

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR THE PURCHASE OF ASPHALTIC ROAD AGGREGATE MATERIALS; MAKING FINDINGS EXEMPTING SUCH CONTRACT FROM THE REQUIREMENTS OF COMPETITIVE BIDDING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City entered into a contract with Cutler Repaving of Lawrence, Kansas, for the resurfacing of City streets with asphalt, a needed and necessary procurement to preserve and protect the public health of the City's residents; and

WHEREAS, the City contracted with the Texas Procurement and Support Services (TPASS), an interlocal contract for cooperative purchasing program to acquire the necessary materials for the resurfacing; and

WHEREAS, the Program offered numerous types of asphalt materials from which the City could choose; and

WHEREAS, during the course of the resurfacing contract it was necessary to change the specifications of the materials and the low bidder, Austin Asphalt, was contacted and the parties believed that the new type required was also covered by the bid submitted to the TPASS Program, so the contract was amended accordingly; and

WHEREAS, at the same time, Cutler had mobilized its forces and equipment and was prepared to proceed with the resurfacing; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:

SECTION 1. That the City Council finds and determines that the above conditions exist and to accomplish such objectives, it is necessary to pay for the asphaltic road aggregate materials used in the project even though it is now known that the specific type of asphalt furnished was not among the fifty types covered by the bid.

SECTION 2. The City Council finds that the acquisition and use of the materials without competitive bidding was necessary to preserve and protect the public safety of the City's residents, such exemption being authorized by Section 252.022 of the Local Government Code.

SECTION 3. That the City Manager is authorized and directed to pay the invoice from Austin Asphalt in the amount of \$452,600.00 for the purchase of 7,300 tons of Ty D PG64-22 (No RAP/RAS) asphaltic road aggregate materials.

SECTION 4. This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

DULY PASSED by the City Council of the City of University Park, Texas, on the 16th day of September 2014.

APPROVED:

OLIN B. LANE, MAYOR

APPROVED AS TO FORM:

ATTEST:

CITY ATTORNEY
(RLD/09-03-14/67936)

CHRISTINE GREEN, CITY SECRETARY