

**RESOLUTION NO. 2011-05-\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH POGUE CONSTRUCTION OF MCKINNEY, TEXAS FOR A GUARANTEED MAXIMUM PRICE (GMP) FOR CONSTRUCTION MANAGEMENT SERVICES ASSOCIATED WITH THE TENNIS COMPLEX AT GABE NESBITT COMMUNITY PARK**

**WHEREAS**, the City Council of the City of McKinney, Texas, has determined the need for construction management services associated with a Tennis Complex at Gabe Nesbitt Community Park; and

**WHEREAS**, the City Council previously approved a contract with Pogue Construction for the pre-construction services on May 4, 2010; and

**WHEREAS**, Pogue Construction, Inc., the Construction Manager at Risk, has received and evaluated the bids and has submitted a GMP of \$3,205,224 for the construction of this project.

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

Section 1. The City Council hereby authorizes the City Manager to accept the GMP in the amount of \$3,205,224 and execute necessary change orders with Pogue Construction for the construction of the Tennis Complex and related improvements, for a total contract amount not to exceed \$3,235,224.

Section 2. The Guaranteed Maximum Price shall be increased to an amount that includes such change orders as they are executed by the City Manager.

Section 3. 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 17<sup>th</sup> DAY OF MAY, 2011.**

CITY OF MCKINNEY, TEXAS

---

BRIAN LOUGHMILLER  
Mayor

ATTEST:

---

SANDY HART, TRMC, MMC  
City Secretary  
BLANCA I. GARCIA  
Assistant City Secretary

APPROVED AS TO FORM:

---

MARK S. HOUSER

City Attorney