

**Resolution authorizing a five-year service agreement with Cummins Southern Plains, LLC dba Cummins Sales and Service, of Arlington, Texas, in an amount up to \$2,067,092.75, for preventative maintenance and purchase of parts for a total of nine generators, two automatic transfer switch inspections, and one rental equipment for load bank testing at the O.N. Stevens Water Treatment Plant, Pump Stations, and Wesley Seale Dam, with FY 2025 funding of \$238,780.00 from the Water Fund.**

**WHEREAS**, the five-year service agreement with Cummins Southern Plains, LLC dba Cummins Sales and Service for preventative maintenance and parts for nine generators located at the O.N. Stevens Water Treatment Plant, Pump Stations, and Wesley Seale Dam;

**WHEREAS**, these services are critical in sustaining the emergency generators;

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

**WHEREAS**, there is a statutory exemption for this procurement in Local Government Code, Section 252.022(a)(2), as this purchase is necessary to preserve or protect the public health or safety of the City's residents; and

**WHEREAS**, there is an additional statutory exemption for this procurement in Local Government Code, Section 252.022(a)(7)(A), as this item is available from only one source because of patents, copyrights, secret processes, or natural monopolies.

**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 a five-year agreement preventative maintenance and purchase of parts for a total of nine generators, two automatic transfer switch inspections, and one rental equipment for load bank testing, located at the O.N. Stevens Water Treatment Plant, Pump Stations, and Wesley Seale Dam, with Cummins Southern Plains, LLC dba Cummins Sales and Service, in an amount up to \$2,067,092.75, with FY 2025 funding of \$238,780.00 from the Water Fund.

**PASSED AND APPROVED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2024

**ATTEST:**

\_\_\_\_\_  
Paulette Guajardo, Mayor

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