



## Recommendation for Action

**File #:** 20-1383, **Agenda Item #:** 5.

3/12/2020

### **Posting Language**

Approve a resolution finding the use of the Competitive Sealed Proposal method of contracting, as authorized by Subchapter D, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the Austin Convention Center North and South Side Event Space Lighting project to upgrade or replace the event space lighting automation system.

(Note: MBE/WBE goals will be established prior to issuance of this solicitation.).

### **Lead Department**

Capital Contracting Office

### **Managing Department**

Capital Contracting Office

### **Fiscal Note**

A Recommendation for Council Action with the not to exceed contract amount for the resultant contract will be presented to Council once the Competitive Sealed Proposal selection has been completed.

### **Purchasing Language:**

This request is for Council to authorize the use of the Competitive Sealed Proposal; therefore, no solicitation has yet been initiated.

### **Prior Council Action:**

N/A

### **For More Information:**

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or [AgendaOffice@austintexas.gov](mailto:AgendaOffice@austintexas.gov) <<mailto:AgendaOffice@austintexas.gov>>.

NOTE: Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749 or Garrett Cox, 512-974-9423.

### **Council Committee, Boards and Commission Action:**

N/A

### **Additional Backup Information:**

State Statute governs construction procurement for municipalities. The standard method of contracting used for construction services is competitive bidding where the contract is awarded to the lowest responsible bidder. Texas Government Code Chapter 2269 allows for methodologies alternate to low bidding method which may provide the best value to the municipality. These alternate methodologies include: Competitive Sealed proposals, Construction Manager- at-Risk, Design-Build, and Job Order Contracting. Texas Local Government Code Section 252.022(d) allows the City to adopt and use an alternative method such as Competitive Sealed Proposal (CSP) under Chapter 2269 of the Texas Government Code if such a method provides a better value for the City.

CSP is the alternative delivery method most closely related to traditional competitive bidding. The principal difference is that the City makes its selection of the contractor based on evaluation criteria consisting of, but not limited to, safety record and practices, comparable relevant project experience, sustainability practices, local business presence, financial stability, and price. Unlike traditional competitive bidding, which focuses primarily on price and bidder responsibility, price is a strong factor in the CSP method, but is not the only factor in the overall evaluation score.

It is recommended that this work be delivered under the CSP method of contracting set forth in state statutes. The selected contractor will need to have experience working with unexpected shifts in scheduling work due to public events at the Austin Convention Center (ACCD). In addition, the experience of the contractor providing the proprietary lighting needs to be evaluated. Once the top ranked contractor is selected, there will be additional value gained by getting input from the contractor during the negotiation phase regarding the proprietary lighting system.

A contractor will be selected by a City-staffed evaluation panel that will evaluate and score proposals based on published evaluation criteria to determine the highest ranked proposer. The services will be provided by a duly qualified and experienced contractor offering the “best value” to the City.

ACCD is located at 500 East Cesar Chavez and is 881,400 gross square feet and covers six city blocks. This project will upgrade or replace the event space lighting automation system in all the event spaces, address obsolete or hard to find parts, and consolidate multiple systems into one. The estimated construction budget for this work is \$2,000,000 and it is anticipated that construction will begin October 2020.

A delay in authorization of the methodology will result in a delay in the issuance of the solicitation and will affect the replacing of obsolete event space lighting automation for all event spaces.

This solicitation and evaluation process is approximately five months.

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