

STATE OF TEXAS

COUNTY OF TRAVIS

EMERGENCY PURCHASE AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared Greg Meszaros, who being by me first duly sworn, upon oath deposed and stated:

"My name is Greg Meszaros. I am over eighteen (18) years of age. I am the Director for the Austin Water Utility of the City of Austin, Texas. I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit.

THE SOUTH AUSTIN REGIONAL WASTEWATER TREATMENT PLANT IS RATED AT 75 MGD BUT CURRENTLY CAN ONLY TREAT 50 MGD DUE TO MECHANICAL FAILURES IMPACTING PROCESSES. THE DAILY AVERAGE FLOW IS 42.5 MGD LEAVING LITTLE ROOM FOR FURTHER FAILURE OR FLOW FROM A RAIN EVENT. FAILURE TO TREAT FLOW TO THE PLANT WILL RESULT IN PERMIT FAILURES AND COULD RESULT IN PARTIALLY TREATED SEWAGE OR RAW SEWAGE ENTERING THE RIVER. THIS POSES A POTENTIAL THREAT TO THE ENVIRONMENT AND TO HUMAN HEALTH AND SAFETY. AS SUCH, THE REPLACEMENT OF THE TRAIN A CLARIFIER DRIVE, INSTALLATION OF NEW AIR PIPING TO THE TRAIN B INFLUENT AND RAS CHANNEL AND REPLACEMENT OF THE LIFT STATION 2 PUMP 2 MOTOR OPERATED VALVE AND ACTUATOR ARE CONSIDERED CRITICAL TO PROTECT THE PUBLIC HEALTH AND THE ENVIRONMENT.

"The situation described above is a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality. I am familiar with state and local laws relating to competition and bidding requirements and realize that willful violations of these laws can subject me to criminal sanctions. I understand further that the Charter of the City of Austin does not exempt emergency purchases from the requirement for competition. However, I believe that the time required to allow competition would place the municipality's residents or property in further danger and that my fiduciary responsibilities to the City of Austin requires that this action be taken immediately."

"Further Affiant sayeth not."

Affiant:

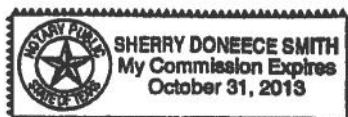
Name: Greg Meszaros, Director, Austin Water Utility

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BEFORE ME, the undersigned notary public, personally appeared Greg Meszaros (the "claimant") known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that Claimant executed the same for the purpose and consideration therein expressed, in the capacity therein stated, and that each and every statement therein is within the Claimant's knowledge and is true and correct.

Given under my hand and seal of office on the 17th day of January, 2013.



Sherry Doneece Smith
NOTARY PUBLIC, STATE OF TEXAS

Sherry Doneece Smith
Printed Name of Notary

My Commission Expires: October 31, 2013