

**AN ORDINANCE ACCEPTING THE BID AND AWARDING THE FY 2014 STREET SEALCOAT PROJECT CONTRACT TO D & A TECHNOLOGY & DEVELOPMENT, LLC, AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACT, WITH AN OPTION FOR AN ADDITIONAL YEAR, AND CHANGE ORDERS UP TO 25 PERCENT OF THE BID AMOUNT.**

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**Whereas** on September 17, 2013 the City Council of the City of Leon Valley adopted the 2013-2014 fiscal year budget: and

**Whereas** the street sealcoat project and funding was approved by the City Council during the budget process: and

**Whereas** the Leon Valley City Council hereby finds and determines that annual street sealcoating and maintenance is in the best interest of its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:**

**SECTION I**

That the City Council of the City of Leon Valley hereby accepts the bid and awards the contract for the 2014 TRMSS Project to D & A Technology & Development, LLC, and authorizes the City Manager to sign the contract, with an option for an additional year, for the FY 2014 Street Seal Coat project, and change orders up to 25 percent of the bid amount.

**SECTION II  
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION III  
REPEALER CLAUSE**

Any provisions of any prior ordinance of the City which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION IV  
EFFECTIVE DATE**

This Ordinance shall become effective and shall be in full force and effect on and after its passage and publication as required by state law.

**SECTION V  
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 18<sup>th</sup> day of August, 2014.

**APPROVED**

*Chris Riley*

**CHRIS RILEY  
MAYOR**

Attest:

*Saundra Passailaigue*

**SAUNDRA PASSAILAIGUE, TRMC  
City Secretary**

Approved as to Form:

*Charles E. Zech*  
**CHARLES E. ZECH  
City Attorney**

