

**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 \$143,220.00 TO EZ BEL CONSTRUCTION LLC FOR THE
ELECTRICAL SERVICE AND THE CONSTRUCTION OF TRAIL
LIGHTING, A CERTIFICATE OF OBLIGATION FUNDED PROJECT,
LOCATED IN DISTRICT 2.**

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WHEREAS, on May 12, 2012, voters approved the 2012-2017 Bond Program which authorized \$6,526,000.00 for Menger Creek Drainage project; and

WHEREAS, on December 4, 2014, City Council authorized an Interlocal Agreement between the City of San Antonio and Bexar County accepting funds in the amount of \$2,800,000.00 from the Bexar County Flood Control Program and increasing the project budget to a total of \$9,056,000.00; and

WHEREAS, the Menger Creek Drainage project provides for the construction of channel improvements, a span bridge at Rio Grande Street, culvert improvements at the Union Pacific Railroad Bridge, a pedestrian bridge at Grimes Street and a Linear Park trailway along the Menger Creek channel. The culvert improvements and the Rio Grande Bridge will significantly reduce water surface elevation along the channel; and

WHEREAS, City Council previously authorized a construction contract to **EZ Bel Construction LLC** through Ordinance No. 2015-10-15-0869 in connection with the Menger Area Drainage Project for an amount not to exceed \$7,407,861.70; and

WHEREAS, Previous change orders including: aqua dams, the replacement of the 6-inch polyvinyl chloride (PVC) pipe underdrain with a 10-inch high-density polyethylene (HDPE) pipe for constant water flow, water diversion for fiber optic line adjustment and insurance coverage required by UPRR to commence work within the UPRR Right-Of-Way (ROW) have increased this contract amount by \$64,910.59 to a total contract amount of \$7,472,772.29; and

WHEREAS, this Ordinance approves a Change Order to the Construction Contract with **EZ Bel Construction LLC** in the amount not to exceed \$143,220.00 for the electrical service and the construction of trail lighting; and

WHEREAS, this is a one-time capital improvement expenditure in the amount of \$143,220.00 for which funds are available from the future sale of Certificates of Obligation and are included in the 2016-2021 Capital Improvement Program Budget; **NOW THEREFORE**,

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

SECTION 1. The Change Order in the amount of \$143,220.00 for the electrical service and the construction of trail lighting in connection with the Menger Area Drainage Project is hereby approved.

SECTION 2. The City Manager or her designee is hereby authorized to execute a Change Order to the Contract with **EZ Bel Construction LLC** in the amount of \$143,220.00.

SECTION 3. Payment in the amount of \$143,220.00 in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 23-01552, Menger Creek Parks, is authorized to be encumbered and made payable to **E-Z Bel Construction, LLC**, for construction services.

SECTION 4. 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 5. 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 ____, 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

City Attorney