

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH PATIN CONSTRUCTION, LLC OF TAYLOR, TEXAS FOR CONSTRUCTION OF THE 24<sup>TH</sup> STREET OVERPASS AND PEDESTRIAN IMPROVEMENTS IN THE ESTIMATED AMOUNT OF \$4,022,450; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, approval of this item will allow for the execution of a construction contract with Patin Construction, LLC (Patin) of Taylor, Texas for construction of the 24<sup>th</sup> Street Overpass and Pedestrian Improvements - time allotted for construction is 270 days from the Notice to Proceed;

**Whereas**, on December 15, 2022, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP (KPA) to design the 24<sup>th</sup> Street Pedestrian Facilities - during design, Staff identified overpass roadway approach failures that would impact pedestrian improvements;

**Whereas**, Contract Amendment Nos. 1 through 5 to the professional services agreement with KPA were executed to include geotechnical reports, surveys, and design of roadway improvements;

**Whereas**, during design, the Texas Department of Transportation performed a bridge inspection and required repairs are included in this design - this construction contract will address all roadway overpass deficiencies and add pedestrian improvements, including lighting;

**Whereas**, on June 25, 2024, the City received four base bids for this project in response to Bid No. 34-06-24, with base bids ranging from a low bid of \$4,022,450 to a high bid of \$5,634,195 as shown on the bid tabulation, attached hereto and incorporated herein as Exhibit A - no bid alternatives were included in this bid package and the opinion of probable cost was \$3,220,000;

**Whereas**, Patin was the low responsive bidder, as indicated in the Engineer's Letter of Recommendation, attached hereto and incorporated herein as Exhibit B - it is the recommendation of KPA and City Staff to award the bid as outlined in the Engineer's Letter of Recommendation and bid tabulation;

**Whereas**, Staff recommends Council authorize a construction contract with Patin for construction of the 24<sup>th</sup> Street Overpass and Pedestrian Improvements in the estimated amount of \$4,022,450;

**Whereas**, a budget adjustment is being presented to Council for approval to appropriate additional funding for the contract with Patin for the construction of the 24<sup>th</sup> Street Overpass and Pedestrian Improvements - after approval of the budget adjustment, funding in the amount of \$4,022,450 will be 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 a construction contract with Patin Construction, LLC of Taylor, Texas for construction of the 24<sup>th</sup> Street Overpass and Pedestrian Improvements in the estimated amount of \$4,022,450 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 18<sup>th</sup> day of **July, 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