

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

ORDINANCE

**APPROVING A CITY REQUESTED CHANGE ORDER IN THE
TOTAL INCREASED AMOUNT OF \$432,134.10 AND AUTHORIZING
PAYMENT TO J3 COMPANY LLC FOR DELAY CLAIMS RELATED
TO THE CONSTRUCTION OF THE PORT SAN ANTONIO PROJECT,
A 2017 BOND FUNDED PROJECT, LOCATED IN COUNCIL
DISTRICT 4.**

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WHEREAS, on May 6, 2017, San Antonio voters approved the City of San Antonio's 2017-2022 Bond Program, of which \$24,000,000.00 was approved for drainage improvements associated with the Port San Antonio project with funds being used toward constructing the project, construction oversight and the reimbursement of construction phase design services and utility adjustments; and

WHEREAS, in partnership with the City, the Port Authority of San Antonio agreed to manage and fund the design phase of the project, including the necessary environmental services and manage the preconstruction utility adjustments, the City agreed to contribute \$24,000,000.00 toward the construction and provide construction management services for the Port San Antonio project and fund the preconstruction utility adjustments; and

WHEREAS, the Port San Antonio project is a continuation of the City of San Antonio's commitment to providing an adequate storm water system to reduce on-going flooding risks within the City and the project expands the 36th Street Phase IIIB (Billy Mitchell to General Hudnell) drainage infrastructure built as part of the 2012 General Obligation Bond Program; and

WHEREAS, project construction began in February 2019 and is estimated to be completed by May 2022; and

WHEREAS, a previously executed contract with J3 Company LLC for \$20,763,251.51 to construct the 2017 Bond Port Authority drainage project was approved by City Council on January 17, 2019 through Ordinance 2019-01-17-0025; and

WHEREAS, change orders have increased the contract by \$1,482,044.65; and

WHEREAS, the proposed change orders will increase the contract capacity by \$94,466.18 to a revised contract amount of \$22,339,762.34; and

WHEREAS, the following table illustrates the change orders which have occurred since construction on this project began:

Item	Amount
Original Contract Value	\$ 20,763,251.51
Previous Change Orders	\$ 1,482,044.65
Proposed Change Orders	\$ 94,466.18
Revised Contract Value	\$ 22,339,762.34

WHEREAS, these change orders will compensate the contractor for the time and work associated with constructing the drainage channel and mitigation efforts to address unforeseen conditions encountered during the project's construction; and

WHEREAS, all change orders were negotiated in coordination with the Port Authority of San Antonio; and

WHEREAS, this ordinance authorizes a change orders in the total increased amount of \$432,134.10 and authorizing payment to J3 company LLC for delay claims related to the construction of the Port San Antonio project; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee is authorized to execute a change order to in the increased amount of \$432,134.10 and authorizing payment to J3 company LLC for delay claims related to the construction of the Port San Antonio project, a 2017 Bond funded project, located in Council District 4.

SECTION 2. Payment is authorized to be encumbered and made payable to J3 Company LLC for design revisions in an amount not to exceed \$432,134.10. Payment is in support of the Port San Antonio Project, using Fund 45099000, with WBS Element 23-01633-05-02-01 with General Ledger Account 5201140. Funding is provided by GO Bonds and is budgeted in the FY2021-FY2026 CIP Budget.

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.

SECTION 3. 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 is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____th day of _____, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk


Andrew Segovia, City Attorney

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EXHIBIT I
Change Order 1

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Contract Change Request

 Contract Change Request

General

Project Number: 23-01633	Project Name: H - Port San Antonio
Record Number: CCR-0000050	Status: Commitment_Pending
Title: PWD-42 Eliminate Retaining Walls	Contract #: 4600017838
Creator: CoSA Admin	Creation Date: 03/29/2021 11:45 AM (UTC-6)
Type Contract: Construction	Vendor Name: J3 EXCAVATION COMPANY LLC
Agency: City	Change Category: Owner Requested - Necessary
Special Contract: No	Proposal Record PRN-0000082 Number:
Contract Amount: \$20,763,251.51	Previous Contract \$1,525,217.56 Changes:
New Contract Value: \$21,950,801.15	Contract Change 5.72 Percentage:
Change to Contract - \$337,667.92 Cost:	Change to Calendar 0 Days:

Description Of Change

Description of Change: Removing retaining walls at stations 144 and 153 due to conflicts w/ J3's special shoring and AFCEC's monitoring wells. Replacing with typical channel riprap and narrower channel bottom.

Justification for Proposed Change:

Ordinance Information

Change Order Council \$100,000.00 Threshold:

Ordinance Number: Ordinance Date:

Fiscal Remarks:

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Vendor Information

SAP Vendor No.: 0001038714	
Vendor Address 1: PO Box 129	Vendor Address 2:
Vendor City: COMFORT	Vendor State: TX
	Vendor Zip Code: 78013
Vendor Phone 830-995-5100 Number:	Vendor Fax 830-896-3712 Number:

 Standard

5 Item(s)

No.	Spec No.	Item Description	UM	Unit Price	Quantity	Amount	PO No.	PO Line #
001	REF ID 9	Channel Excavation	CY	\$15.00	353.0	\$5,295.00		
002	REF ID 15	Concrete Structure (Retaining Walls)	CY	\$770.00	-393.0	-\$302,610.00		
003	REF ID 46	Temporary Special Shoring	SF	\$22.00	-2,410.0	-\$53,020.00		
004	REF ID 29	Concrete Riprap (5")	SY	\$54.00	254.0	\$13,716.00		
005	REF ID 34	Pedestrian Handrail (TYE)	LF	\$87.41	-12.0	-\$1,048.92		

Total Amount -\$337,667.92

Attachments (5)

Linked Records (0)

Linked Mail (0)