

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

ORDINANCE

**AWARDING A TASK ORDER CONSTRUCTION CONTRACT TO
CLARK CONSTRUCTION OF TEXAS, INC. IN AN AMOUNT NOT TO
EXCEED \$3,779,448.50 FOR THE 2019-2020 ONYX SEAL TASK ORDER
CONTRACT PACKAGE 1, OF WHICH FUNDS IN THE AMOUNT NOT
TO-EXCEED \$48,000.00 WILL BE REIMBURSED BY THE SAN
ANTONIO WATER SYSTEM.**

* * * * *

WHEREAS, with the adoption of the FY 2019 Budget on September 13, 2018, City Council approved \$110 million for the Street Maintenance Program to complete in-house and contract street maintenance projects; and

WHEREAS, the City received two bids in March 2019 for the 2019-2020 Task Order Contract for Onyx Seal Task Order Package 1 in response to an invitation for bid released in February 2019; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by Clark Construction of Texas, Inc. in an amount not to exceed \$3,779,448.50, of which \$48,000.00 will be reimbursed by San Antonio Water System for necessary adjustments to its 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. for the 2019-2020 Fog Seal Task Order Contract Package 1 in an amount not to exceed \$3,779,448.50, 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.

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 and is included in the FY 2019 - 2023 Capital Improvements Program.

SECTION 3. Payment not to exceed \$3,779,448.50 per contract period is authorized to be encumbered with a purchase order and made payable to Clark Construction of Texas, Inc., for the construction services throughout the City.

SECTION 4. Funds in the amount of \$48,000.00 are authorized to be received from SAWS as per reimbursement agreement for necessary adjustments to its existing infrastructure projects in the 2019-2020 Task Order Contract for Onyx Package 1. The funding for any work orders not previously appropriated will be identified and appropriated through subsequent City Council action.

SECTION 5. 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 6. 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 _____, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney