

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

AN ORDINANCE

ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING AN INDEFINITE DELIVERY CONSTRUCTION CONTRACT TO FD CONCRETE, LLC IN AN AMOUNT NOT-TO-EXCEED \$683,777.00 FOR CONSTRUCTION OF ADA COMPLIANT CURB RAMPS AND RELATED SIDEWALK IMPROVEMENTS ACROSS THE CITY IN CONJUNCTION WITH THE STREET MAINTENANCE PROGRAM, A MAJOR COMPONENT OF THE INFRASTRUCTURE MANAGEMENT PROGRAM, OF WHICH SAN ANTONIO WATER SYSTEMS WILL REIMBURSE APPROXIMATELY \$31,000.00 FOR NECESSARY ADJUSTMENTS TO ITS EXISTING INFRASTRUCTURE.

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WHEREAS the San Antonio’s Sidewalk Transition Plan was adopted in 2008 with the mission is to provide a walkable community of sidewalks and crosswalks that are ADA compliant and available to all citizens; and

WHEREAS, the goal is to provide sidewalk access ramps for access to sidewalks when a street is “altered”; and

WHEREAS, the Americans with Disabilities Act of 1990 annotated in Title II, Subpart D; Program Accessibility requires that sidewalk access be provided by installing curb ramps as part of a street project when a street is newly constructed or altered; and

WHEREAS, all ADA compliant curb ramps are planned to be completed as part of the Asphalt Overlay Projects through the FY 2015 – 2016 Infrastructure Management Program; and

WHEREAS, this Ordinance awards the lowest responsive bid submitted by **FD Concrete, LLC** for an indefinite delivery contract in an amount not to exceed \$683,777.00 to provide ADA compliant curb ramps and related sidewalk improvements citywide in connection with the Street Maintenance Program; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of **FD Concrete, LLC** for an indefinite delivery contract for an amount not to exceed \$683,777.00 to provide ADA compliant curb ramps and related sidewalk improvements citywide 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. The City Manager or her designee is hereby authorized to enter into an Indefinite Delivery Contract covering said Project.

SECTION 3. The following financial adjustments are hereby approved:

- a) 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.
- b) Payment not to exceed \$683,777.00 an indefinite delivery contract, is authorized to be encumbered with a purchase order and made payable to **FD Concrete, LLC**, for the construction of Americans with Disabilities Act (ADA) compliant curb ramps and related sidewalk improvements across the City.
- c) Funds are authorized to be received from SAWS as per reimbursement agreement for respective utility work related to projects in the 2015-2019 Capital Budget. The funding for any work orders not previously appropriated will be identified and appropriated through subsequent City Council action
- d) 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.
- e) The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocation 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 ____ day of _____, 2014.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney