

RESOLUTION NO. R-2024-204

WHEREAS, the City of Round Rock (“City”) desires to retain construction services for the repair of the Brushy Creek Regional Wastewater System – 84-inch Tunnel; and

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

WHEREAS, the repair needed for the 84-inch tunnel is the result of unforeseen damage to the sewer line by a utility company; and

WHEREAS, the City is under no statutory obligation to advertise for bids for the purchase of repairs 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 Section 252.022(a)(3) of the Texas Local Government as an Unforeseen Damage to Public Machinery exemption; and

WHEREAS, the City now wishes to enter into a “Standard Form of Agreement Between Owner and Contractor” with Lewis Concrete Restoration for the repair of the Brushy Creek Regional Wastewater System – 84-inch Tunnel, Now Therefore

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

That the City Council finds that the repair of the Brushy Creek Regional Wastewater System – 84-inch Tunnel 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)(3).

That the Mayor is hereby authorized and directed to execute on behalf of the City a “Standard Form of Agreement Between Owner and Contractor” with Lewis Concrete Restoration.

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 8th day of August, 2024.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

MEAGAN SPINKS, City Clerk