

RESOLUTION NO. 2026-01-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, AUTHORIZING AND RATIFYING THE CITY MANAGER'S PURCHASE OF A REPLACEMENT GROUND STORAGE WATER TANK AT THE HIGH SCHOOL WELL SIT, INCLUDING INSTALLATION THEREOF, FOR A PRICE NOT TO EXCEED \$296,300 PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 252.022(A)(2) AND (3) WITHOUT THE NECESSITY OF COMPETITIVE BIDDING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Everman owns and operates the municipal water system, including the High School Well Site ground storage water tank; and

WHEREAS, the ground storage water tank at the High School Well Site has recently sustained damage and is currently unusable, rendering the facility non-operational; and

WHEREAS, this well site is a critical component of the City's water distribution system and must be operational in order to meet daily water system demands, system pressure requirements, and overall service reliability; and

WHEREAS, continued operation without this storage capacity poses a risk to the City's ability to adequately serve residents, businesses, and public facilities; and

WHEREAS, the City's consulting engineers have prepared an Opinion of Probable Construction Cost for the emergency replacement of the High School ground storage tank in an amount not to exceed \$296,300, inclusive of contingencies and associated costs; and

WHEREAS, the immediate procurement of goods and services for the replacement of the damaged ground storage water tank is necessary for (i) the preservation of the public health and safety of the City's residents and (ii) the repair of unforeseen damage to public machinery, equipment, or other property, and, pursuant to Texas Local Government Code §§252.022(a)(2) and (3), such procurement shall be exempt from the bidding requirements set forth in Chapter 252 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Everman finds it to be in the public interest to ratify and approve the City Manager's purchase of a replacement ground water storage tank at the High School site, including installation thereof, for a price not to exceed \$296,300.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, THAT:

1. Emergency Declaration

The City Council hereby finds and declares that an emergency exists under Texas Local Government Code sections 252.022(a)(2) and (3) with regard to the urgent need for immediate replacement of the High School Well Site ground storage water tank that has recently been rendered unusable and non-operational.

2. Ratification and Authorization of Expenditure

The City Manager's expenditure of an amount not to exceed \$296,300 for the emergency replacement of the ground storage water tank at the High School Well Site, including installation thereof, is hereby ratified and approved.

3. Waiver of Competitive Bidding

In accordance with Sections 252.022(a)(2) and (3) of the Texas Local Government Code, this purchase is exempted from the bidding requirements otherwise required by Chapter 252.

4. Implementation Authority

The City Manager is authorized to take all necessary actions to implement this Resolution, including the negotiation and execution of contracts, purchase orders, and related documents required to complete the emergency replacement and all such actions by the City Manager are hereby ratified and approved.

5. Effective Date

This Resolution shall take effect immediately upon adoption.

PASSED AND APPROVED by the City Council of the City of Everman, Texas, on this ___ day of _____, 2026.

CITY OF EVERMAN, TEXAS

Ray Richardson, Mayor

ATTEST:

Mindi Parks, City Secretary

APPROVED AS TO FORM:

Victoria Thomas, City Attorney

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