

RESOLUTION NO. 19,185

NOV 12 2024

BECKY LANDRUM  
County Clerk, Hunt County, Tex.  
By 

**A RESOLUTION OF THE COMMISSIONERS COURT OF HUNT COUNTY TEXAS, AMENDING THE PRIOR RESOLUTION TO APPROVE THE PURCHASE OF RADIO EQUIPMENT FOR VOLUNTEER FIRE DEPARTMENTS AND OTHER GOVERNMENTAL UNITS USING FUNDS FROM THE AMERICAN RESCUE PLAN ACT IN COMPLIANCE WITH TEXAS LOCAL GOVERNMENT CODE § 271.060.**

WHEREAS, Hunt County, Texas (hereafter “the County”) received funds through the American Rescue Plan Act (ARPA) designated to support COVID-19 recovery efforts, including bolstering the economy and public health response; and

WHEREAS, the County has identified the need to improve first responder capabilities through the purchase and installation of radio equipment for Volunteer Fire Department (VFDs) and local governments to enhance emergency communication and coordination; and

WHEREAS, the Commissioners Court previously on August 30<sup>th</sup>, 2022 passed Resolution No. 17,710, authorizing a contract with L3Harris for the purchase and installation of radio equipment in an amount of \$4, 121,165.00; and

WHEREAS, the Commissioners Court previously on September 10<sup>th</sup>, 2024 passed Resolution No. 19,032, authorizing change orders in the amount of \$2,411,950.00 to the contract for the purchase and installation of radio equipment from ARPA funds; and

WHEREAS, the County’s grant administrator has advised that under Texas Local Government Code § 271.060, for contracts exceeding \$1,000,000, change orders are limited to a maximum increase of 25% of the original contract amount, and the amended funding allocation aligns with this statutory requirement; and

WHEREAS, the Commissioners Court now seeks to amend the previously approved resolution to increase the amount allocated for the purchase of radio equipment up to a maximum of \$1,030,291.25 instead of the originally approved amount of \$2,411,950.00, in accordance with Texas Local Government Code § 271.060 and all applicable purchasing rules.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS:

1. Amendment of Prior Resolution: The Commissioners Court hereby amends Resolution No. 19,032 to instead increase the maximum allocation for the purchase of VFD radio equipment to \$1,030,291.25.

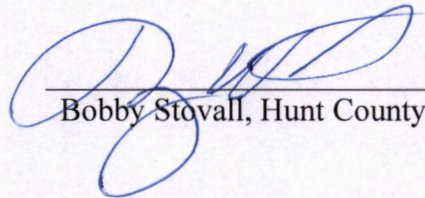
2. Approval of Amended Allocation: The Commissioners Court approves the use of American Rescue Plan Act (ARPA) funds, up to \$1,030,291.25, for the purchase of radio equipment as part of the County's first responder system enhancement.

3. Compliance with Texas Local Government Code § 271.060: The Commissioners Court acknowledges the statutory limitation on contract increases and confirms that this amendment aligns with the 25% maximum increase permitted under Texas Local Government Code § 271.060.

4. Grant Administrator Notification: The County's grant administrator is directed to make any necessary notifications and filings to ensure compliance with the requirements of ARPA and Texas Local Government Code § 271.060.

5. Effective Date: This resolution shall take effect immediately upon passage.

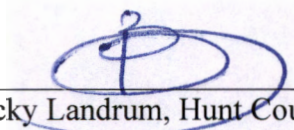
PASSED AND APPROVED on this the 12<sup>th</sup> day of November, 2024.



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Bobby Stovall, Hunt County Judge

ATTEST:



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Becky Landrum, Hunt County Clerk

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**MEMORANDUM**

<b>To:</b>	<b>Hunt County Commissioners Court</b>	<b>From:</b>	<b>D. Ray, A. Luschin</b>
<b>Billing ID:</b>	<b>Hunt County General</b>	<b>Date:</b>	<b>November 12, 2024</b>
<b>Matter:</b>	<b>Amendment to Resolution for ARPA Funds for L3Harris Radio Project</b>		

**BACKGROUND TO UPCOMING RESOLUTION FOR AMENDMENT OF FUNDS FOR RADIOS**

On September 10<sup>th</sup>, 2024, the Hunt County Texas Commissioners Court passed Resolution #19,032, approving \$2,411,950.00 for change orders for the purchase of radios and installation from L3Harris as proposed by the Hunt County Radio Committee, to be paid from the restricted portion of ARPA funds.

The funds administrator who was retained to guide Hunt County in the expenditure of ARPA funds has brought TX Local Government Code Section 271.060 to the attention of the County Judge. This section stipulates that for procurement contracts greater than \$1 million dollars, any change order(s) may only increase the amount of the contract by a maximum of 25%.

For the change orders in question, the funds administrator has specifically recommended amending the change order to be used from ARPA funding to a maximum amount of \$1,030,291.25 (i.e. 25% of the initial contract price of \$4,121,165.00 approved by Commissioners Court Resolution 17,710 on August 30<sup>th</sup>, 2022), allowing Hunt County to remain compliant with the law.

The funds administrator's interpretation of the relevant Texas statute is correct, and therefore an updated resolution is required from the Commissioners Court for the change orders. For this reason, the new resolution is being placed on the agenda for the next Commissioners Court meeting.

It is important to note that if Hunt County intends to use any additional money towards Change Orders for the purchase and installation of the radios in question, that this money would need to come from other Hunt County funds and would need to be formally procured separately.