

AN ORDINANCE      2015-09-17-0793

**ACCEPTING THE LOWEST RESPONSIVE BID, INCLUDING TWO ADDITIVE ALTERNATES, AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT NOT TO EXCEED \$6,249,080.75 TO JORDAN FOSTER CONSTRUCTION FOR THE BELFORD AREA DRAINAGE, 2012-2017 BOND-FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 3, OF WHICH \$372,649.25 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS AND \$185,400.00 WILL BE REIMBURSED BY CPS ENERGY; AND ACCEPTING \$50,000.00 FROM LEGACY BROOKS, LTD THROUGH A DEVELOPER FUNDING AGREEMENT.**

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**WHEREAS**, on May 19, 2011, City Council approved the reallocation of approximately 47 million in the 2007 - 2012 Bond Program savings that included in this reallocation was \$1.85 million for the Belford Area Drainage Project; and

**WHEREAS**, on May 12, 2012 the 2012-2017 Bond Program General Obligation Bond Program authorized \$8,000,000.00 for the Belford Area Drainage Project; and

**WHEREAS**, the Belford Area Drainage Project was a result from a drainage study, funded by the 2007 Bond Savings, of the existing drainage conditions in the Belford Area located in the Fairlawn drainage watershed (adjacent to Highland Hills)

**WHEREAS**, the results of the study were summarized in a Preliminary Engineering Report on how to alleviate localized flooding which flood Belford Drive and the Belford-Utopia intersection which identified drainage improvements, including an underground storm sewer system and street improvements throughout the Belford Area; and

**WHEREAS**, the base bid of the Belford Area Drainage Project provides for the reconstruction of Belford Drive from Utopia Lane to Palfrey Drive, Utopia Lane from Belford Drive to 665-foot west of Belford and the construction of an open, earthen channel ranging in width from 60-ft to 70-ft wide from the Belford-Utopia intersection to IH-37; and

**WHEREAS** the first additive alternate of work provides for the reconstruction of Belford Drive from Palfrey Drive to the midblock of Gale Avenue & Banbridge Avenue and the second additive alternate of work provides for the reconstruction of Belford Drive from the midblock of Gale Avenue & Banbridge Avenue to Galway Drive; and

**WHEREAS**, this Ordinance accepts the lowest responsive bid including two additive alternates submitted by **Jordan Foster Construction** in the amount not to exceed \$6,249,080.75 for the Belford Area Drainage Project, and

**WHEREAS**, of the total contract amount the City will be reimbursed \$372,649.25 by San Antonio Water Systems and \$185,400.00 will be reimbursed by CPS Energy; and

**WHEREAS**, a developer agreement originated from discussions about obtaining a drainage easement along the existing channel alignment, the developer requested the proposed alignment from the existing channel alignment to accommodate future development and in exchange, the developer would provide a contribution of \$50,000.00 to fund the construction costs of the open, earthen channel in addition to recording the drainage easement for the proposed open, earthen channel; and

**WHEREAS**, this is a one-time capital improvement expenditure in the amount of \$6,249,080.75 for which funds are available from the 2012-2017 General Obligations Bonds and are included in the FY 2015 - 2020 Capital Improvements Program Budget; and

**WHEREAS**, this Ordinance also accepts funds in the amount of \$50,000.00 from Legacy Brooks Ltd through a Developer Funding Agreement; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The lowest responsive bid of **Jordan Foster Construction** in the amount not to exceed \$6,249,080.75 for Belford Area Drainage Project is hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of ninety (90) days from the effective date hereof, whichever occurs first.

**SECTION 2.** A construction contract is hereby awarded to **Jordan Foster Construction**.

**SECTION 3.** The following financial adjustments are hereby approved:

- a) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00423, Belford Area Drainage, and the budget shall be revised by increasing WBS element 40-00423-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$372,649.25.
- b) The amount of \$146,630.50 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00423, Belford Area Drainage, SAP WBS Element 40-00423-05-02-03, Construction-SAWS Sewer and SAP General Ledger 5201245.
- c) The amount of \$226,018.75 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00423, Belford Area Drainage, SAP WBS Element 40-00423-05-02-04, Construction-SAWS Water and SAP General Ledger 5201245.
- d) Funds are authorized to be received from CPS Energy to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00423, Belford Area Drainage, and the budget shall be revised by increasing WBS element 40-00423-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$185,400.00.
- e) The amount of \$185,400.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00423, Belford Area

Drainage, SAP WBS Element 40-00423-05-02-06, Construction-CPS and SAP General Ledger 5201245.

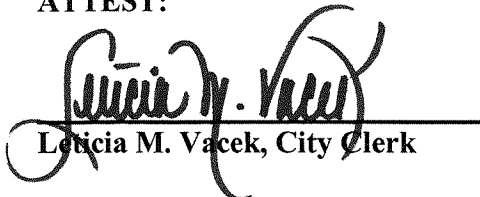
- f) Funds are authorized to be received from Legacy Brooks, LTD to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00423, Belford Area Drainage, and the budget shall be revised by increasing WBS element 40-00423-90-10-01, Developer Contribution - Legacy Brooks and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$50,000.00.
- g) The amount of \$50,000.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00423, Belford Area Drainage, SAP WBS Element 40-00423-05-02-01, Construction-City and SAP General Ledger 5201140.
- h) Payment in amount not to exceed \$6,249,080.75 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00423, Belford Area Drainage, is authorized to be encumbered and made payable to **Jordan Foster Construction**, for construction services.
- i) The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.


**PASSED AND APPROVED** this 17th day of September, 2015.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	19						
<b>Date:</b>	09/17/2015						
<b>Time:</b>	10:08:33 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An ordinance for Belford Area Drainage project, a 2012-2017 Bond-funded Project, located in Council District 3, awarding a construction contract, including two additive alternates, to Jordan Foster Construction in the amount of \$6,249,080.75, of which \$372,649.25 will be reimbursed by San Antonio Water Systems (SAWS) and \$185,400.00 will be reimbursed by CPS Energy and accepting \$50,000.00 from Legacy Brooks, LTD through a Developer Fund Agreement. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2	x					
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x