

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

**AN ORDINANCE**

**AWARDING A TASK ORDER CONSTRUCTION CONTRACT TO  
CLARK CONSTRUCTION OF TEXAS, INC. IN AN AMOUNT NOT TO  
EXCEED \$1,286,122.50 FOR THE 2018 FOG SEAL TASK ORDER  
CONTRACT PACKAGE 1, OF WHICH FUNDS IN THE AMOUNT NOT  
TO EXCEED \$12,500.00 WILL BE REIMBURSED BY THE SAN  
ANTONIO WATER SYSTEM.**

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

**WHEREAS**, the City received one responsive bid for the 2018 Fog Seal Task Order Contract Package 1 in response to an invitation for bid released in November 2017; and

**WHEREAS**, this Ordinance accepts the lowest responsive bid submitted by Clark Construction of Texas, Inc. in an amount not to exceed \$1,286,122.50, of which \$12,500.00 will be reimbursed by San Antonio Water System (SAWS) for necessary adjustments to its 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 \$1,286,122.50, is hereby accepted. All other bids will be considered rejected upon 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 comes first.

**SECTION 2.** Funds are authorized to be received from SAWS to SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01760, FY 2018 Street Maintenance Program (SMP), and the budget shall be revised by increasing WBS element 23-01760-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$12,500.00.

**SECTION 3.** The amount up to \$4,000.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01760, FY 2018 Street Maintenance Program (SMP), SAP WBS Element 23-01760-05-05-02-02-09, entitled Const-SAWS-W 2018 Fog Seal #1, SAP GL Account 5201245.

**SECTION 4.** The amount up to \$8,500.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01760, FY 2018 Street Maintenance Program (SMP), SAP WBS Element 23-01760-05-05-02-02-10, entitled Const-SAWS-S 2018 Fog Seal #1, SAP GL Account 5201245.

**SECTION 5.** A Payment in an amount not to exceed \$1,286,122.50 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01760, FY 2018 Street Maintenance Program (SMP), is authorized to be encumber an Fog Seal Task Order Package 1 and make payable to Clark Construction of Texas, Inc., for construction services on street maintenance projects. 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 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 shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED and APPROVED** this \_\_\_\_\_ day of February, 2018.

**M A Y O R**

Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney