

RESOLUTION NO. 3964

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, REJECTING THE BID FROM NORTH TEXAS CONTRACTING FOR THE CONSTRUCTION OF THE MOUNT GILEAD ROAD SHARED USE PATH AND AUTHORIZING THE CITY MANAGER TO REBID THE PROJECT ON BEHALF OF THE CITY OF KELLER, TEXAS.

WHEREAS, it has been determined by the City Council of the City of Keller, Texas that it is in the best interest of the health, safety, and general welfare of the citizens of the City of Keller to implement a shared use path along Mount Gilead Road to meet the needs of the citizens; and

WHEREAS, in 2015 the City of Keller was selected to receive a Local Project Advanced Funding Agreement, or grant, through the Texas Department of Transportation (TxDOT) for a shared use trail; and

WHEREAS, the shared use trail will add a 3,084 linear foot, ten feet wide trail section along the north side of Mount Gilead Road from Bourland Road to Woodborough Lane; and

WHEREAS, an Request for Proposal (RFP) for Construction Services was advertised not in accordance with State Law , six (6) bids were received on September 28, 2017, and North Texas Contracting was the lowest bidder at \$549,504.00; and

WHEREAS, TxDOT, the grant awarder, rejected the bid based on the RFP not being advertised in accordance with State Law in a local print advertisement; and

WHEREAS, Fort Worth Star-Telegram, the local newspaper advertiser, failed to advertise the RFP on the dates submitted by the City.

WHEREAS, TxDOT, the grant awarder, approved the rejection and rebid of the RFP to be in

compliance with State Law on November 27, 2017.

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 contract with North Texas Contracting shall be rejected and rebid to be in compliance with State Law, and TxDOT requirements for grant funding. TxDOT funding has been awarded in the amount of \$481,058.00 with a \$178,865.00 City match from the Keller Development Corporation Trail Fund.

AND IT IS SO RESOLVED.

Passed by a vote of 6 to 0 on this the 19th day of December, 2017.

CITY OF KELLER, TEXAS

By: _____
P.H. McGrail, Mayor

ATTEST:

Kelly Ballard, City Secretary

Approved as to Form and Legality:

L. Stanton Lowry, City Attorney