

**RESOLUTION NO. 20240321-010**

**WHEREAS**, the City seeks to complete the Ullrich WTP Inherently Safer Disinfection Conversion project (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 D of Chapter 2269, “Competitive Sealed Proposal Method,” describes the competitive sealed proposal method authorized by that subchapter as a project delivery 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**, Section 2269.153(d) provides that the governing body of a governmental entity may determine that assigning a weighted value to price of less than 50 percent is in the public interest and may then assign a weighted value to price of not less than 36.9 percent of the total weighted value of the criteria; 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

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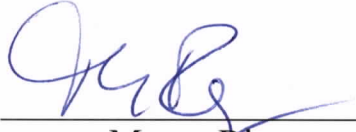
**WHEREAS**, with respect to the Project and the expenditures necessary to complete it, staff recommends use of the competitive sealed proposal method for buildings authorized by Subchapter D of Chapter 2269 as the project delivery method that provides the best value for the City; **NOW, THEREFORE,**

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

Council finds that, with respect to expenditures necessary for the Ullrich WTP Inherently Safer Disinfection Conversion project, the competitive sealed proposal method described by Subchapter D of Chapter 2269 of the Texas Government Code provides the best value for the City.

**BE IT FURTHER RESOLVED:**

The City Council finds that with respect to the Ullrich WTP Inherently Safer Disinfection Conversion 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:** March 21, 2024 **ATTEST:**   
Myrna Rios  
City Clerk