

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

**AN ORDINANCE**

**ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING THE 2017-2018 TASK ORDER CONTRACT FOR FLATWORK AND STREET IMPROVEMENTS PACKAGE 27 TO MCOR CONSTRUCTION COMPANY FOR AN AMOUNT NOT TO EXCEED \$1,129,420.00, OF WHICH \$52,350.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM FOR NECESSARY ADJUSTMENTS TO ITS EXISTING INFRASTRUCTURE.**

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**WHEREAS**, during the FY 2018 Budget process, City Council approved \$5 million for the Sidewalk Maintenance Program, a component of the Infrastructure Management Program (IMP) and \$2 million for Neighborhood Access and Mobility Program (NAMP) to complete sidewalk and pedestrian-related projects; and

**WHEREAS**, on August 3, 2017, the San Antonio City Council approved Ordinance 2017-08-03-0521 adopting the FY 2018 Action Plan and Budget including the 43<sup>rd</sup> year of Community Development Block Grant funding of \$12,167,381.00, and included in this funding is \$2,532,662.00 for EastPoint Neighborhood Infrastructure Improvements such as streets, sidewalks, lighting, drainage, etc.; and

**WHEREAS**, the Transportation & Capital Improvements Department advertised for construction bids for the 2017-2018 Task Order Contract for Flatwork and Street Improvements Package 27 in July 2017, in the San Antonio Hart Beat, on the City's website, and in the Texas Electronic State Business Daily, and MCOR Construction Company submitted the lowest responsive bid; and

**WHEREAS**, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract; and

**WHEREAS**, expenditures for these services are subject to available funding and are authorized by individual projects at the time work is requested or project funds are appropriated through ordinance, and requirements for each task shall be detailed in the individual work orders assigned, and City makes no minimum guarantee pertaining to the volume of work; and

**WHEREAS**, if funding for any work activities is not previously appropriated, funding will be identified and appropriated through subsequent City Council action, and potential funding

sources may include, but are not limited to, Neighborhood Access and Mobility Program (NAMP), Advanced Transportation District (ATD), Street Maintenance Program (SMP), various federally funded projects, or other funding sources; **NOW THEREFORE,**

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

**SECTION 1.** The lowest responsive bid of **MCOR Construction Company**, in the amount not to exceed \$1,129,420.00, for the 2017-2018 Task Order Contract for Flatwork and Street Improvements Package 27, of which \$52,350.000 will be reimbursed by SAWS, is hereby approved. All other bids will be considered rejected upon the 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 occurs first.

**SECTION 2.** The Task Order Contract is hereby awarded to **MCOR Construction Company**.

**SECTION 3.** 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 4.** Payment not to exceed \$1,129,420.00 for a 18 month contract, is authorized to be encumbered with a purchase order and made payable to MCOR Construction Company, for the construction services throughout the City, for the 2017-2018 Task Order Contract for Flatwork and Street Improvements, Package 27.

**SECTION 5.** Funds in the amount of \$52,350.00 are authorized to be received from SAWS as per reimbursement agreement for necessary adjustments to its existing infrastructure. 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 passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this day of , 2017.

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

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**Leticia M. Vacek, City Clerk**

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**Andrew Segovia, City Attorney**