

**RESOLUTION NO. 2023-27**

**A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, STATING THAT THE CITY COUNCIL HAS DETERMINED THE CONSTRUCTION MANAGER AT RISK DELIVERY METHOD PROVIDES THE BEST VALUE TO THE CITY AND THAT THE AWARD OF THE CONSTRUCTION MANAGER AT RISK CONTRACT WILL BE AWARDED BASED ON BEST VALUE TO THE CITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, The Texas Government Code requires a governmental entity when using a method other than competitive bidding for construction services to determine prior to advertising and issuing the Request For Proposal that the alternate method provides the best value to the City (TX Gov't Code § 2269.056); and

**WHEREAS**, The City of Tomball, Texas, City Council understands the Construction Manager at Risk (CMAR) method of delivery generally brings overall value to delivery of complex construction projects; and

**WHEREAS**, The CMAR is an Owner advocate and manages the project with the Owner's best interest in mind at all times; and

**WHEREAS**, Constructability and value to the Owner are improved by the construction expertise brought to the project delivery process by the CMAR; and

**WHEREAS**, CMAR services are professional services like architectural, engineering, surveying etc. and the CMAR's purpose is not only to construct the project, but to manage the coordination and construction of the project in a manner that adds value to the project; and

**WHEREAS**, The South Wastewater Treatment Plant expansion is a complex project with significant schedule, budget, and operational coordination constraints that will benefit from these management services.

**NOW, THEREFORE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:**

**Section 1.** The City of Tomball City Council has determined the Construction Manager at Risk delivery method to provide the best value to the City of Tomball for the South Wastewater Treatment Plant Expansion Project and will award the Construction Manager at Risk contract based on best value provided to the City after review of proposals from prospective firms.

**Section 2.** The City of Tomball City Council hereby delegates authority to the City Manager for the purposes of solicitation and selection of a firm or team to provide Construction Manager at Risk Services.

**Section 3.** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

**PASSED, APPROVED, AND RESOLVED** this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Lori Klein Quinn, Mayor

ATTEST:

\_\_\_\_\_  
Tracylynn Garcia, City Secretary

