RESOLUTION NO.

WHEREAS, the City of Austin seeks to rehabilitate and make improvements to the Primary Treatment Complexes at the Walnut Creek Water Treatment Plant (the "Project"); and

WHEREAS, expenditures for the Project will exceed $50,000; and

WHEREAS, pursuant to Local Government Code Section 252.021(a), before entering into a contract that requires an expenditure of more than $50,000.00, the City must: (1) comply with Subchapters B and C of Chapter 252, Local Government Code (Chapter 252) related to competitive bidding and proposals; (2) use the reverse auction procedure defined by Section 2155.062(d) of the Government Code, for purchasing; or (3) comply with a method described by Chapter 2269 of the Texas Government Code (Chapter 2269); and

WHEREAS, Subchapter F of Chapter 2269, Government Code, "Construction Manager-at-Risk Method," describes the manager-at-risk method authorized by that subchapter as a project delivery method by which a governmental entity contracts with an architect or engineer for design and construction phase services and contracts separately with a construction manager-at-risk to serve as the general contractor and to provide consultation during the design and 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

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WHEREAS, in relation to the Project specifics and requirements, staff has considered the methods described in Chapter 2269 and reviewed the procedures described in Chapter 252; and

WHEREAS, with respect to the Project and the expenditures necessary to complete it, staff recommends use of the construction manager-at-risk method for buildings authorized by Subchapter F, Chapter 2269, Government Code 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 to rehabilitate and make improvements to the Primary Treatment Complexes at the Walnut Creek Water Treatment Plant; the construction manager-at-risk method described by Subchapter F of Chapter 2269 of the Texas Government Code provides the best value for the City.

ADOPTED: _____, 20___ **ATTEST:** _____

Myrna Rios
Interim City Clerk

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