

PW: gg
DATE
Item No. ##.

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

AN ORDINANCE

AUTHORIZING A UTILITY-DRIVEN CHANGE ORDER IN THE INCREASED AMOUNT OF \$161,119.65 PAYABLE TO SHANNON MONK WHICH WILL BE PAID BY CPS ENERGY FOR THE 36TH STREET PHASE IIIB PROJECT, AN AUTHORIZED 2012-2017 GENERAL OBLIGATION AND FEDERALLY FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 4.

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WHEREAS, the 36th Street Phase IIIB Project provided for reconstruction of the roadway along 36th Street, from Billy Mitchell to General Hudnell, to include curbs, sidewalks, a shared use path and a drainage channel; and

WHEREAS, City Council authorized Ordinance No. 2015-06-04-0481 previously executed a contract with **Shannon Monk** for the 36th Street Phase IIIB Project for an amount not to exceed \$8,078,660.90, through

WHEREAS, CPS Energy had originally requested a four inch in diameter conduit for the electrical duct bank and as a result of some recent issues related to the four inch conduit, CPS Energy has increased the diameter of the conduit in the proposed duct bank to five inch diameter, resulting in an increase in the original price for the work; and

WHEREAS, CPS Energy has approved the revised quantities and unit price and has accepted to fully fund the net difference in price; and

WHEREAS, this change order will not result in a change to City cost, but will be paid by CPS Energy; and

WHEREAS, this Ordinance approves a utility driven Change Order in the amount not to exceed \$161,119.65 to the construction contract with **Shannon Monk** for the 36th Street Phase IIIB Project; and

WHEREAS, a previous Change Order that has been authorized for this contract and this utility driven change order will increase the contract by \$161,119.65 to a total contract amount of \$8,677,549.15; **NOW THEREFORE**,

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

SECTION 1. The Utility-Driven Change Order in the amount of \$161,119.65 for the 36th Street Phase IIIB Project is hereby approved.

SECTION 2. The City Manager or her designee is hereby authorized to execute a Utility-Driven Change Order to the Contract with **Shannon Monk**. in the amount of \$161,119.65 which will be paid by CPS Energy.

SECTION 3. There is no financial impact to accompany this Ordinance.

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 _____, 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney