

**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 THE 2018-2019 TASK ORDER CONTRACT FOR FLATWORK AND STREET IMPROVEMENTS PACKAGE 26 TO AUSTIN CONSTRUCTORS, LLC, FOR AN AMOUNT NOT TO EXCEED \$3,460,045.00 PRIMARILY FOR THE CONSTRUCTION OF VARIOUS PROJECTS THAT HAVE RECEIVED FEDERAL FUNDING LOCATED THROUGHOUT THE CITY.**

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**WHEREAS**, during the FY 2018 Budget process, City Council approved \$5 million for the Sidewalk Maintenance Program, a component of the Infrastructure Management Program (IMP) and \$2 million for Neighborhood Access and Mobility Program (NAMP) to complete sidewalk and pedestrian-related projects; and

**WHEREAS**, on August 3, 2017, the San Antonio City Council approved Ordinance 2017-08-03-0521 adopting the FY 2018 Action Plan and Budget including the 43<sup>rd</sup> year of Community Development Block Grant funding of \$12,167,381.00, and included in this funding is \$2,532,662.00 for EastPoint Neighborhood Infrastructure Improvements such as streets, sidewalks, lighting, drainage, etc.; and

**WHEREAS**, the Transportation & Capital Improvements Department advertised for construction bids for the 2017-2018 Task Order Contract for Flatwork and Street Improvements Package 26 in June 2017, in the San Antonio Hart Beat, on the City's website, and in the Texas Electronic State Business Daily, and Austin Constructors, LLC, submitted the lowest responsive bid; and

**WHEREAS**, this contract will be awarded in compliance with the City of San Antonio's Housing and Urban Development's Section 3 program which requires economic opportunities be directed to low-income persons and businesses, and the Office of Grants Monitoring and Administration will review and approve a Section 3 Utilization Plan submitted by the Respondent prior to the commencement of contract activity, as required by HUD 108 funding requirements, with reporting of actual activity being required on a monthly basis until project completion; and

**WHEREAS**, expenditures for these services are subject to available funding and are authorized by individual projects at the time work is requested or project funds are appropriated through ordinance, and requirements for each task shall be detailed in the individual work orders assigned, and City makes no minimum guarantee pertaining to the volume of work; and

**WHEREAS**, this task order contract will be funded from federally funded projects; **NOW THEREFORE**,

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

**SECTION 1.** The lowest responsive bid of **Austin Constructors, LLC**, in the amount not to exceed \$3,460,045.00, for the 2018-2019 Task Order Contract for Flatwork and Street Improvements Package 26, is hereby approved. 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 Task Order Contract is hereby awarded to **Austin Constructors, LLC**.

**SECTION 3.** 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 4.** Payment not to exceed \$3,460,045.00 for a two year contract, is authorized to be encumbered with a purchase order and made payable to Austin Constructors, LLC., for the construction services throughout the City, for the 2018-2019 Task Order Contract for Flatwork and Street Improvements, Package 26.

**SECTION 5.** 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 6.** 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 \_\_\_\_\_, 2017.

**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**