

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

ORDINANCE

**AWARDING THE FY 2021 FLATWORK AND STREET
IMPROVEMENTS TASK ORDER CONTRACT PACKAGE 3 TO NBM
DEVELOPMENT, INC. IN AN AMOUNT NOT TO EXCEED \$1,405,173.50
OF WHICH \$58,750.00 WILL BE REIMBURSED BY SAN ANTONIO
WATER SYSTEM AND \$1,000.00 WILL BE REIMBURSED BY CPS
ENERGY FOR NECESSARY ADJUSTMENTS TO EXISTING
INFRASTRUCTURE.**

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WHEREAS, during the FY 2020 Budget process, City Council approved \$2.2 million for the Neighborhood Access and Mobility Program (NAMP) and \$5 million for the Sidewalk Maintenance Program, a component of the Infrastructure Management Program (IMP) to complete sidewalk and pedestrian-related projects; and

WHEREAS, the FY 2021 Flatwork and Street Improvements Task Order Contract Package 3 was advertised for construction bids on August 12, 2020, and the City received ten bids which were opened on September 25, 2020; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by NBM Development, Inc. in an amount not to exceed \$1,405,173.50; **NOW THEREFORE:**

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

SECTION 1. The lowest responsive bid submitted by NBM Development, Inc. in an amount not to exceed \$1,405,173.50 for the FY 2021 Flatwork and Street Improvements Task Order Contract Package 3, 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. 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, Grants, and/or Capital Budget funding sources identified. All expenditures will comply with Operating, Grants, and/or Capital Budgets for current and future fiscal years.

SECTION 3. Payment not to exceed \$1,405,173.50 is authorized to be encumbered with purchase orders and made payable to NBM Development, Inc. for FY 2021 Flatwork and Street Improvements Task Order Contract Package 3. Reimbursements of \$58,750.00 will be received from SAWS and \$1,000.00 will be received from CPS Energy.

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.

PASSED and APPROVED this _____ day of December, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney