

WHEREAS, the City of Austin seeks to construct new wastewater flow interceptors near Williamson Creek through the Williamson Creek Wastewater Interceptor project (the “Project”), which is complex work involving tunneling, construction of complicated cutovers to reconnect local flows, high volume bypass pumping, and construction in environmentally sensitive areas; 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, 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 D of Chapter 2269, Government Code, “Competitive Sealed Proposal Method” describes the competitive sealed proposals method authorized by that subchapter as a project delivery method by which a governmental entity requests proposals, ranks the offerors, negotiate as prescribed, and then contracts with a general contractor for the construction, rehabilitation, alteration, or repair of a facility; and

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27 **WHEREAS**, Section 2269.153(d) provides that the governing body of a
28 governmental entity may determine that assigning a weighted value to price of less
29 than 50 percent is in the public interest and may then assign a weighted value to
30 price of not less than 36.9 percent of the total weighted value of the criteria; and

31 **WHEREAS**, in relation to the Project's specifics and requirements, staff has
32 considered the methods described in Chapter 2269 and reviewed the procedures
33 described in Chapter 252; and

34 **WHEREAS**, with respect to the Project and the expenditures necessary to
35 complete it, staff recommends use of the competitive sealed proposals method
36 authorized by Subchapter D, Chapter 2269, Government Code as the project
37 delivery method that provides the best value for the City and also recommends
38 assigning a value of not less than 36.9 percent of the total weighted value of all
39 selection criteria; **NOW, THEREFORE**,

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

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42 The City Council finds that with respect to expenditures necessary for the
43 Williamson Creek Wastewater Interceptor project, the competitive sealed
44 proposals method described by Subchapter D of Chapter 2269 of the Texas
45 Government Code provides the best value for the City.
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BE IT FURTHER RESOLVED:

The City Council finds that with respect to the Williamson Creek Wastewater Interceptor project, it is in the public interest to assign to price less than 50 percent but not less than 36.9 percent of the total weighted value of all selection criteria.

ADOPTED: _____, 2023

ATTEST: _____
Myrna Rios
City Clerk