

RESOLUTION NO. 2023-01-____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER BETWEEN H-E-B, LP, EMJ CONSTRUCTION, LLC IN ITS CAPACITY AS MANAGING AGENT FOR H-E-B, LP AND MCMAHON CONTRACTING, LP PURSUANT TO THE FIRST AMENDED AND RESTATED CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT, DATED EFFECTIVE SEPTEMBER 15, 2022 FOR THE COMBINED ELDORADO PARKWAY PROJECT, FOR AN INCREASE, INCLUSIVE OF ANY ADDITIONAL CHANGE ORDERS, NOT TO EXCEED \$750,000.

WHEREAS, the City Council of the City of McKinney, Texas, recognizes the need to approve change orders associated with the Combined Eldorado Parkway Project (CIP Project ST1838); and

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

Section 1. The City Manager is hereby authorized to execute a change order between H-E-B, LP, EMJ Construction, LLC in its capacity as managing agent for H-E-B, LP and McMahon Contracting, LP pursuant to the First Amended and Restated Chapter 380 Economic Development Agreement dated effective September 15, 2022 for the construction of Combined Eldorado Parkway Project (CIP Project ST1838) for an increase, inclusive of any additional change orders, not to exceed \$750,000.

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 17th DAY OF JANUARY 2023.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

ATTEST:

EMPRESS DRANE
City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney