

RESOLUTION NO. 2024-636

RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, REPEALING AND REPLACING RESOLUTION NO. 2016-311, APPROVING PROCEDURES FOR THE PROCUREMENT OF PROFESSIONAL ENGINEERING SERVICES

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WHEREAS, the City Council of the City of Fulshear, Texas, continuously reviews the City of Fulshear’s Resolutions for opportunities to update, simplify, clarify, refine, and generally improve them to make them more effective and efficient and to remove portions of Resolutions that are no longer valid; and

WHEREAS, the City previously adopted Resolution No. 2016-311, and desires to repeal and replace said Resolution with this Resolution; and

WHEREAS, the City Council of the City of Fulshear wishes to adopt certain policies to provide guidance to city staff as they deliberate and make recommendations to the City Council regarding the procurement of professional engineering services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

Section 1.0 The facts set out in the preamble are hereby found to be true and correct and are incorporated herein for all purposes.

Section 2.0 Resolution 2016-311 is hereby repealed.

Section 3.0 The City of Fulshear hereby adopts the following procedures for the procurement of professional engineering services:

- a. Professional Services Procurement Act.** For projects within the City of Fulshear requiring the procurement of professional engineering services, providers shall be selected using the Request for Qualifications (“RFQu”) process in accordance with Texas Government Code Chapter 2254 (Professional Services Procurement Act).
- b. List of Qualifications for Engineering Firms.** City staff shall develop a list of engineering firms whose qualifications and project experience are deemed appropriate for projects within the City of Fulshear by conducting an RFQu at least once every

year. Once completed, the list of engineering firms created through this RFQu process shall be presented to the Fulshear City Council for approval.

- c. Procurement of Engineering Services Pursuant to Resolution 2023-592.** Any procurement of engineering services conducted pursuant to Resolution 2023-592 (as may be amended from time to time) shall use the list developed under Subsection (b) when selecting providers.
- d. Projects requiring Engineering Services.** Except as provided by Subsection (c), for projects requiring the procurement of professional engineering services, the City Manager or his designee, working with the department initiating the project, may select a provider from the list created during the RFQu process described in Subsection (b) above or they may conduct a new RFQu process for the specific project. The decision on whether or not to initiate a new RFQu should be based on:
 - 1. The complexity of the project;
 - 2. the novelty of the project;
 - 3. the estimated costs of the project; and
 - 4. whether or not the project is being developed to address an emergency.
- e. Contract Negotiation.** Contracts for professional engineering services shall be negotiated pursuant to Texas Government Code Section 2254.004.

PASSED, APPROVED, and ADOPTED this, _____ day of _____, 2024.

Donald McCoy
Mayor

ATTEST:

Mariela Rodriguez
City Secretary