

ORDINANCE 2020-06-11-0398

**AUTHORIZING AN AMENDMENT TO A DESIGN-BUILD CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND SUNDT CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$10,000,000.00 FOR ADDITIONAL UTILITY WORK ASSOCIATED WITH THE BROADWAY CORRIDOR - LOWER SEGMENT (HOUSTON TO IH 35) PROJECT, OF WHICH \$4,000,000.00 WILL BE REIMBURSED BY AT&T AND \$6,000,000.00 WILL BE REIMBURSED BY CPS ENERGY.**

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**WHEREAS**, on May 6, 2017, San Antonio voters approved the 2017-2022 Bond Program which included \$42,000,000 for improvements associated with the Broadway Corridor from Houston Street to Hildebrand Avenue; and

**WHEREAS**, the project is being constructed in three phases; Lower Segment - Houston Street to IH-35, Upper Segment Phase 1- IH-35 to Mulberry Avenue, and Upper Segment Phase 2 - Mulberry Ave to Burr Road; and

**WHEREAS**, in May 2018, the City entered into a Design-Build contract with Sundt Construction, Inc. in the not to exceed amount of \$32,700,000.00, which has been amended to \$38,700.00, for the design and construction of the Lower Segment; and

**WHEREAS**, the project scope for the Lower Segment includes roadway reconstruction, sidewalks and pedestrian amenities, adjacent buffered bicycle lanes (N. Alamo & Avenue B), traffic signal and lighting improvements, underground drainage, and associated work; and

**WHEREAS**, this amendment will provide for the design and construction for additional utility work to convert CPS Energy overhead electric to underground electric and construct a new underground conduit structure and manholes to accommodate the relocation of AT&T's facilities; and

**WHEREAS**, it is necessary to amend the design-build contract with Sundt Construction, Inc. to increase the contract price in an amount not to exceed \$10,000,000.00 for the design and construction of additional utility work associated with the Broadway Corridor-Lower Segment; **NOW THEREFORE:**

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

**SECTION 1.** The City Manager, or designee, is authorized and directed to execute an amendment to the design-build contract with Sundt Construction, Inc. in an amount not to exceed \$10,000,000.00 for additional utility work associated with the Broadway Corridor-Lower Segment (Houston to IH 35) Project. A copy of the amendment in substantially final form is attached as **Exhibit I**.

**SECTION 2.** A contract was previously awarded to Sundt Construction, Inc. in the amount of \$32,700,000.00 for design and construction services on Ordinance 2018-05-17-0347. A subsequent

amendment of \$6,000,000.00 was authorized with Ordinance 2019-01-04-0949. This Ordinance is increasing the contract amount by \$10,000,000.00 to a revised contract total of up to \$48,700,000.00.

**SECTION 3.** Payment is authorized to be encumbered and made payable to Sundt Construction, Inc. in an amount not to exceed \$10,000,000.00 for the design and construction of joint-utility work. Payment is in support of the Broadway Street Corridor (E. Houston St. to E. Hildebrand Ave.) Project, using Fund 45099000, with the WBS Elements and General Ledger accounts in the table below. Funding is provided by CPS and AT&T as accepted in the ordinance below.

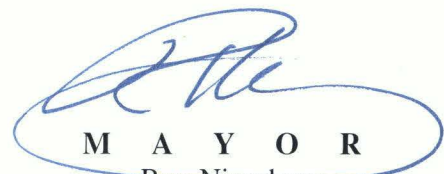
WBS	GL	AMOUNT
23-01561-05-02-07-01	5201245	6,000,000.00
23-01561-05-02-10-01	5201245	4,000,000.00
TOTAL		10,000,000.00

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.


**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and General Ledger Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED and APPROVED** this 11<sup>th</sup> day of June, 2020.

  
**M A Y O R**  
Ron Nirenberg

**ATTEST:**

  
\_\_\_\_\_  
Tina Flores, Acting City Clerk

**APPROVED AS TO FORM:**

  
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Andrew Segovia, City Attorney



# City of San Antonio

City Council

June 11, 2020

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**Item: 10A**

**File Number: 20-3599**

**Enactment Number:**

**2020-06-11-0398**

Ordinance approving an amendment in the increased total amount not to exceed \$10,000,000.00 to the \$32,700,000.00 Design-Build Services Agreement with Sundt Construction, Inc. for design and construction services for additional joint-bid utility work associated with the Broadway Corridor-Lower Segment (Houston to IH 35) Project, a 2017 Bond funded project. Of this total amendment amount, \$4,000,000.00 will be reimbursed by AT&T and \$6,000,000.00 will be reimbursed by CPS Energy. Funding is available from 2017 - 2022 General Obligation Bond Program and is included in the FY 2020 – FY 2025 Capital Improvement Program.

Councilmember Manny Pelaez made a motion to approve. Councilmember Melissa Cabello Havrda seconded the motion. The motion passed by the following vote:

**Aye:** 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry