

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION DETERMINING THE COMPETITIVE SEALED PROPOSAL METHOD AS PROVIDING THE BEST VALUE FOR CONSTRUCTION OF THE HAWAIIAN FALLS 2019/2020 CAPITAL IMPROVEMENTS EXPANSION PROJECT; DELEGATING AUTHORITY TO THE CITY MANAGER OR HIS DESIGNEE TO PREPARE A REQUEST FOR COMPETITIVE SEALED PROPOSALS, TO RECEIVE AND PUBLICLY OPEN THE PROPOSALS, AND TO RANK AND EVALUATE EACH PROPOSAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council approved a Water Park Ground Lease and Operating Agreement between the City of Mansfield and Mansfield Family Entertainment, LLC for operating Hawaiian Falls Water Park on April 24, 2007; and

**WHEREAS**, the City desires to add two additional attractions to the park; and

**WHEREAS**, Texas Government Code section 2269.056(a) requires that, in order to select a construction delivery method other than competitive bidding, before advertising, the governing body of a city is required to determine which delivery method under Chapter 2269 of the Texas Government Code provides the best value to the City; and

**WHEREAS**, the City Council believes that the competitive sealed proposal delivery method provides the greatest opportunity for selecting a contractor and provides an appropriate avenue in saving time and money; and

**WHEREAS**, the City Council has deliberated on the construction delivery options available for the Hawaiian Falls expansion project and has determined that the competitive sealed proposal method provides the best value to the City; and

**WHEREAS**, in order to receive and evaluate the proposals in a timely fashion, the City Council delegates its authority to the City Manager or his designee to prepare a request for competitive sealed proposals, to receive and publicly open the proposals, and to rank and evaluate each proposal.

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

### **Section 1.**

That the City Council of the City of Mansfield, Texas does hereby find that the competitive sealed proposal method provides the best value for the City in the construction of the Hawaiian Falls 2019/2020 Capital Improvements expansion project and does hereby designate the competitive sealed proposal method for the construction of that project.

### **Section 2.**

That the City Council of the City of Mansfield, Texas hereby delegates its authority to the City Manager or his designee to (1) prepare a request for competitive sealed proposals pursuant to Section 2269.153 of the Texas Government Code; (2) receive, publicly open, and read aloud the names of the offerors and any monetary proposals made by offerors pursuant to Section 2269.154(a) of the Texas Government Code; and (3) to evaluate and rank each proposal pursuant to Section 2269.154(b) of the Texas Government Code.

### **Section 3.**

That no delegation of authority under Section 2 of this resolution shall limit the City Council's ultimate authority to select an offeror pursuant to Section 2269.155 of the Texas Government Code.

### **Section 4.**

That this resolution shall be effective immediately upon its adoption by the City Council.

**RESOLVED AND PASSED** this 9<sup>th</sup> day of December, 2019.

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**David L. Cook**, Mayor

ATTEST:

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**Susana Marin**, City Secretary