

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

AN ORDINANCE

FOR THE LAMAR STREET RECONSTRUCTION (AUSTIN ST. TO N. NEW BRAUNFELS) PROJECT, A CDBG AND 2017-2022 BOND FUNDED PROJECT, ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT, INCLUDING THREE ADDITIVE ALTERNATES, TO SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$5,457,166.50, OF WHICH \$1,823,897.70 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS) AND \$475,692.00 WILL BE REIMBURSED BY CPS ENERGY, LOCATED IN COUNCIL DISTRICT 2.

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WHEREAS, the Lamar Street Reconstruction Project originated as a street rehabilitation project to be completed through the City's rolling maintenance program, however, upon further review City staff recommended this project be considered as part of the 2017 Bond Program in order to allow for the full depth reconstruction that was necessary to improve the street conditions, including new curbs, sidewalks and driveway approaches; and

WHEREAS, the base bid of the Lamar St. Reconstruction Project provides for the full depth pavement reconstruction of Lamar St. from Austin St. to N. Palmetto St. and a mill and overlay from N. Palmetto St. to N. New Braunfels St. with curb, sidewalks and driveway approaches throughout, and with SAWS Sewer, SAWS Water and CPS Gas improvements included within the project limits; and

WHEREAS, Additive Alternate No. 1 includes full depth reconstruction from Palmetto St. to N. New Braunfels rather than using the mill and overlay application, and additional project funds from supplemental Community Development Block Grant (CDBG) funding allowed for the full depth reconstruction; Additive Alternate No. 2 includes the addition of ITSD conduit throughout the project limits for the City of San Antonio's ITSD infrastructure; and Additive Alternate No. 3 includes the installation and three year maintenance for trees along Lamar St.; and

WHEREAS, on January 14, 2016, City Council approved the swapping of \$949,679.79 Street Maintenance Program (SMP) funds to CDBG-eligible funding for the Lamar St. Reconstruction Project, and on June 15, 2017, City Council approved the utilization of \$700,281.13 in supplemental CDBG funding to fully fund the Lamar Street Reconstruction Project; and

WHEREAS, this Project was advertised for construction bids in June 2017, with bids opened on July 18, 2017 and, of the four bidders responding, San Antonio Constructors, Ltd. submitted the lowest responsive bid; and

WHEREAS, this contract will be awarded in compliance with the U.S. Department of Housing and Urban Development's Section 3 program which requires economic opportunities be directed to low-income persons and businesses; and

WHEREAS, this Ordinance for the Lamar Street Reconstruction Project accepts the lowest responsive bid and awards a contract to San Antonio Constructors, Ltd., for a one-time capital improvement expenditure in the amount of \$5,457,166.50, payable to San Antonio Constructors, Ltd; and

WHEREAS, funds are available from the 2017-2022 General Obligation Bonds and Community Development Block Grant (CDBG) funds, and of the total amount, \$1,823,897.70 will be reimbursed by SAWS and \$475,692.00 will be reimbursed by CPS Energy; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of **San Antonio Constructors, Ltd.**, in the total amount not to exceed \$5,457,166.50, of which \$1,823,897.70 will be reimbursed by San Antonio Water System (SAWS) and \$475,692.00 will be reimbursed by CPS Energy, for the Lamar Street Reconstruction Project, a CDBG and 2017-2022 Bond funded 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. A contract is hereby awarded to **San Antonio Constructors, Ltd.**

SECTION 3. The following financial adjustment is hereby approved:

- a) Funds are authorized to be **received from SAWS** to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01591, Lamar St. (Austin St.-N. New Braunfels Ave.), and the budget shall be revised by **increasing** WBS element 23-01591-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from General Obligation Agencies, in the amount of \$1,823,897.70.
- b) Funds are authorized to be **received from CPS Energy** to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01591, Lamar St. (Austin St.-N. New Braunfels Ave.), and the budget shall be revised by **increasing** WBS element 23-01591-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from Other Agencies, in the amount of \$475,692.00.
- c) The amount of \$2,299,589.70 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01591, Lamar St. (Austin St.-N. New Braunfels Ave.), 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
23-01591-05-02-03	Construction-SAWS Sewer	5201245	CP Othr-Constr Costs	668,881.40
23-01591-05-02-04	Construction-SAWS Water	5201245	CP Othr-Constr Costs	1,155,016.30
23-01591-05-02-06	Construction-CPS Gas	5201245	CP Othr-Constr Costs	475,692.00
			Totals	2,299,589.70

- d) A Payment in an amount not to exceed \$3,810,105.58 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01591, Lamar St. (Austin St.-N. New Braunfels Ave.), is authorized to be encumber and make payable to **San Antonio Constructors, Ltd.**, for construction services. 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) A Payment in an amount not to exceed \$1,647,060.92 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01474, FY 2016 Street Maintenance Program (SMP), is authorized to be encumber and make payable to **San Antonio Constructors, Ltd.**, 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 , 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney