

RESOLUTION NO. R-2023-083

WHEREAS, the City of Round Rock (“City”) desires to retain construction services for the repair of an existing 24-inch wastewater main located at the southeast corner of the intersection of Greenlawn Boulevard and Gattis School Road; and

WHEREAS, said wastewater main repair is critical to the daily operations of the Brushy Creek Regional Wastewater System; and

WHEREAS, the City has an obligation to protect the health, safety, and welfare of its citizenry by procuring equipment necessary to effectively operate the Brushy Creek Regional Wastewater System; and

WHEREAS, the City is under no statutory obligation to advertise for bids for the equipment needed for critical daily operations of the Brushy Creek Regional Wastewater System, as such purchase falls under the general exemption to competitive bidding requirements cited in the Texas Local Government Code Section 252.022(a)(2) regarding procurements necessary to preserve or protect the public health or safety of the City’s residents; and

WHEREAS, in addition, the City is under no statutory obligation to advertise for bids for the purchase of equipment necessary because of unforeseen damage to public machinery, equipment, or other property, as such falls under the general exemption to competitive bidding requirements cited in the Texas Local Government Code Section 252.022(a)(3); and

WHEREAS, this procurement is made in accordance with Sections 252.022(a)(2) and (3) of the Texas Local Government as both a Public Health and Safety exemption and Unforeseen Damage to Public Machinery exemption; and

WHEREAS, Thalle Construction Company has submitted its proposal to provide necessary repairs at reasonable pricing; and

WHEREAS, the City Council wishes to enter into an agreement with Thalle Construction Company for construction services for the repair of an existing 24-inch wastewater main located at the southeast corner of the intersection of Greenlawn Boulevard and Gattis School Road, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the City Council finds that the repair of an existing 24-inch wastewater main located at the southeast corner of the intersection of Greenlawn Boulevard and Gattis School Road is necessary to preserve or protect the public health or safety of the residents of the City and is the result of unforeseen damage to public machinery, equipment, or other property, and such purchase falls under the general exemptions to competitive bidding requirements in Section 252.022(a)(2) and (3).

That the Mayor is hereby authorized and directed to execute on behalf of the City an Agreement for Brushy Creek Regional Wastewater System 24-Inch Wastewater Main Repair Project with Thalle Construction Company, a copy of same being attached hereto as Exhibit “A” and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 23rd day of March, 2023.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

MEAGAN SPINKS, City Clerk