

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

AN ORDINANCE

AUTHORIZING A CHANGE ORDER IN THE AMOUNT NOT TO EXCEED \$232,438.15 AND AUTHORIZING PAYMENT TO TEXAS STERLING CONSTRUCTION COMPANY, FOR THE BROADWAY CORRIDOR PHASE IIIA (BROADWAY-HILDEBRAND) AN AUTHORIZED 2007-2012 BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 2.

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WHEREAS, the Corridor Phase IIIA (Broadway-Hildebrand) Project provides for a drainage system designed to convey a 100-year storm event across Broadway improving driving conditions and safety along Broadway Street and Hildebrand Avenue; and

WHEREAS, Ordinance No. 2012-09-20-0726 awarded a construction contract to **Texas Sterling Construction Company** in the amount of \$15,530,861.05 for the Broadway Corridor Phase IIIA (Broadway-Hildebrand) Project; and

WHEREAS, the traffic signal at Broadway St. and Burr Rd. was identified to be upgraded from wooden poles to mast arm assemblies as part of the Public Works FY2014 Traffic Signal Infrastructure Management Program which is within the limits of the Broadway Corridor Phase IIIA (Broadway-Hildebrand) Project; and

WHEREAS, CIMS in collaboration with Public Works have coordinated to have the construction of the traffic signal incorporated into the Broadway-Hildebrand construction contract as a change order; and

WHEREAS, previous Change Orders have increased this contract by \$380,713.42 to a total of \$15,911,574.47; and

WHEREAS, this Ordinance approves an owner requested Change Order in the amount of \$232,438.15 to the existing Contract with **Texas Sterling Construction Company**, increasing the total contract to \$16,144,012.62; and

WHEREAS, approval of the Ordinance will be a continuation of Council policy to complete previously approved 2007-2012 Bond funded Projects; **NOW THEREFORE**,

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

SECTION 1. The Change Order for the Broadway Corridor Phase IIIA (Broadway-Hildebrand) Project in the amount of \$232,438.15 is hereby approved. The City Manager or her designee is hereby authorized to execute a Change Order to the Contract with **Texas Sterling Construction Company**.

SECTION 2. The following financial adjustment is hereby approved:

- a) A Task Order contract was previously awarded to Texas Sterling Construction Company, in the amount of \$15,530,861.05 for construction services and revised by Ordinance 2012-09-20-0726 to the amount of \$15,911,574.47. This Ordinance is increasing the contract amount by \$232,438.15 to a revised contract total of \$16,144,012.62.
- b) Payment in the amount of \$232,438.15 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01404, FY 2014 Traffic Signal Installation, is authorized to be encumbered and made payable to **Texas Sterling Construction Company**, for construction services.
- c) 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 allocation 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 3. 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 _____, **2013.**

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Michael D. Bernard, City Attorney