

**Resolution authorizing a two-year supply agreement with Pencco, Inc., of San Felipe, Texas, for the purchase of fluoride to be used during the water treatment process, for a total amount not to exceed \$388,800.00, effective upon issuance of notice to proceed and funded through the Water Fund.**

**WHEREAS**, hydrofluorosilicic acid (i.e., fluoride) is used in the treatment of potable (drinking) water at the O.N. Stevens Water Treatment Plant;

**WHEREAS**, the City received four bids for hydrofluorosilicic acid for O.N. Stevens Water Treatment Plant in response to RFB 2412 of which the lowest responsive, responsible bidder may be awarded the bid;

**WHEREAS**, the lowest responsive, responsible bidder awarded a contract to Pencco, Inc. in the amount of \$388,800,000;

**WHEREAS**, state law provides that such procurements, as outlined above, are subject to statutory procurement requirements, including competitive bids, unless an exception applies;

**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**, 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 of hydrofluorosilicic acid for O.N. Stevens Water Treatment Plant.

**Be it resolved by the City Council of the City of Corpus Christi, Texas:**

**Section 1.** The City Council specifically finds that the foregoing statements included in the preamble of this resolution are true and correct and adopts such findings for all intents and purposes related to the authorization of this procurement.

**Section 2.** The City Manager, or designee, is authorized to execute contracts with the lowest responsive, responsible bidder in accordance with the terms and conditions stated in RFB 2412. Furthermore, 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 item, 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 of hydrofluorosilicic acid for O.N. Stevens Water Treatment Plant.

The above resolution was passed by the following vote:

Joe McComb \_\_\_\_\_  
Roland Barrera \_\_\_\_\_  
Rudy Garza \_\_\_\_\_  
Paulette M. Guajardo \_\_\_\_\_  
Gil Hernandez \_\_\_\_\_  
Michael Hunter \_\_\_\_\_  
Ben Molina \_\_\_\_\_  
Everett Roy \_\_\_\_\_  
Greg Smith \_\_\_\_\_

**ATTEST:**

**CITY OF CORPUS CHRISTI**

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

\_\_\_\_\_  
Joe McComb  
Mayor

Corpus Christi, Texas

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_