

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the City of Austin seeks to construct the new Greater Austin Area Telecommunications Network (GAATN) Agency Network Operations Control Center (Project); and

**WHEREAS**, the Project will support public safety, police and emergency response functions for multiple agencies including the City in the event of disruption of the primary GAATN control center; and

**WHEREAS**, a delay in construction of the Project would present a risk to public health and safety; and

**WHEREAS**, pursuant to Section 252.022(a)(2), a procurement necessary to preserve or protect health and safety of a municipality's residents is exempt from Chapter 252 of the Texas Local Government Code (Purchasing and Contracting Authority of Municipalities); and

**WHEREAS**, an exemption from Chapter 252 of the Texas Local Government Code has been authorized and compliance with all procurement procedures is not required as the procurement of the construction of the Project is necessary to preserve and protect public health and safety; and

**WHEREAS**, expenditures for the Project will exceed \$61,000; and

**WHEREAS**, Subchapter D of Chapter 2269, Government Code, (Competitive Sealed Proposal Method), describes the competitive sealed proposal method authorized by that subchapter as a procurement method by which a governmental entity requests proposals, ranks the offerors, negotiates as prescribed, and then contracts with a general contractor for the construction, rehabilitation, alteration, or repair of a facility; and

**WHEREAS**, Section 2269.056(a) of the Government Code provides that the governing body of a governmental entity that considers a construction contract using a method authorized by Chapter 2269 other than competitive bidding must, before advertising, determine which method provides the best value for the governmental entity; and

**WHEREAS**, in relation to the Project specifics and requirements, staff has considered the methods described in Chapter 2269; and

**WHEREAS**, with respect to the Project and the expenditures necessary to complete it, staff recommends use of the competitive sealed proposal method for procurement authorized by Subchapter D, Chapter 2269, Government Code (Competitive Sealed Proposal Method) as the project delivery method that provides the best value for the City;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council finds that with respect to expenditures necessary for the construction of the new Greater Austin Area Telecommunications Network Agency Network Operations Control Center, the competitive sealed proposal method described by Subchapter D of Chapter 2269 of the Texas Government Code (Competitive Sealed Proposal) provides the best value for the City.

**ADOPTED:** \_\_\_\_\_, 2020

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk