## RESOLUTION NO.

2	WHEREAS, a slope failure (landslide) occurred on May 4 and 5, 2018 on a
3	bluff adjacent to Shoal Creek between 24th Street and Shoal Creek Boulevard; and
4	WHEREAS, the landslide poses an ongoing threat to public safety; and
5	WHEREAS, pursuant to Section 252.022(a)(2), a procurement necessary to
6	preserve or protect public health or safety of a municipality's residents is exempt
7	from Chapter 252 of the Texas Local Government Code (Purchasing and
8	Contracting Authority of Municipalities); and
9	WHEREAS, the City of Austin seeks to procure under expedited emergency
10	procedures the complete design and construct the Shoal Creek – Emergency
11	Landslide Repair, ("Project"); and
12	WHEREAS, the expenditures for the Project will exceed \$61,000; and
13	WHEREAS, Subchapter H of Chapter 2269, Government Code, "Design-
14	Build Procedures for Certain Civil Works Projects," describes the design-build
15	method authorized by that subchapter as a project delivery method by which a
16	governmental entity contracts with a design-build firm to provide both design and
17	construction services for the construction, rehabilitation, alteration, or repair of a
18	civil works project (Design-Build for Civil Works Projects); and
19	WHEREAS, Section 2269.056(a) of the Government Code provides that the
20	governing body of a governmental entity that considers a construction contract
21	using a method authorized by Chapter 2269 other than competitive bidding must,
22	before advertising, determine which method provides the best value for the
23	governmental entity; and

24	WHEREAS, in relation to the Project specifics and requirements, staff has
25	considered the methods described in Chapter 2269; and
26	WHEREAS, with respect to the Project and the expenditures necessary to
27	complete it, staff recommends use of the design-build method for civil works
28	projects authorized by Subchapter H, Chapter 2269, Government Code (Design-
29	Build for Civil Works Projects) as the project delivery method that provides the
30	best value for the City; NOW, THEREFORE,
31	BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
32	The City Council finds that with respect to expenditures necessary for the
33	design and construction of the Shoal Creek - Emergency Landslide Repair, the
34	design-build method described by Subchapter H, Chapter 2269, Government Code
35	(Design-Build for Civil Works Projects) provides the best value for the City.
36	
<ul><li>37</li><li>38</li></ul>	ADOPTED: , 2019 ATTEST:
39	Jannette S. Goodall
40	City Clerk
<i>1</i> 1	