

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) ANNUALLY FOR EQUIPMENT DIAGNOSTIC, MAINTENANCE, AND REPAIR SERVICES BY UTILIZING THE STATE PURCHASING EXEMPTION FOR UNFORESEEN DAMAGE UNDER TEXAS LOCAL GOVERNMENT CODE § 252.022(A)(3); AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Seguin maintains a large and diverse fleet of 456 assets, including specialized heavy equipment, vehicles, and machinery essential for delivering critical public services across multiple departments, including utilities, street operations, and public safety; and

WHEREAS, the complexity and specialized nature of this equipment mean that mechanical failures and electronic malfunctions frequently occur without warning and cannot be reasonably predicted or scheduled in advance; and

WHEREAS, immediate diagnostic and repair services are often necessary to prevent extended downtime, protect public safety, and ensure the continuity of essential city operations; and

WHEREAS, many of these necessary repairs require the use of proprietary diagnostic software, patented tools, and OEM parts available only through the manufacturer or authorized dealers, making the competitive bidding process impractical and time-consuming; and

WHEREAS, Texas Local Government Code § 252.022(a)(3) provides an exemption from the competitive bidding process for procurements necessary because of “unforeseen damage to public machinery, equipment, or other property”; and

WHEREAS, equipment failures and mechanical breakdowns qualify as unforeseen damage under this statute, necessitating prompt action to preserve public assets and maintain service levels; and

WHEREAS, the Staff Recommendation is to formally authorize the continued use of this state purchasing exemption for diagnostic, maintenance, and repair services, recognizing that the aggregate annual expenditure for these necessary, unscheduled services will likely exceed the threshold of \$100,000.00.

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

Part 1. FINDINGS OF FACT. The City Council finds that the unforeseen failure and damage to specialized public machinery and equipment constitute conditions that necessitate the use of the exemption from competitive bidding as authorized by Texas Local Government Code § 252.022(a)(3).

Part 2. EXPENDITURE AUTHORIZATION. The City Manager, or their designee, is hereby authorized to approve expenditures, even if the aggregate annual amount exceeds One Hundred Thousand Dollars (\$100,000.00), for diagnostic, maintenance, and repair services for City-owned equipment

Part 3. EFFECTIVE DATE. This Resolution shall take effect and be in full force immediately upon its adoption.

PASSED AND APPROVED this ____ day of _____, 2025.

Donna Dodgen
Mayor

Attest: _____
Kristin Mueller
City Secretary