

Item No.

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

**AN ORDINANCE**

**AUTHORIZING EXECUTION OF AN AGREEMENT WITH YANTIS COMPANY IN THE AMOUNT OF \$197,000.00 FOR RESOLUTION OF A DELAY CLAIM IN CONNECTION WITH THE RUNWAY 4/22 EXTENSION – PHASE III PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT.**

\* \* \* \* \*

**WHEREAS**, in October 2011, the City authorized a construction contract with Yantis Company (Yantis) for Phase III of the Runway 4/22 (formerly Runway 3/21) Extension Project at San Antonio International Airport; and

**WHEREAS**, upon completion of the work, Yantis submitted a delay claim in the amount of \$670,024.00 in January 2014; and

**WHEREAS**, the parties have negotiated an Agreement to resolve the delay claim for an amount of \$197,000.00 plus the release of retainage in the amount of \$313,386.76; **NOW THEREFORE**,

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

**SECTION 1.** The City Manager or her designee is authorized to execute a Settlement Agreement and Release with Yantis Company in the amount of \$197,000.00, a copy of which is set out in **Exhibit 1**.

**SECTION 2.** The budget in SAP Fund 51099000, Airport Capital Projects, Airport Capital Projects, SAP Project Definition 33-00215, Runway 21 Extension - Phase IV, shall be revised by decreasing the SAP WBS Elements as follows:

WBS NO.		WBS NAME	G/L	G/L NAME	PLAN VERSION 0
33	00215 01-02	AECOM Aviation	5201170	Engineering Fees	\$ (2,732.17)
33	00215 05-04-07	Construction - Phase IV J3	5201140	Construction	(508,773.83)
33	00215 05-07	Unallocated Appropriations	5406530	Indirect Costs	(10,000.50)
				<b>TOTALS</b>	<b>\$ (521,506.50)</b>

**SECTION 3.** The budget in SAP Fund 51099000, Airport Capital Projects, SAP Project 33-00215, Runway 21 Extension - Phase IV, shall be revised by decreasing the SAP WBS Elements as follows:

FUND NO. OR	FUND NAME OR INTERNAL	G/L	G/L NAME	PLAN VERSION 0	
1330000000092	Runway 3-21 Extension 2010	6102100	Interfund Transfers Out	\$ (221,506.00)	
1330000000094	Runway 3-21 Extension 2011	6102100	Interfund Transfers Out	(300,000.50)	
				<b>TOTALS</b>	<b>\$ (521,506.50)</b>

**SECTION 4.** The amount of \$221,506.00 is reverted in SAP Fund 2605833040, Runway 3/21 Extension, SAP Internal Order #133000000092, SAP GL account 6102100 - Interfund Transfer out entitled Extend Runway 3/21 paving 66-2. The amount of \$221,506.00 is authorized to be transferred from SAP Fund 51099000

**SECTION 5.** The amount of \$300,000.50 is reverted in SAP Fund 2605833044, Runway 3/21 Extension, SAP Internal Order #133000000094, SAP GL account 6102100 - Interfund Transfer out entitled Extend Runway 3/21 paving 69. The amount of \$300,000.50 is authorized to be transferred from SAP Fund 51099000.

**SECTION 6.** The amount of \$221,506.00 is appropriated in SAP Fund 2605833040, Runway 3/21 Extension, SAP Internal Order #133000000092, SAP GL account 6102100 - Interfund Transfer out entitled Extend Runway 3/21 paving 66-2. The amount of \$221,506.00 is authorized to be transferred to SAP Fund 51099000.

**SECTION 7.** The budget in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00160, Extend Runway 21 & Taxiway N, shall be revised by increasing SAP WBS Element 33-00160-90-08 entitled Transfer from IO #133000000092, SAP GL Account 6101100 - Interfund Transfer In, by the amount \$221,506.00.

**SECTION 8.** The amount of \$300,000.50 is appropriated in SAP Fund 2605833044, Runway 3/21 Extension, SAP Internal Order #133000000094, SAP GL account 6102100 - Interfund Transfer out entitled Extend Runway 3/21 paving 69. The amount of \$300,000.50 is authorized to be transferred to SAP Fund 51099000

**SECTION 9.** The budget in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00160, Extend Runway 21 & Taxiway N, shall be revised by increasing SAP WBS Element 33-00160-90-10 entitled Transfer from IO #133000000094, SAP GL Account 6101100 - Interfund Transfer In, by the amount \$300,000.50.

**SECTION 10.** The amount up to \$521,506.50 is appropriated in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00160, Extend Runway 21 & Taxiway N, shall be revised by increasing/decreasing the SAP WBS Elements as follows:

WBS NO.			WBS NAME	G/L	PLAN VERSION 0
33	00160	01-02	DMJM Aviation	5201170	\$ (24,993.91)
33	00160	05-01	Administration	5201150	(1,647.68)
33	00160	05-01	Administration	5402030	(389.28)
33	00160	05-01	Administration	5402050	(2,373.51)
33	00160	05-04-04	Contingency	5406530	677,453.67
33	00160	05-04-05	CPS Energy	5201140	(2,447.66)
33	00160	05-04-06	Construction - Phase III	5201140	(124,095.13)
					\$ 521,506.50

**SECTION 11.** Payment in the amount of \$197,000.00 in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00160, Extend Runway 21 & Taxiway N, is authorized to be encumbered with a purchase order and made payable to Yantis Company.

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**SECTION 12.** 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 13.** 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 \_\_\_\_\_, 2014.

**M A Y O R**  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

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Robert F. Greenblum, City Attorney