

RESOLUTION NO. {{item.custom\_tracking\_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CONTRACT AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, IN THE AMOUNT OF \$84,800, FOR DESIGN SERVICES FOR THE DOWNTOWN CITY CENTER PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, approval of this item will allow for the execution of Contract Amendment No. 2 to the professional services agreement with Kasberg, Patrick & Associates, LP (KPA), for additional design services for the Downtown City Center project - this amendment includes final design and specifications for 2<sup>nd</sup> Street Improvements from Central Avenue to Adams Avenue as well as revisions to the existing City Center design along Central Avenue and 4<sup>th</sup> Street;

**Whereas**, this additional scope was requested by the adjacent Hawn Hotel developer, the Turner-Behringer Real Estate Group (TBRE) and supported by City Staff - the 2<sup>nd</sup> Street design will continue to follow the concepts from the 2013 Downtown Master Plan;

**Whereas**, on February 7, 2019, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP (KPA) in the amount of \$396,900 to design the Downtown City Center that originally encompassed the area on Central Avenue from 2<sup>nd</sup> Street to 6<sup>th</sup> Street and 4<sup>th</sup> Street from the Central Avenue intersection to the Adams Avenue intersection - on July 2, 2020, the City executed Contract Amendment No. 1 in the amount of \$25,000 for design changes in 4<sup>th</sup> Street requested by TBRE;

**Whereas**, with the execution of this contract amendment, the revised value of the professional services agreement will be \$506,700 - the revised opinion of probable construction cost as a result of this additional design work is \$6,950,000;

**Whereas**, on April 28<sup>th</sup>, 2021, the Reinvestment Zone No. 1 Board approved to recommend this Discretionary Service Agreement to the City Council;

**Whereas**, Staff recommends Council authorize Contract Amendment No. 2 to the professional services agreement with Kasberg, Patrick & Associates, LP, of Temple, Texas, in the amount of \$84,800, for design services for the Downtown City Center project;

**Whereas**, funding for Contract Amendment No. 2 is available in the Reinvestment Zone No. 1 Financing and Project Plan, Line 406, Account No. 795-9600-531-6565, Project No. 101029; 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. 2 to the professional services agreement with Kasberg, Patrick & Associates, LP, of Temple, Texas, in the amount of \$84,800, for design services for the Downtown City Center project and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's office, to execute any documents that may be necessary.

**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 6<sup>th</sup> day of **May, 2021.**

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