RESOLUTION NO. 24-017

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF MARLIN APPROVING AN ARPA PROGRAM, GENERAL SERVICES, SUPPLIES AND/OR EQUIPMENT CONTRACT BETWEEN THE CITY OF MARLIN AND DATA FLOW SYSTEMS, LLC, FOR THE SALE, DESIGN, AND INSTALLION OF A SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM FOR THE CITY'S WATER AND WASTEWATER SYSTEMS; AND PROVIDING FOR OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.

WHEREAS, the City has published and advertised a request for proposals or advertisement for competitive procurement for the sale, design, and installation of and services to install the SCADA systems and monitor the SCADA system in and for the City's water and wastewater systems;

WHEREAS, the City properly complied with all mandatory and required procurement processes and procedures after which Data Flow Systems, LLC, submitted a response and bid for the sale, design, and installation of, and services to install, the SCADA systems and monitor the SCADA system in and for the City's water and wastewater systems;

WHEREAS, this City only received one response to the advertised and published request for proposals or advertisement for competitive procurement for the sale, design, and installation of, and services to install, the SCADA systems and monitor the SCADA system in and for the City's water and wastewater systems which was received from Data Flow Systems, LLC, thereby making Data Flow Systems, LLC, the sole and prevailing bidder for this project;

WHEREAS, the City Council for the City of Marlin ("City Council") finds that it will be in the best interest of the City of Marlin and the residents of the City of Marlin that the City Council approve of a contract with Data Flow Systems, LLC, the *American Rescue Plan Act (ARPA) Program General Services, Supplies, and/or Equipment Contract* between the City of Marlin, Texas, and Data Flow Systems, LLC, ("Contract") for Data Flow Systems. LLC, to design, supply the equipment, hardware and services to install and monitor the SCADA system to manage and monitor the operation of the City's water and wastewater system; and

WHEREAS, the City of Marlin's water and wastewater systems and service will be improved with the installation of SCADA system to manage and monitor the operation of the City's water and wastewater system;

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

   Section 1. **Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.
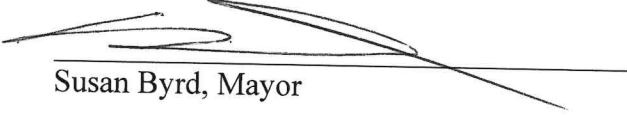
   Section 2. **City Council Approval of Contract.** The City Council approves of the Contract between the City and Data Flow Systems, LLC, that is attached as Exhibit "A" to this Resolution. The City Council further authorizes the Mayor for the City of Marlin to execute the Contract attached as Exhibit "A" to this Resolution between the City and Data Flow Systems, LLC.

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Section 3.   <u>**Effective Date.**</u>   This Resolution shall become effective from and after the date of its passage in accordance with the Texas Local Gov't. Code and the City Charter.

Section 4.   <u>**Open Meetings.**</u>   The City Council has found and determined that the meeting at which this Resolution is considered is open to the public and that notice thereof was given in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551, as amended, and that a quorum of the City Council was present.

RESOLUTION PASSED AND APPROVED on this the 10th day of December, 2024.

Susan Byrd, Mayor

Maryann Waddle, City Secretary

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EXHIBIT "A"

American Rescue Plan Act (ARPA) Program General Services, Supplies, and/or Equipment Contract between the City of Marlin, Texas, and Data Flow Systems, LLC.