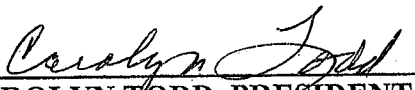


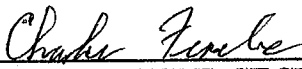
RESOLUTION NO. 08-2026
BOARD OF COMMISSIONERS MEETING
April 16, 2026

At a Regular meeting of the Smith County Emergency Services District No. 1 meeting, Lindale, Texas, Board of Commissioners, Board President Carolyn Todd presiding and Board Members Louie Brown, Owen Scott, Charles Froebe and Cory Crowell being present the following business was transacted pursuant to the notice being duly posted, to-wit:

Louie Brown made a motion, seconded by Charles Froebe, which motion carried unanimously, that the construction manager-at-risk method will provide the best value for the District in awarding construction contracts for construction of the new fire station. A copy of an Explanation of Different Construction Methods is attached and made a part thereof.


CAROLYN TODD, PRESIDENT

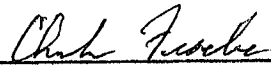
ATTEST:


CHARLES FROEBE, SECRETARY

THE STATE OF TEXAS
COUNTY OF SMITH

CITY OF LINDALE: I, CHARLES FROEBE, Secretary of the Smith County Emergency Services District No. 1, do hereby certify that the above is a true copy of a part of a Minutes of Board of Commissioners Meeting as it appears of record in the Smith County Emergency Services District No. 1 Minutes of Lindale, Texas.

CHARLES FROEBE, SECRETARY





EXPLANATION OF DIFFERENT CONSTRUCTION METHODS

Under the competitive sealed proposal method, the ESD selects an engineer or architect to draft construction documents, prepares a Request for Competitive Sealed Proposals (RFCSP), ranks the proposals, negotiates and contracts with a general contractor to construct the fire station. The RFCSP includes construction documents, estimated budget, project scope, schedule, selection criteria and relative weighting of the criteria. Price information is requested and considered in the selection criteria. The sealed proposals are opened and ranked according to the selection criteria. The ESD attempts to negotiate a contract with the highest ranked proposal. The scope, time and price of the project can be modified during negotiations. If an agreement cannot be reached, then negotiations are ended and the ESD attempts to negotiate a contract with the next highest ranked proposal. The evaluations and scoring of the proposals must be made public not later than the seventh business day after a contract is awarded.

Under the construction manager-agent method, the ESD selects an engineer or architect to prepare construction documents and selects a construction manager-agent to manage the design and construction of the fire station. The construction manager-agent is selected on the basis of demonstrated competence and qualifications in the same manner that an architect or engineer is selected. The construction manager-agent does not perform any aspect of the construction. Construction contractors procured through competitive bidding and under contract with the ESD perform the construction. The construction manager-agent assists the ESD in cost effective design considerations and construction methods, contract procurement, scheduling and sequencing issues, overseeing construction and controlling costs.

Under the construction manager-at-risk method, the ESD selects an engineer or architect to draft construction documents and selects a construction manager-at-risk who assumes the risk for constructing the fire station at the contracted price. (The contracted price may not be finalized until after the construction manager-at-risk is selected and bids are obtained from contractors and suppliers). The ESD prepares a Request for Proposals that includes construction documents, estimated budget, project scope, schedule, selection criteria and relative weighting of the criteria. Information regarding the construction manager-at-risk fees may be requested. Proposals are opened, ranked according to the selection criteria. The ESD attempts to negotiate a contract with the highest ranked proposal. If an agreement cannot be reached, then negotiations are ended and the ESD attempts to negotiate a contract with the next highest ranked proposal. The construction manager-at-risk is required to properly advertise for bids or proposals from trade contractors or subcontractors for work. The bids are reviewed by the ESD and construction manager-at-risk. The construction manager-at-risk recommends acceptance of particular bids. The ESD can override any recommendation but bears any additional cost that results from not accepting the recommended bid.

The construction manager-at-risk contracts directly with the selected contractors.

Under the design-build method, the ESD awards a single contract to a firm who both designs and constructs the fire station. A design-build firm, consists of a team that includes an architect or engineer and a builder qualified to engage in building construction in Texas. However, the ESD must designate an independent architect or engineer to act as its representative for the duration of the project. The design-build team may construct the work itself or it may subcontract out all or portions of the work. In so doing, the designer-builder contracts directly with its subcontractors and assumes complete responsibility for both the design and construction of the project. The ESD is required to prepare a Request for Qualifications (RFQ) that includes general information about the project, including the project site, project scope, budget, selection criteria, and weighted value of selection criteria. The ESD is also required to publish a Design Criteria Package specifying the aspects or qualities the ESD considers necessary to design the project. The ESD cannot require offerors to submit designs as a part of a proposal. This method isn't available because the construction documents were drafted before a design-build firm was selected.