

**Ordinance rejecting the apparent low bid of WLE, LLC. of Austin, Texas due to refusal to perform on a previous mowing contract providing similar services and authorizing a three-year service agreement for mowing and grounds maintenance of Storm Water on Rodd Field from Saratoga to Ayers Street for an estimated amount of \$204,540.00 with Dorame General Repair & Lawn LLC. of Corpus Christi, Texas for the Public Works Department, with FY 2021 funding in an amount not to exceed \$11,363.33 available through the Storm Water Fund.**

**WHEREAS**, the services to be provided by the selected contractors have been competitively bid based upon and in accordance with a procurement method authorized by State law and the Charter of the City of Corpus Christi (“City”);

**WHEREAS**, the City received bids for mowing services for the Public Works Department, in response to Request for Bid (“RFB”) No.3594 of which only the lowest responsive, responsible bidder may be awarded the agreement;

**WHEREAS**, state law provides that, if the competitive sealed bidding requirement applies to a contract for goods or services, the contract must be awarded to the lowest responsive, responsible bidder or to the bidder that provides the best value, pursuant to Texas Local Government Code §252.043(a);

**WHEREAS**, the City notified all bidders in its bid documents for RFB No.3463 that contracts would be awarded to the lowest responsive, responsible bidders;

**WHEREAS**, the apparent low bidder, WLE, LLC, was awarded a prior mowing agreement in August of 2020 for mowing of City property on North Beach and failed to perform;

**WHEREAS**, based on its failure to perform under a previous agreement, the apparent low bidder, WLE, LLC, is deemed non-responsive;

**WHEREAS**, the City Council finds that the next lowest responsive, responsible bidder awarded a contract for mowing services for Public Works to Dorame General Repair & Lawn LLC of Corpus Christi, Texas, for an amount not to exceed \$204,540.00; and

**WHEREAS**, in the event the lowest responsive, responsible bidder fails to execute the contract for the awarded item or fails to perform under a contract for any awarded items, the City Manager, or designee, is authorized to execute a contract for the remainder of the contract term with the next lowest bidder, in succession, in order to secure replacement mowing services.

**Now, therefore, be it ordained by the City Council of the City of Corpus Christi, Texas:**

**Section 1.** The City Council finds that the foregoing preamble language stated in this resolution to be true and correct and adopts such findings for all intents and purposes related to the authorizations of each of the procurements that are the subject of this resolution.

**Section 2.** The City Council finds that Dorame General Repair & Lawn LLC, is the lowest responsive, responsible bidder for mowing services Group 5A1 and is awarded a contract for an amount not to exceed \$204,540.00.

**Section 3.** The City Manager, or designee, is authorized to execute a three-year service agreement with two additional one-year options with Dorame General Repair & Lawn LLC of Corpus Christi, Texas, for an amount not to exceed \$204,540.00 for mowing services Group 5A1.

**Section 4.** In the event that the bidder fails to execute the contract for the awarded item or fails to perform under a contract for any awarded items, the City Manager, or designee, is authorized to execute a contract for the remainder of the contract term with the next lowest bidder, in succession, in order to secure replacement mowing services.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

Paulette M. Guajardo \_\_\_\_\_

John Martinez \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

Mike Pusley \_\_\_\_\_

Michael Hunter \_\_\_\_\_

Greg Smith \_\_\_\_\_

Billy Lerma \_\_\_\_\_

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_ 2021, by the following vote:

Paulette M. Guajardo \_\_\_\_\_

John Martinez \_\_\_\_\_

Roland Barrera \_\_\_\_\_

Ben Molina \_\_\_\_\_

Gil Hernandez \_\_\_\_\_

Mike Pusley \_\_\_\_\_

Michael Hunter \_\_\_\_\_

Greg Smith \_\_\_\_\_

Billy Lerma \_\_\_\_\_

PASSED AND APPROVED on this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

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Paulette M. Guajardo  
Mayor