

STATE OF TEXAS

COUNTY OF POLK

**ORDER SELECTING CONTRACTOR FOR CONSTRUCTION MANAGER-AT-RISK**

WHEREAS, Polk County, Texas (the "County") needs to construct a Judicial Center to improve efficiency in its judicial system (the "Project"); and

WHEREAS, the County has selected an architect for the Project pursuant to the provisions of Section 2254.004 of the Texas Government Code; and

WHEREAS, the County has experienced threats to its officers and employees, as well as the residents of the County, in using the existing court related facilities; and

WHEREAS, the County will pay for the construction of the Judicial Center using proceeds of Certificates of Obligation; and

WHEREAS, the Judicial Center is needed to provide for the safety of County officials, employees and the residents of the County that use the judicial facilities of the County, the Commissioners Court intends to grant the exceptions to competitive bidding as provided in Section 262.024(a)(2) and Section 271.056(2), Texas Local Government Code; and

WHEREAS, the County has reviewed alternative construction methods permitted under Section 271.111 et seq. of the Texas Local Government Code in order to determine the method which will provide the County with the best value for this Project; and

WHEREAS, the County wishes to pursue the selection of a contractor for the Project; and

WHEREAS, the County has solicited proposals for a contractor using the construction manager-at-risk method;

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF POLK COUNTY, TEXAS:

Section 1. Findings. The declarations, determinations and findings declared, made and found in the preamble to this Order are hereby adopted, restated and made a part of the operative provisions hereof.

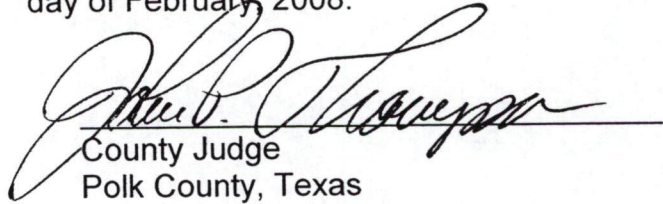
Section 2. Grant of Exceptions. The Commissioners Court hereby grants the exceptions to competitive bidding as provided in Section 262.024(a)(2) and Section 271.056(2), Texas Local Government Code.

Section 3. Determination of Best Value. The Commissioners Court hereby finds that the construction manager-at-risk method of construction will provide the County will the best value for this Project.

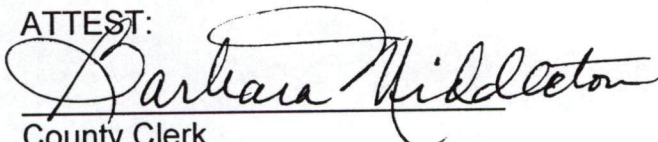
Section 4. Determination of Best Qualified. The Commissioners Court has ranked the proposers, and hereby finds that J.E. Kingham Construction is best qualified to perform the services using the construction manager-at-risk method of construction.

Section 5. Authorization. The Commissioners Court hereby authorizes the County Judge, or his designee, to negotiate a construction manager-at-risk contract for the Project in accordance with applicable law.

PASSED AND APPROVED this 12th day of February, 2008.


County Judge
Polk County, Texas

ATTEST:


County Clerk
Polk County, Texas

