

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

ORDINANCE

**AWARDING A CONSTRUCTION CONTRACT TO CAPITAL
EXCAVATION COMPANY IN AN AMOUNT NOT TO EXCEED
\$22,575,600.40 FOR CONSTRUCTION OF THE HARRY WURZBACH
ROAD/AUSTIN HIGHWAY CONNECTORS PROJECT, OF WHICH
FUNDS IN AN AMOUNT NOT TO EXCEED \$1,300,847.61 WILL BE
REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS), AN
AMOUNT NOT TO EXCEED \$726,276.00 WILL BE REIMBURSED BY
CPS ENERGY, AND AN AMOUNT NOT TO EXCEED \$15,218,822.00
WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF
TRANSPORTATION (TXDOT).**

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WHEREAS, the 2017 Bond Program authorized \$3,000,000.00 for the Harry Wurzbach Road/Austin Highway Connectors Project located in Council District 2 and 10; and

WHEREAS, an Advanced Funding Agreement (AFA) between the City of San Antonio and TxDOT authorized funding to improve mobility along the Harry Wurzbach corridor from Fort Sam Houston to Loop 410 including design of entrance and exit ramps, retaining walls, sidewalks, signage and drainage enhancements, as well as payment to TxDOT for oversight services was approved by City Council through Ordinance 2015-05-07-0367; and

WHEREAS, TxDOT funding was authorized for additional project modifications including improvements to curbs, driveways, sidewalks on both sides of Harry Wurzbach Road, a 10-foot shared-use path, roadway illumination, traffic signal improvements, bridge widening, retaining walls, utility adjustments/relocations and striping was approved by City Council through Ordinance 2017-06-08-0415; and

WHEREAS, this project will improve mobility along the Harry Wurzbach corridor from Fort Sam Houston to Loop 410 which currently lacks connectivity between Harry Wurzbach Road and Austin Highway to include a single point urban interchange which will have connector ramps between both roads to facilitate traffic and provide direct routes for motorists; and

WHEREAS, City advertised for bids in July 2019 and received two (2) bids which were opened on August 13, 2019; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by Capital Excavation Company in an amount not to exceed \$22,575,600.40 for the Harry Wurzbach Road/Austin Highway Connectors Project; **NOW THEREFORE:**

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

SECTION 1. The lowest responsive bid by Capital Excavation Company in an amount not to exceed \$22,575,600.40 for the Harry Wurzbach Road/Austin Highway Connectors Project 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.

SECTION 2. Payment is authorized to be encumbered and made payable to Capital Excavation Company in an amount not to exceed \$20,325,600.40. Payment is in support of the Harry Wurzbach (Austin Highway Improvements) Project, using Fund 40099000, with the WBS Elements and the Account GLs in the table below. Funding is provided by COs, Federal Grants, and State Grants, and is budgeted in the FY2020-FY2025 CIP Budget. Reimbursements of \$726,276.00 will be provided by CPS, and \$15,218,822 by TXDOT.

40-00464-05-02-01	5201140	\$3,079,654.79
40-00464-05-02-06	5201245	13,741,600.00
40-00464-05-02-10	5201245	1,477,222.00
40-00464-05-02-03	5201245	382,669.15
40-00464-05-02-04	5201245	918,178.46
40-00464-05-02-06	5201245	726,276.00
	TOTAL	\$20,325,600.40

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 3. Payment is authorized to be encumbered and made payable to Capital Excavation Company in an amount not to exceed \$2,250,000.00. Payment is in support of the Harry Wurzbach Rd Austin Highway Connectors Project, using Fund 45099000, with the WBS 23-01586-05-02-01 and GL 5201140. Funding is provided by GO Bonds, and is budgeted in the FY2020-FY2025 CIP Budget.

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 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

KRH
12/12/19
Item No. _____

PASSED and APPROVED this 12th day of December, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

DRAFT