

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

AN ORDINANCE

AWARDING A TASK ORDER CONSTRUCTION CONTRACT TO CLARK CONSTRUCTION OF TEXAS, INC. IN AN AMOUNT NOT TO EXCEED \$4,187,651.15 FOR THE 2019 ASPHALT OVERLAY TASK ORDER CONTRACT PACKAGE 3, OF WHICH FUNDS IN THE AMOUNT NOT TO EXCEED \$68,020.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS) AND \$20,000.00 WILL BE REIMBURSED BY CPS ENERGY FOR NECESSARY ADJUSTMENTS TO EXISTING INFRASTRUCTURE.

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WHEREAS, City Council, with the adoption of the FY 2019 Budget on September 13, 2018, approved the Street Maintenance Program (SMP) at \$110 million to complete the entire SMP, which is comprised of both in-house and contractual street maintenance projects; and

WHEREAS, the City received eight bids in response to an invitation for bid released in August 2018; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by Clark Construction of Texas, Inc. in an amount not to exceed \$4,187,651.15, of which \$68,020.00 will be reimbursed by SAWS and \$20,000.00 will be reimbursed by CPS Energy for necessary adjustments to existing infrastructure; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid submitted by Clark Construction of Texas, Inc. in an amount not to exceed \$4,187,651.15 for the 2019 Asphalt Overlay 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 or the expiration of ninety (90) days from the effective date hereof, whichever comes first.

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 and/or Capital Budget funding sources identified. All expenditures will comply with Operating and/or Capital Budgets for current and future fiscal years.

SECTION 3. Payment not to exceed \$4,187,651.15 for a 1 year contract, in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01826, FY 2019 Street Maintenance Program (SMP), is authorized to be encumbered with a purchase order and made payable to **Clark Construction of Texas, Inc.**, for the construction services.

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SECTION 4. Funds in the amount of \$68,020.00 are authorized to be received from SAWS as per reimbursement agreement for respective utility work related to these 2019 Asphalt Overlay Task Order Contract Package 3 in the fiscal year 2019 through fiscal year 2019 Infrastructure Management Program (IMP). The funding for any work orders not previously appropriated will be identified and appropriated through subsequent City Council action.

SECTION 5. Funds in the amount of \$20,000.00 are authorized to be received from CPS Energy as per reimbursement agreement for respective utility work related to these 2019 Asphalt Overlay Task Order Contract Package 3 in the fiscal year 2019 through fiscal year 2019 Infrastructure Management Program (IMP). The funding for any work orders not previously appropriated will be identified and appropriated through subsequent City Council action.

SECTION 6. 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 7. 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 _____, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney