

RESOLUTION NO. 20220728-069

WHEREAS, the City of Austin seeks to enter into a Parkland Improvement and Maintenance Agreement (the “Agreement”) with the Trail Foundation, a Texas nonprofit corporation, for park improvements located along Waller Beach at Town Lake Metro Park (the “Project”); and,

WHEREAS, the Project will include a trail head, seating, nature play, green infrastructure, and lighting; and,

WHEREAS, the Agreement will set forth rights and obligations of the City and the Trail Foundation related to the funding, development, operations, and maintenance of the park improvements; and,

WHEREAS, The City will contribute an amount not to exceed \$778,865.00 to the Project; and,

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

WHEREAS, pursuant to Local Government Code Section 252.021(a), before entering into a contract that requires an expenditure of more than \$50,000.00, the City must: (1) comply with Subchapters B and C of Chapter 252, Local Government Code (Chapter 252) related to competitive bidding and proposals; (2) use the reverse auction procedure defined by Section 2155.062(d) of the Government Code, for purchasing; or (3) comply with a method described by Chapter 2269 of the Texas Government Code (Chapter 2269); and,

WHEREAS, Subchapter D of Chapter 2269, “Competitive Sealed Proposal Method,” describes the competitive sealed proposal method authorized by that subchapter as a project delivery method by which a governmental entity requests proposals, ranks the offerors, negotiates as prescribed, and then contracts with a

general contractor for the 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 using a method authorized by Chapter 2269 other than competitive bidding must, before advertising, determine which method provides the best value for the governmental entity; and,

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

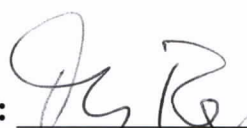
WHEREAS, with respect to the Project and the expenditures necessary to complete it, staff recommends use of the competitive sealed proposal method for buildings authorized by Subchapter D of Chapter 2269 as the project delivery method that provides the best value for the City; **NOW, THEREFORE**,

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

The City Manager, or designee, is authorized to negotiate and execute a Parkland Improvement and Maintenance Agreement with the Trail Foundation related to the Project for a total contract amount not to exceed \$778,865.00.

BE IT FURTHER RESOLVED:

The City Council finds that with respect to expenditures necessary for the Project; the competitive sealed proposal method described by Subchapter D of Chapter 2269 of the Texas Government Code provides the best value for the City.

ADOPTED: July 28, 2022 **ATTEST:** 
Myrna Rios
City Clerk