

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS ADOPTING RULES FOR THE RECEIPT OF ELECTRONIC BIDS AND PROPOSALS IN ACCORDANCE WITH SECTION 252.0415 OF THE TEXAS LOCAL GOVERNMENT CODE.

WHEREAS, under Chapter 252 of the Texas Local Government Code, the City of Pflugerville (the “City”) is subject to competitive procurement requirements for certain contracts involving the expenditure of municipal funds in excess of \$50,000.00; and

WHEREAS, the City is authorized under Section 252.0415 of the Texas Local Government Code to receive competitive bids and competitive proposals through electronic transmission if the City Council adopts rules to ensure the identification, security and confidentiality of electronic bids and proposals, and to ensure that they remain effectively unopened until the proper time; and

WHEREAS, the increased use of electronic communications by businesses and government entities necessitates the ability to accept bids or proposals through electronic transmission; and

WHEREAS, the ability to receive bids and proposals via electronic transmission will potentially lead to the submission of more bids or proposals, thereby increasing competition, potentially reducing prices, improving efficiency and lowering costs associated with the solicitation process for both vendors and the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1. In order for the City to receive bids and proposals submitted pursuant to Chapter 252 of the Texas Local Government Code through electronic transmission, the City Council hereby adopts the rules attached hereto in Exhibit “A” (the “Rules”) to ensure the identification, security, and confidentiality of such bids and proposals and to ensure that such bids and proposals remain effectively unopened until the proper time, as required by Section 252.0415 of the Texas Local Government Code.

Section 2. Electronic submissions will take effect upon approval of this resolution.

APPROVED this 25th day of May, 2021.

CITY OF PFLUGERVILLE, TEXAS

Victor Gonzalez, Mayor

ATTEST:

Karen Thompson, City Secretary

Exhibit A

RULES GOVERNING THE RECEIPT OF ELECTRONIC BIDS OR PROPOSALS

Pursuant to the Texas Local Government Code, Section 252.0415 “Procedures for Electronic Bids or Proposals”, the City of Pflugerville adopts the following rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids and proposals remain effectively unopened until the proper time.

1. All users of the selected system shall be assigned a unique user name and password.
2. Access to the system by authorized users shall be logged and tracked for audit purposes in order to record when any user has accessed the system.
3. Transmittal of data through the internet shall be encrypted using Standard Sockets Layer (SSL) technology. All sensitive data (sealed bid responses, passwords, etc.) within the system shall be encrypted at the database level.
4. All bids or proposals submitted shall be protected using a time-sensitive mechanism that allows the data to be decrypted only after the due date and time.
5. The system shall be synchronized to an atomic clock (U.S. Nuclear Time) to ensure exact recording of the due date and time, and the receipt of date and time, of each submission.
6. The contents of supplier response submissions are not available during the bidding process.
7. Only staff, with an authorized user account and password, and only on or after the established due date and time, can open the electronic bids or proposals. The system shall provide an audit trail of who unsealed the proposals and a corresponding time stamp.
8. The City of Pflugerville will determine when and what information is released to the public pursuant to Texas law.

Authorized City staff is responsible for ensuring that any system used for the electronic receipt of bids or proposals, as defined under Chapter 252 of the Texas Local Government Code or current State law, complies with the aforementioned rules and all other statutory requirements for competitive bids or proposals.