

County of Nueces



ROBERT HERNANDEZ
Commissioner
Precinct 1

JOE A. GONZALEZ
Commissioner
Precinct 2

BARBARA CANALES
County Judge
Nueces County Courthouse, Room 303
901 Leopard Street
Corpus Christi, Texas 78401-3697

JOHN MAREZ
Commissioner
Precinct 3

BRENT CHESNEY
Commissioner
Precinct 4

ORDER OF COMMISSIONERS COURT

WHEREAS, Nueces County (“Owner”) has undertaken a project to acquire and install emergency electrical generators at the Nueces County Courthouse, Main Jail, and McKenzie Jail Annex facilities;

WHEREAS, the Nueces County Commissioners Court (“Court”) is responsible for procuring, selecting, and awarding a contract for the infrastructure construction necessary to allow operation of generators separately purchased by Owner as part of this project;

WHEREAS, Commissioners Court also seeks Maintenance and Operation (M&O) services to provide reliable operations for the completed project, and to generate Energy Cost Savings that will be shared between the Owner and the awarded proposer for emergency generators at the Courthouse, Main Jail and McKenzie Jail Annex facilities.

WHEREAS, the Court will select and award such contract and engage such services based on demonstrated qualifications and proposed fee for the type of services to be performed pursuant to Chapter 2269 of the Texas Government Code;

WHEREAS, the Nueces County Purchasing Agent recommends that the Court procure these services through a Request for Competitive Sealed Proposals as authorized under Section 2269.151, *et seq.*, of the Texas Government Code;

WHEREAS, the Purchasing Agent is requesting that the Court delegate the authority to evaluate all proposals in accordance to the criteria in the advertisement and to appoint several members to the evaluation committee, who will meet to evaluate all the proposals and make a recommended selection(s) to the Court; and

WHEREAS, the Court has considered: 1) the procurement method for the general contractor infrastructure construction services and M&O services; 2) the designation of an evaluation committee; and 3) the authorization for the Purchasing Agent to publish a notice.

NOW, THEREFORE, THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS;

The Court finds and **ORDERS** that the method of procurement for general contractor infrastructure construction services and M&O services shall be through a Request for Competitive Sealed Proposals as authorized by Section 2269.151 *et seq.* of the Texas Government Code.

The Court finds and **ORDERS** that the Nueces County Purchasing Agent is hereby authorized to publish notice consistent with the findings and orders herein.

The Court finds and **ORDERS** that the designated representative (“Designated Representative”) for assistance in the selection of companies to provide general contractor infrastructure construction services and M&O services shall be a committee comprised of those who occupy the following positions:

- 1) Purchasing Agent
- 2) County Engineer
- 3) Commissioners Court Administration Manager
- 4) Grants Administrator and
- 5) The County Judge, or her designee.

The Court finds and **ORDERS** that, in the event that any of the persons designated above are unable to serve for any reason, the persons serving on the committee (i.e. Designated Representative) may continue to serve as the Designated Representative without the participation by such a person without diminishing the committee’s authority as provided.

The Court finds and **ORDERS** that the Designated Representative shall evaluate the proposals of the proposers for demonstrated qualifications, enter into negotiations with the recommended proposer and, after negotiations, shall make its recommendation to the Court, and thereafter, the Court shall select the responsible proposer(s) whose proposal is determined to demonstrate best value to the county and award contract to perform the service for a fair and reasonable price resulting from negotiations in accordance to Section 2269.151 *et seq* of the Government Code.

DULY ADOPTED BY VOTE OF THE COMMISSIONERS COURT OF NUECES COUNTY, TEXAS ON THIS 2ND DAY OF FEBRUARY 2022.

BARBARA CANALES
NUECES COUNTY JUDGE

ROBERT HERNANDEZ
Commissioner, Precinct 1

JOE A. GONZALEZ
Commissioner, Precinct 2

JOHN MAREZ
Commissioner, Precinct 3

BRENT CHESNEY
Commissioner, Precinct 4

ATTEST:

KARA SANDS
Nueces County Clerk