

**CITY OF SANGER, TEXAS**

**RESOLUTION NO. 2023-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS, TO RATIFY APPROVAL OF A CONTRACT FOR THE EMERGENCY REPAIR OF WATER WELL NO. 7; MAKING FINDINGS OF AN EMERGENCY EXEMPTING THE CONTRACT FROM THE REQUIREMENTS OF COMPETITIVE BIDDING UNDER CHAPTER 252 OF THE TEXAS LOCAL GOVERNMENT CODE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Sanger experienced a well failure on Water Well No. 7 located at 917 Utility Road on October 30, 2023; and

**WHEREAS**, it is necessary for the City to preserve the public health, safety and welfare, to provide its residents and businesses with potable water service; and

**WHEREAS**, due to the unforeseen damage to the City's water well, it is necessary for the City to enter in to an emergency repair contract without the time delay of competitive bidding to preserve and protect the public health and safety; and

**WHEREAS**, THI Water Well, LLC. has presented a proposal for the repair of the water well; and

**WHEREAS**, the City Council finds that the passage of this Resolution is in the best interest of the citizens of Sanger.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:**

**SECTION 1.** The facts and recitals set forth in the preamble of this resolution are hereby found to be true and correct.

**SECTION 2.** That the City Council finds and determines that the above conditions exist and that it necessary for City staff to procure by contract for the emergency repair of Water Well No. 7 located at 917 Utility Road and that said repairs are necessary to preserve and protect the public health and safety of the citizens of the City by provision of a public water system.

**SECTION 3.** That the City Council finds that the services to be performed by THI Water Well, LLC, to repair Water Well No.7 are not subject to the competitive bidding requirements of Chapter 252 of the Texas Local Government Code as it is necessary to preserve and protect the public health and safety of the City's residents.

**SECTION 4.** That the City Manager and other responsible City staff are authorized and directed to execute a letter contract attached as "Exhibit A" and any subsequent amendments or

change orders with THI Water Well, LLC to repair the water well for the amount of \$102,922.31 and said expenditure is hereby approved. THI Water Well, LLC, shall provide as part of the letter contract a Certificate of Insurance showing Commercial General Liability and Commercial Vehicle Insurance and other coverages required by the City.

**SECTION 5.** This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

**SECTION 6.** That this resolution shall become effective from and after its date of passage.

**PASSED AND APPROVED THIS THE 4TH DAY OF DECEMBER 2023.**

APPROVED:

ATTEST:

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Thomas E. Muir, Mayor

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Kelly Edwards, City Secretary

ATTEST:

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Hugh Coleman, City Attorney