



Recommendation for Action

File #: 20-2459, **Agenda Item #:** 19.

7/29/2020

Posting Language

Approve a resolution finding the use of the competitive sealed proposal method of contracting, as authorized by Subchapter D, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the construction of the new Greater Austin Area Telecommunications Network Agency Network Operations Control Center.

(Note: This procurement will be exempt from the City's MBE/WBE Program requirements as a public health and safety purchase.)

Lead Department

Capital Contracting Office

Managing Department

Capital Contracting Office

Fiscal Note

Due to this exemption, an informal solicitation process will be conducted, and staff will return to Council to recommend contract award to the selected contractor with the not to exceed contract amount for the resultant contract.

Purchasing Language:

This request is for Council to authorize the use of the Competitive Sealed Proposal method to be used in an informal solicitation; therefore, no formal solicitation will be issued.

For More Information:

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or AgendaOffice@austintexas.gov <<mailto:AgendaOffice@austintexas.gov>>

NOTE: Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749 or Garrett Cox, 512-974-9423.

Additional Backup Information:

State statute governs construction procurement for municipalities. The standard method of contracting used for construction services is competitive bidding where the contract is awarded to the lowest responsible bidder. Texas Government Code Chapter 2269 allows for methodologies alternate to low bidding method which may provide the best value to the municipality. These alternate methodologies include: Competitive Sealed Proposal, Construction Manager- at-Risk, Design-Build, and Job Order Contracting. Texas Local Government Code Section 252.022(d) allows the City to adopt and use an alternative method such as Competitive Sealed Proposal (CSP) under Chapter 2269 of the Texas Government Code if such a method provides a better value for the City.

It is recommended that this work be delivered under the CSP method of contracting set forth in state statutes.

CSP is the alternative delivery method most closely related to traditional competitive bidding. The principal difference is that the City makes its selection of the respondents based on evaluation criteria consisting of, but not limited to, safety record and safety practices, comparable relevant project experience, sustainability practices, local business presence, financial stability, and price. Unlike traditional competitive bidding, which focuses primarily on price and bidder responsibility, price is a strong factor in the CSP method, but it is not the only factor in the overall evaluation score. An evaluation panel will review, evaluate, and rank proposals based on stated evaluation criteria.

A contractor will be selected by an evaluation panel that will evaluate and score proposals based on an evaluation criteria to determine the highest ranked proposer. The services will be provided by a duly qualified and experienced contractor offering the “best value” to the City.

In accordance with an interlocal agreement executed October 2018 between the City of Austin and the Greater Austin Area Telecommunications Network Agency (GAATN), a new operations and control center for the GAATN is designed for an existing space at the Austin Convention Center, to provide a back-up control center.

The project scope includes remodeling existing space in the Austin Convention Center; installing IT equipment and associated mechanical, electrical and plumbing work; and installing back-up power.

The previous GAATN operations control center, located at the Austin Independent School District’s (AISD) Treaty Oak property, was decommissioned following the sale of the property by AISD. A replacement GAATN operations control center is needed to ensure continued reliable functioning of the network to provide communications for the GAATN participants. The GAATN operations control center supports multiple public agencies including public safety, police, and emergency response functions.

The GAATN Board declared the construction of the new GAATN Network Operations Control Center as an emergency situation requiring the utmost expediency. In accordance with Chapter 252 of the Texas Local Government Code, a procurement exemption has been authorized to preserve or protect the public health or safety of residents. Due to this exemption, an informal solicitation process will be conducted, and staff will return to Council to ratify the contract award with the selected contractor.

Due to the critical nature of the operations that the control center will support and due to the technical nature of the project, the CSP method is chosen to offer the best value and ensure a well-qualified contractor is selected. It is important to the GAATN members that the contractor has adequate past experience and that quality equipment is included in the contractor’s proposal price.

The estimated construction budget for this work is \$1,500,000 and it is anticipated that construction will begin November 2020.

A delay in authorization of the methodology will result in a delay in the issuance of the solicitation and will negatively impact the GAATN network providing communications for GAATN participants.

This solicitation and evaluation process timeline are approximately four months.

Strategic Outcome(s):

Health and Environment.