

**RESOLUTION NO. 20221208-014**

**WHEREAS**, the City of Austin seeks to expand the treatment capacity of the Walnut Creek Wastewater Treatment Plant to 100 million gallons per day (the “Project”); and

**WHEREAS**, expenditures for the Project will exceed \$50,000.00; 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, related to competitive bidding 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; 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 delivery 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's specifics and requirements, staff has considered the methods described in Chapter 2269 and reviewed the procedures described in Chapter 252; and

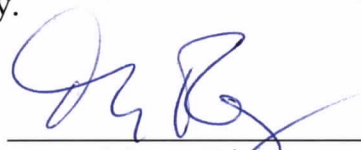
**WHEREAS**, with respect to the Project and the expenditures necessary to complete it, staff recommends use of the construction manager-at-risk method for buildings authorized by Subchapter F, Chapter 2269, Government Code as the project delivery method that provides the best value for the City; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council finds that with respect to expenditures necessary for the Walnut Creek Wastewater Treatment Plant Expansion to 100 Million Gallons Per Day project to expand the treatment capacity of the plant and implement other improvements to meet more stringent effluent quality limits, 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:** December 8, 2022

**ATTEST:**

  
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Myrna Rios  
City Clerk