

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ACCEPTING COMPETITIVE PROPOSALS AND AWARDING A PUBLIC WORKS CONTRACT FOR THE EXCAVATION AND CONSTRUCTION OF LANDFILL CELLS 3B, C, AND D AT THE CITY OF DENTON LANDFILL; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (RFP 6395 C-AWARDED TO HAMMETT EXCAVATION, INC., IN THE NOT-TO-EXCEED AMOUNT OF \$3,476,092.84.)

WHEREAS, the City has solicited, received, and tabulated competitive proposals for the construction of public works or improvements in accordance with the procedures of State law and City ordinances; and

WHEREAS, the City Manager or a designated employee has received, and recommended that the herein described proposal is the highest scored proposal for the construction of the public works or improvements described in the Request for Proposal (RFP) document and plans and specifications therein; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The following competitive proposal for the construction of public works or improvements, as described in the "Request for Proposals" or plans and specifications on file in the Office of the City's Purchasing Agent filed according to the RFP number assigned hereto, are hereby accepted and approved:

| <u>RFP<br/>NUMBER</u> | <u>CONTRACTOR</u>        | <u>AMOUNT</u>                   |
|-----------------------|--------------------------|---------------------------------|
| 6395 C                | Hammett Excavation, Inc. | \$3,476,092.84 (the "Proposal") |

SECTION 2. The acceptance and approval of the above competitive proposals shall not constitute a contract between the City, and the person submitting the proposal for construction of such public works, or improvements herein accepted and approved, until such person shall comply with all requirements specified in the Notice to Proposers including the timely execution of a written contract, and furnishing of performance, and payment bonds, and insurance certificate after notification of the award.

SECTION 3. The City Manager is hereby authorized to execute all necessary written contracts for the performance of the construction of the public works, or improvements in accordance with the proposals accepted and approved herein, provided that such contracts are made in accordance with the Notice to Proposers and Request for Proposals, and documents relating thereto specifying the terms, conditions, plans and specifications, standards, quantities and specified sums contained therein.

SECTION 4. The City Council of the City of Denton, Texas hereby expressly delegates the authority to take any actions that may be required or permitted to be performed by the City of Denton under RFP 6395 C to the City Manager of the City of Denton, Texas, or his designee.

SECTION 5. Upon acceptance and approval of the above competitive proposals, and the execution of contracts for the public works and improvements as authorized herein, the City Council hereby authorizes the expenditure of funds in the manner, and in the amount as specified in such approved proposals and authorized contracts executed pursuant thereto.

SECTION 6. This ordinance shall become effective immediately upon its passage and approval.

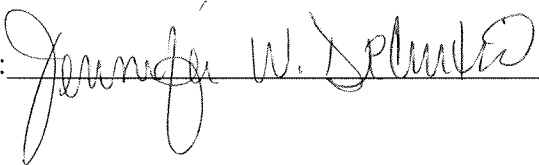
PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
CHRIS WATTS, MAYOR

ATTEST:  
JENNIFER WALTERS, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
AARON LEAL, INTERIM CITY ATTORNEY

BY:  \_\_\_\_\_