

**RESOLUTION NO. 2020-06-\_\_\_\_ (R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$79,800 WITH FREESE AND NICHOLS, INC. FOR CONSULTING ENGINEERING SERVICES TO COMPLETE AN EMERGENCY RESPONSE PLAN (ERP) AS REQUIRED BY THE AMERICA'S INFRASTRUCTURE ACT OF 2018 AND AUTHORIZING ALL NECESSARY SUPPLEMENTAL AGREEMENTS UNDER SAID CONTRACT UP TO AN AGGREGATE CONTRACT AMOUNT, INCLUSIVE OF ANY SUPPLEMENTAL AGREEMENTS, NOT TO EXCEED \$90,000**

**WHEREAS**, the America's Water Infrastructure Act was enacted on October 23, 2018 requiring Community Water Systems over 100,000 population to complete a Risk and Resilience Assessment by March 31, 2020 and to prepare or revise the utility's ERP; and

**WHEREAS**, the Risk and Resilience Assessment was completed and certification was provided to EPA on March 27, 2020; and

**WHEREAS**, the AWIA requires that the ERP be completed within 6 months of completion of the Risk and Resilience Assessment; and

**WHEREAS**, Freese and Nichols, Inc. is one of the approved engineering consulting firms for the City of McKinney with extensive knowledge of the City's water system; and

**WHEREAS**, the City has prepared a contract with Freese and Nichols, Inc. to assist in updating the ERP for the purpose of complying with this new law, the America's Water Infrastructure Act; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:**

Section 1. The City Manager is hereby authorized to execute a contract in the amount of \$79,800 with Freese and Nichols, Inc. for the completion of updating the ERP in compliance with the America's Water Infrastructure Act of 2018 for a total aggregate contract amount, inclusive of any supplemental agreements, not to exceed \$90,000.

Section 2. This Resolution shall be effective immediately from and after the date of passage and is so resolved.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 2<sup>nd</sup> DAY OF JUNE, 2020.**

CITY OF MCKINNEY, TEXAS

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GEORGE C. FULLER

ATTEST:

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EMPRESS DRANE  
City Secretary

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney