

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE ADOPTED BY THE CITY COUNCIL.**

AN ORDINANCE

FOR THE 2018-2019 ASPHALT OVERLAY TASK ORDER CONTRACT PACKAGE 15, ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONTRACT TO CLARK CONSTRUCTION OF TEXAS, INC. IN AN AMOUNT NOT TO EXCEED \$4,634,481.05, OF WHICH \$88,000.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS) AND \$32,000.00 WILL BE REIMBURSED BY CPS ENERGY FOR NECESSARY ADJUSTMENTS TO EXISTING INFRASTRUCTURE.

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WHEREAS, City Council approved \$99 million in the FY 2018 Budget to complete in-house and contract street maintenance projects; and

WHEREAS, this task order construction contract is for asphalt overlay projects that include the repair of a street's base structure, asphalt surface overlay, wheelchair ramp improvements and any other required work for the completion of the Infrastructure Management Program Asphalt Overlay projects located throughout the City; and

WHEREAS, the City received six bids for the 2018-2019 Asphalt Overlay Task Order Contract Package 15 in response to an invitation for bid released in March 2018; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by Clark Construction of Texas, Inc. in an amount not to exceed \$4,634,481.05, of which \$88,000.00 will be reimbursed by SAWS and \$32,000.00 will be reimbursed by CPS Energy for necessary adjustments to existing infrastructure; **NOW THEREFORE:**

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

SECTION 1. The lowest responsive bid submitted by Clark Construction of Texas, Inc. in an amount not to exceed \$4,634,481.05 for the 2018-2019 Asphalt Overlay Task Order Contract Package 15 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. Funding for this ordinance will be identified when work orders are issued. If funding for any work orders is not previously appropriated, funding will be identified and appropriated through subsequent City Council action. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with Operating and/or Capital Budgets for current and future fiscal years.

SECTION 3. Payment not to exceed \$4,634,481.05, for a 1 year contract, is authorized to be encumbered with a purchase order and made payable to Clark Construction of Texas, Inc. for construction services.

SECTION 4. Funds in the amount of \$88,000.00 are authorized to be received from SAWS as per reimbursement agreement for respective utility work related to these 2018-2019 Asphalt Overlay Task Order Contract Package 15 in the fiscal year 2018 through fiscal year 2018 Infrastructure Management Program. The funding for any work orders not previously appropriated will be identified and appropriated through subsequent City Council action.

SECTION 5. Funds in the amount of \$32,000.00 are authorized to be received from CPS Energy as per reimbursement agreement for respective utility work related to these 2018-2019 Asphalt Overlay Task Order Contract Package 15 in the fiscal year 2018 through fiscal year 2018 Infrastructure Management Program. The funding for any work orders not previously appropriated will be identified and appropriated through subsequent City Council action.

SECTION 6. 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 7. This ordinance is effective immediately upon passage by eight or more affirmative votes; otherwise, it is effective on the tenth day after passage.

PASSED and APPROVED this ___ day of _____, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney