

RESOLUTION NO. 2024-077



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, APPROVING A CHANGE ORDER TO THE CITY’S CONTRACT WITH KLUTZ CONSTRUCTION, LLC, FOR THE COOKS CREEK CHANNEL IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$51,793 FOR COST INCREASES ASSOCIATED WITH NECESSARY ADDITIONAL WORK AND UNFORESEEN CONDITIONS; AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch, Texas, and Klutz Construction, LLC. entered into a construction contract for the Cooks Creek Channel Improvements Project on or about October 11, 2022 (the “Contract”); and

WHEREAS, the parties desire to enter into a change order to amend the materials quantities and scope of services called for by the Contract due to increased additional work and unforeseen conditions; and

WHEREAS, upon full review and consideration of the proposed change order, the need for the allocation of additional costs, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the City Manager, or designee, should be authorized to enter into and approve the proposed Change Order on behalf of the City of Farmers Branch, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The City Manager is hereby authorized to approve and execute Change Order No. 1, a true and correct copy of which is attached hereto as Exhibit “A,” to the Construction Contract by and between the City of Farmers Branch and Klutz Construction, LLC, for the Cooks Creek Channel Improvements Project in an amount not to exceed \$51,793 due to cost increases, and is further authorized to accept and approve such additional change orders and contract amendments as the City Manager deems reasonable, necessary, in the public interest, in compliance with applicable law and City policy, and, in the case of an increase in contract price, subject to the availability of funds.

SECTION 2. This Resolution shall become effective immediately from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 21st DAY OF MAY 2024.

ATTEST:

Stacy Henderson, City Secretary

APPROVED:

Terry Lynne, Mayor

APPROVED AS TO FORM:

David M. Berman, City Attorney
(db:5.3.24)

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Exhibit "A"

(copy of Change Order)