

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, TERMINATING THE CONTRACT APPROVED BY RESOLUTION NO. 4649 ON MAY 2, 2023 WITH APPLE PAVEMENT SERVICES OF DALLAS, TEXAS, AND AUTHORIZING THE CITY MANAGER TO PROVIDE THE SEVEN (7) DAY WRITTEN NOTICE PER SECTIONS 15.02.A.1 AND 15.02.B OF THE CONTRACT DOCUMENTS.

WHEREAS, the City Council of the City of Keller, Texas has deemed it necessary and in the best interest of the citizens of the City of Keller to terminate the contract with Apple Pavement Services of Dallas, Texas approved by Resolution No. 4649; and

WHEREAS, that this contract is being terminated because of the contractor's persistent failure to perform the work in accordance with the contract documents; and

WHEREAS, city staff recommends terminating the contract approved by Resolution No. 4649.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS:

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, the City Council of the City of Keller, Texas hereby terminates the contract with Apple Pavement Services of Dallas, Texas approved by Resolution No. 4649 on May 2, 2023.

Section 4: THAT, this resolution shall be effective upon its adoption.

AND IT IS SO RESOLVED.

Passed by a vote of ___ to ___ on this the 5th day of September, 2023.

CITY OF KELLER, TEXAS

BY: _____
Armin R. Mizani, Mayor

Attest:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney