

**Resolution authorizing a five-year service agreement with Cummins Southern Plains, LLC dba Cummins Sales and Service of Arlington, Texas, for a total amount not to exceed \$296,755.00, for preventative maintenance and purchase of parts for the five Cummins emergency generator sets located at O.N. Stevens Water Treatment Plant and Sand Dollar Pump Station, effective upon issuance of notice to proceed, with the first-year funding in the amount of \$59,351.00 available through the Water Fund.**

**WHEREAS**, Cummins Southern Plains, LLC dba Cummins Sales and Service, will provide preventative maintenance and parts for the five emergency generators located at the O.N. Stevens Water Treatment Plant and Sand Dollar Pump Station;

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

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

**WHEREAS**, there are two statutory exceptions for this procurement in Local Government Code, Section 252.022(a) (2) and (a) (7) (A), as this purchase is necessary to preserve or protect the public health and safety of the municipality's residents and this item is available from only once 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 all documents necessary to secure a service agreement for preventative maintenance and purchase of parts for the five emergency generator sets at the O.N. Stevens Water Treatment Plant and Sand Dollar Pump Station, of Corpus Christi, Texas for a total amount not to exceed \$296,755.00, and funded through the Water Fund.

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 \_\_\_\_\_, 2019