

Resolution No.

A RESOLUTION AUTHORIZING THE CONSTRUCTION MANAGER- AT-RISK (CMAR) PROJECT DELIVERY METHOD FOR THE SECONDARY COLORADO RIVER RAW WATER LINE PROJECT, PROVIDES THE BEST VALUE FOR THE CITY, AND DELEGATING AUTHORITY TO USE SAID METHOD IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE

WHEREAS, the City desires to utilize the construction manager-at-risk (CMAR) project delivery method to assist deliver and expedite the Secondary Colorado River Raw Water Line Project (Project); 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

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 (Construction Manager-at-Risk Method) as the project delivery method that provides the best value for the City; and

WHEREAS, the City Council finds and deems the Construction Manager-at-Risk Method is in the best interest of, and best value to, the City; and

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

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

SECTION 2. That the City Council hereby finds that with respect to expenditures necessary for the project of constructing the secondary Colorado River Raw Water Line Project; the construction manager-at-risk method described by Subchapter F of Chapter 2269 of the Texas Government Code (Construction Manager-at-Risk) provides the best value for the City.

SECTION 4. That this Resolution shall become effective immediately upon its approval and passage.

PASSED and approved by the City Council of the City of Pflugerville on this 8th day of March 2022.

CITY OF PFLUGERVILLE, TEXAS

By: _____
VICTOR GONZALES, Mayor

ATTEST:

Trista Evans, City Secretary

APPROVED AS TO FORM:

CHARLES E. ZECH, City Attorney
Denton, Navarro, Rocha, Bernal & Zech, P.C.