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**WHEREAS**, the City of Austin seeks to build a new building and related improvements to the Dougherty Arts Center Facility; and

**WHEREAS**, expenditures for the Project will exceed \$50,000; and

**WHEREAS**, pursuant to Local Government Code Section 252.021(a), entering into a contract that requires an expenditure of more than \$100,000.00, the City must: (1) comply with Subchapters B and C of Chapter 252, Local Government Code (Chapter 252) related to competitive bidding and procurement; (2) use the reverse auction procedure defined by Section 2155.062(d) of the Texas Government Code, for purchasing; or (3) comply with a method described by Section 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 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 a method authorized by Chapter 2269 other than competitive bidding must, after advertising, determine which method provides the best value for the governmental entity; and

24           **WHEREAS**, in relation to the Project specifics and requirements, staff has  
25 considered the methods described in Chapter 2269 and reviewed the procedures  
26 described in Chapter 252; and

27           **WHEREAS**, with respect to the Project and the expenditures necessary to  
28 complete it, staff recommends use of the construction manager-at-risk method for  
29 buildings authorized by Subchapter F, Chapter 2269, Government Code as the  
30 project delivery method that provides the best value for the City; **NOW**,

31 **THEREFORE**,

32 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

33           The City Council finds that with respect to expenditures necessary for the  
34 project of building of a new building and related structures for the Dougherty Arts  
35 Center Facility; the construction manager-at-risk method described by Subchapter  
36 F of Chapter 2269 of the Texas Government Code provides the best value for the  
37 City.

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40 **ADOPTED:** \_\_\_\_\_, 2019

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk