are in South Temple from the Lorraine Avenue/Panda Drive intersection to Bob White Drive;

Whereas, on July 9, 2024, the City received ten bids in response to Bid No. 94-03-24, with base bids ranging from a low of \$3,554,283 to a high of \$6,038,313.86 - the base bid includes street and drainage improvements;

Whereas, Emerson was the low responsive bidder, as indicated in the Engineer's Letter of Recommendation, attached hereto and incorporated herein as Exhibit A - the Engineer's opinion of probable construction cost was \$4,600,000 for this project and time allotted for construction is 270 days from the Notice to Proceed;

Whereas, Staff recommends Council authorize a construction contract with Emerson for the construction of Synergy Park – Lorraine Avenue and Utility Improvements in the estimated amount of \$3,554,283; and

Whereas, funding for the construction contract with Emerson for the construction of Synergy Park – Lorraine Avenue and Utility Improvements in the amount of \$3,554,283 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 a construction contract with Emerson Construction Company, Inc. of Temple, Texas for the construction of Synergy Park – Lorraine Avenue and Utility Improvements in the estimated amount of \$3,554,283, 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