

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

AN ORDINANCE

ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT NOT TO EXCEED \$9,556,267.60 TO CAPITAL EXCAVATION, FOR THE CONSTRUCTION OF THE E. COMMERCE STREET BRIDGE AND THE E. COMMERCE (N. RIO GRANDE TO E. HOUSTON STREET) STREET IMPROVEMENTS PROJECT, BOTH 2012-2017 GENERAL OBLIGATION BOND FUNDED PROJECTS, LOCATED IN COUNCIL DISTRICT 2, OF THIS AMOUNT \$2,872,787.70 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS (SAWS) AND \$174,605.20 WILL BE REIMBURSED BY CPS ENERGY, AND AUTHORIZES A PAYMENT OF UP TO \$300,000 FOR PROJECT ACCELERATION COSTS ASSOCIATED WITH ADDITIONAL OVERHEAD AND OVERTIME.

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WHEREAS, the City-Wide Bridge Project is a \$23.4 million, 2012 - 2017 Bond program funded Project intended to replace City owned bridge structures rated as deficient, either due to compromised structural integrity, insufficient drainage capacity, or inadequate traffic provisions, or a combination; and

WHEREAS, the Transportation and Capital Improvement department initiated a bridge selection process to create a short-list of recommended bridges which entailed an evaluation of the 2011 Texas Department of Transportation (TxDOT) San Antonio District Off-System Bridge list and TxDOT's National Bridge Inventory to help identify bridges with the greatest potential for improvement; and

WHEREAS, based on the evaluation of these lists, the E. Commerce Street Bridge was selected due its aged structure and pedestrian/bicycle access needed improvements; and

WHEREAS, this Project replaces the bridge structure at Salado Creek, provides for a installation of a new pedestrian link from the roadway to the Salado Creek Greenway Trail and upgrades to SAWS and CPS existing utility systems within the project limits.

WHEREAS, the E. Commerce (N. Rio Grande to E. Houston Street) Street Improvements Project is also a 2012-2017 Bond funded project which authorized \$7,455,000.00 for improving approximately 1.5 miles of the East Commerce roadway, sidewalks, curbs, driveway approaches and drainage as appropriate between Rio Grande to Houston Street. Of the authorized amount, \$3,455,261.20 of the authorized amount will be used for construction; and

WHEREAS, the balance of the Project funds approved shall be used for design services, environmental services, advertising, property acquisition and project management; and

WHEREAS, both projects will run concurrently and during a portion of the construction phase, the E. Commerce Street Bridge will be closed to accommodate the bridge construction and when the bridge is closed to traffic, a detour plan will be in place to accommodate pedestrian and vehicular traffic; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Capital Excavation** in the amount not to exceed \$9,556,267.60 for the construction E. Commerce Street Bridge over Salado Creek and the E. Commerce Street (N. Rio Grande to E. Houston Street) Improvements Projects related to the Citywide Bridge Program, and

WHEREAS, of the total contract amount, the City will be reimbursed \$2,872,787.70 by San Antonio Water Systems and \$174,605.20 will be reimbursed by CPS Energy for their work; and

WHEREAS, this Ordinance also authorizes up to \$300,000.00 for project acceleration costs associated with additional overhead and overtime; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of **Capital Excavation** in the amount not to exceed \$9,556,267.60 for the construction E. Commerce Street Bridge over Salado Creek and the E. Commerce Street (N. Rio Grande to E. Houston Street) Improvements Projects related to the Citywide Bridge Program is hereby accepted. 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 construction contract is hereby awarded to **Capital Excavation**.

SECTION 3. Payment of up to \$300,000.00 for project acceleration costs associated with additional overhead and overtime is authorized.

SECTION 4. The following financial adjustments are hereby approved:

- a) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00294, Citywide Bridge Program, and the budget shall be revised by increasing WBS element 40-00294-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$152,814.85.
- b) The amount of \$152,814.85 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00294, Citywide Bridge Program, SAP WBS Element 40-00294-05-02-04-01, SAWS Water - E. Commerce Bridge and SAP General Ledger 5201245.
- c) Funds are authorized to be received from SAWS to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00302, E. Commerce (N. Rio Grande to E. Houston), and the budget shall be revised by increasing WBS element 40-00302-90-08, SAWS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$2,719,972.85.
- d) The amount of \$1,500,840.35 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00302, E. Commerce (N. Rio Grande to E. Houston), SAP WBS Element 40-00302-05-02-03, Construction-SAWS Sewer and SAP General Ledger 5201245.

- e) The amount of \$1,219,132.50 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00302, E. Commerce (N. Rio Grande to E. Houston), SAP WBS Element 40-00302-05-02-04, Construction-SAWS Water and SAP General Ledger 5201245.
- f) Funds are authorized to be received from CPS Energy to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00302, E. Commerce (N. Rio Grande to E. Houston), and the budget shall be revised by increasing WBS element 40-00302-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$174,605.20.
- g) The amount of \$174,605.20 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00302, E. Commerce (N. Rio Grande to E. Houston), SAP WBS Element 40-00302-05-02-06, Construction-CPS Gas and SAP General Ledger 5201245.
- h) Payment in the amount not to exceed \$3,506,428.35 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00294, Citywide Bridge Program, is authorized to be encumbered and made payable to **Capital Excavation**, for construction services.
- i) Payment in the amount not to exceed \$6,349,839.25 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00302, E. Commerce (N. Rio Grande to E. Houston), is authorized to be encumbered and made payable to **Capital Excavation**, for construction services.

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 passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this ___ day of _____, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney