



## Recommendation for Action

**File #:** 21-3740, **Agenda Item #:** 15.

1/27/2022

### Posting Language

Approve a resolution finding the use of the Design-Build method of contracting, as authorized by Subchapter G, Chapter 2269 of the Texas Government Code, as the project delivery method that provides the best value to the City for the Community Court 8th Street Municipal Building Renovation. Related to Items #9 and #10.

(Note: MBE/WBE goals will be established prior to issuance of this solicitation.)

### Lead Department

Capital Contracting Office.

### Managing Department

Capital Contracting Office.

### Fiscal Note

A Recommendation for Council Action with the not to exceed contract amount for the resultant contract will be presented to Council once the Design-Build selection has been completed.

### Purchasing Language:

This request is for Council to authorize the use of Design-Build; therefore, no solicitation has yet been initiated.

### For More Information:

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or [AgendaOffice@austintexas.gov](mailto:AgendaOffice@austintexas.gov) <<mailto:AgendaOffice@austintexas.gov>>

NOTE: Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749 or Beverly Mendez, 512-974-3596.

### Additional Backup Information:

State Statute governs construction procurement for municipalities. The standard method of contracting used for construction services is competitive bidding where the contract is awarded to the lowest responsible bidder. Texas Government Code Chapter 2269 allows for methodologies alternate to low bidding method which may provide the best value to the municipality. These alternate methodologies include: Competitive Sealed proposals, Construction Manager-at-Risk, Design-Build, and Job Order Contracting. Texas Local Government Code Section 252.022(d) allows the City to adopt and use an alternative method such as Design-Build (DB) under Chapter 2269 of the Texas Government Code if such a method provides a better value for the City.

The project will consist of design and renovation of the facility. The DB method is the most effective delivery method for meeting schedule constraints within the project budget as each phase of design and construction

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services is carefully negotiated. DB is a method of construction procurement under which design and construction services are contracted through one entity, either a joint venture between a design consultant and a constructor or from a single entity with both capabilities.

A DB firm will be selected by a City-staffed evaluation panel that will evaluate and score proposals based on published evaluation criteria to determine the highest ranked proposer. As set forth in Government Code 2269, the City will select a DB firm that will provide the “best value” to the City as established through a two-step qualifications-based selection process.

Built in 1907 and an addition in 1938, the historic city-owned Municipal Building with an Art Moderne style of architecture is located at 124 W. 8th Street. The project consists of fast-tracking renovations to the 1st, 2nd and 3rd floors including building infrastructure located in the right of way to accommodate the Downtown Austin Community Court (DACC) program by August 2023 and space for other city staff. Due to the time constraints for this project, the DB delivery method is recommended, as this methodology holds the design builder accountable for design and renovations within the project budget and schedule.

The estimated budget for the entire project is \$25,750,000 and it is anticipated that construction will begin September 2022.

A delay in authorization of the methodology will result in a delay in the issuance of the solicitation and will affect the ability to perform these improvements needed to facilitate the relocation of the DACC from One Texas Center by August 2023.

This solicitation and evaluation process is approximately six months.

**Strategic Outcome(s):**

Government that Works for All, Economic Opportunity and Affordability.