

**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 A CONSTRUCTION CONTRACT IN THE AMOUNT NOT TO EXCEED \$15,385,582.53 TO HARPER BROTHERS CONSTRUCTION, LLC FOR THE CALLAGHAN ROAD – IH 410 TO SPUR 421 (BANDERA ROAD) PROJECT, A 2012 GENERAL OBLIGATION BOND AND FEDERALLY FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 7, OF THIS AMOUNT \$2,000,351.03 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS AND \$571,217.40 WILL BE REIMBURSED BY CPS ENERGY.

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WHEREAS, the 2012 General Obligation Bond Program \$6,630,000.00 for the Callaghan Road Project; and

WHEREAS, this Project provides for the reconstruction of the roadway, sidewalks, curbs, a shared use path and drainage from IH 410 to Spur 421 (Bandera Road); and

WHEREAS, Ordinance 2013-06-13-0416 approved an Advanced Funding Agreement with the Texas Department of Transportation for the Callaghan Road (Evers Road to Centerview Drive) Project; and

WHEREAS, on August 14, 2014, Council approved an amendment to the Advanced Funding Agreement with the Texas Department of Transportation to extend the Callaghan Road Project limits from IH 410 to Spur 421 (Bandera Road); and

WHEREAS, as a Local Agency Management (LAM) project, the City must follow federal requirements to ensure reimbursement from TxDOT in the amount of \$10,360,916.00 related to construction costs for the Callaghan Road - IH 410 to Spur 421 (Bandera Rd) Project; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Harper Brothers Construction, LLC** in the amount not to exceed \$15,385,582.53 for the Callaghan Road Project, from IH 410 to Spur 421 (Bandera Road); and

WHEREAS, of the total contract amount the City will be reimbursed \$575,215.58 by San Antonio Water Systems and \$50,600.00 will be reimbursed by CPS Energy; and

WHEREAS, this is a one-time capital improvement expenditure in the amount of \$2,745,921.49, which funds are available from the 2012-2017 General Obligation Bond and are included in the FY 2016-2021 Capital Improvement Budget; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of **Harper Brothers Construction, LLC** in the amount not to exceed \$15,385,582.53 for the Callaghan Road IH 410 to Spur 421 (Bandera Road) 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. A construction contract is hereby awarded to **Harper Brothers Construction, LLC.**

SECTION 3. The following financial adjustments are hereby approved:

- a) The City Manager or her designee, or the Director of the Transportation and Capital Improvements Department or his designee is hereby authorized to apply for and accept grant funds in the amount up to \$15,385,582.53 from the Texas Department of Transportation (TxDOT).
- b) Funds are authorized to be received from TXDOT to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Evers Rd to Centerview Dr), and the budget shall be revised by increasing WBS element 40-00292-90-06-01 entitled Transfer from I/O# 140000000183 (TXDot), SAP GL Account 6101100 - Interfund Transfer In, by the amount \$1,113,799.00.
- c) Funds are authorized to be received from two completed Local Agency Managed projects to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Evers Rd to Centerview Dr), and the budget shall be revised by increasing WBS element 40-00292-90-06-03 entitled TXDOT Refunds, SAP GL Account 6101100 - Interfund Transfer In, by the amount \$937,263.18.
- d) The amount of \$2,051,062.18, is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Evers Rd to Centerview Dr),, and the budget shall be revised by increasing SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	PLAN VERSION 0 REVISION/ Appropriation
40-00292-05-02-01	Construction-City	5201140	Construction Cost	937,263.18
40-00292-05-02-09	Construction-TxDOT	5201245	CP Othr-Constr Costs	214,603.66
40-00292-05-02-10	Construction-TxDOT-Cap Adm	5201270	CP Othr-Eng. Fees	899,195.34
			Totals	2,051,062.18

- e) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Evers Rd to Centerview Dr), and the budget shall be revised by increasing WBS element 40-00292-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$2,000,351.03.
- f) Funds are authorized to be received from CPS Energy to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Evers Rd to Centerview Dr), and the budget shall be revised by increasing WBS element 40-00292-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$571,217.40.

- g) The amount of \$2,571,568.43 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Evers Rd to Centerview Dr), and the budget shall be revised by increasing SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	PLAN VERSION 0 REVISION/ Appropriation
40-00292-05-02-03	Construction-SAWS Sewer	5201245	CP Othr-Constr Costs	843,499.48
40-00292-05-02-04	Construction-SAWS Water	5201245	CP Othr-Constr Costs	1,156,851.55
40-00292-05-02-06	Construction-CPS	5201245	CP Othr-Constr Costs	571,217.40
			Totals	2,571,568.43

- h) Payment in the amount not to exceed \$15,385,582.53 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00292, Callaghan Rd (Evers Rd to Centerview Dr), is authorized to be encumbered and made payable **Harper Brothers Construction, LLC.**, for construction services.

SECTION 4. 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 5. 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 _____, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney