

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

AN ORDINANCE

FOR THE 2018 ASPHALT OVERLAY CONTRACT PACKAGE 1, ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONTRACT TO CLARK CONSTRUCTION OF TEXAS, INC. IN AN AMOUNT NOT TO EXCEED \$7,353,255.60, OF WHICH \$301,500.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS) AND \$40,000.00 WILL BE REIMBURSED BY CPS ENERGY FOR NECESSARY ADJUSTMENTS TO EXISTING INFRASTRUCTURE.

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WHEREAS, City Council approved \$99 million in the FY 2018 Budget to complete both in-house and contract street maintenance projects, and is an increase of funding in the amount of \$35M above the \$64M provided the previous two fiscal years for street maintenance; and

WHEREAS, this project will provide for approximately an additional 50 miles of street rehabilitation upon the completion of the FY 2018 Street Maintenance Program; and

WHEREAS, this Ordinance accepts the lowest responsive bid and awards a contract to **Clark Construction of Texas, Inc.** in an amount not to exceed \$7,353,255.60 for the FY 2018 Asphalt Overlay Contract Package 1 Project wherein San Antonio Water Systems will reimburse the City a total of \$301,500.00 and CPS Energy will be reimbursing the City a total of \$40,000.00 in order to complete the necessary adjustments that will be made to their existing infrastructure for which \$7,011,755.60 in IMP funding for these projects may include the General Fund, Certificates of Obligation, Advanced Transportation District (ATD) Fund, ROW Penalty Funds, 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 **CLARK CONSTRUCTION OF TEXAS, INC.** in the total amount not to exceed \$7,353,255.60 for the Asphalt Overlay Contracts in connection with the FY 2018 Asphalt Overlay Contract Package 1 Project 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 FY 2018 Asphalt Overlay Package 1 Contract is hereby awarded to **CLARK CONSTRUCTION OF TEXAS, INC.**

SECTION 3. The following financial adjustment is hereby approved:

- a) Funds are authorized to be **received from SAWS** to SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01760, FY 2018 Street Maintenance Program (SMP)., and the budget shall be revised by **increasing** WBS element 23-01760-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$301,500.00.

- b) Funds are authorized to be **received from CPS Energy** to SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01760, FY 2018 Street Maintenance Program (SMP)., and the budget shall be revised by **increasing** WBS element 23-01760-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$40,000.00.
- c) The amount of \$341,500.00 is appropriated in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01760, FY 2018 Street Maintenance Program (SMP)., and the budget shall be revised by **increasing** SAP WBS Elements as follows:

| WBS NO. | WBS NAME | G/L | G/L NAME | PLAN VERSION 0 REVISION/ Appropriation |
|-------------------------|------------|---------|-----------------|----------------------------------------------|
| 23-01760-01-05-02-02-01 | SAWS Water | 5201245 | CP-Constr Costs | 120,750.00 |
| 23-01760-01-05-02-02-02 | SAWS Sewer | 5201245 | CP-Constr Costs | 180,750.00 |
| 23-01760-01-05-01 | CPS | 5201245 | CP-Constr Costs | 40,000.00 |
| | | | Totals | 341,500.00 |

- d) A Payment in an amount not to exceed \$7,353,255.60 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-01760, FY 2018 Street Maintenance Program (SMP), is authorized to be encumber an Asphalt Overlay Task Order Contract - Package 1 and make payable to **Clark Construction of Texas, Inc.**, for construction services on street maintenance projects. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.
- e) 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 4. 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 19th day of October, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney