

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

ORDINANCE

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A CONTRIBUTION AGREEMENT WITH CIVITA S CORP 2019 IN THE AMOUNT NOT TO EXCEED \$300,000.00 FOR REIMBURSEMENT OF CONSTRUCTION PHASE ENGINEERING SERVICES RELATED TO THE WEST MILITARY DRIVE & INGRAM ROAD CONNECTORS PROJECT, A 2017 BOND FUNDED PROJECT.

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WHEREAS, on May 6, 2017, San Antonio voters approved the 2017 Bond Program, consisting of six propositions totaling \$850 Million to be used on various capital improvement projects to address community infrastructure needs and improve the overall quality of life in San Antonio; and

WHEREAS, on the June 20, 2019, the San Antonio City Council by and thru ordinance 2019-06-20-0536 authorized the execution of a Contribution Agreement with Civita S Corp 2019 (“Civita”) as part of Proposition 1 Streets, Bridges & Sidewalk Improvements in the amount of \$10,000,000.00 for the West Military Drive and Ingram Road Connectors Project and \$1,000,000.00 for the Ingram Road (Potranco Road to Dead End); and

WHEREAS, project construction began in July 2019 and is estimated to be complete by July 2020; and

WHEREAS, this Ordinance authorizes the execution of an Amendment, in an amount not to exceed \$300,000.00 for reimbursement of construction phase engineering services as a part of the previously allocated \$11,000,000.00 construction obligation; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the Transportation and Capital Improvements Department (TCI) or designee, is hereby authorized to amend the Contribution Agreement between the City of San Antonio and Civita in an amount not to exceed \$300,000.00 for reimbursement of construction phase engineering services. The terms and conditions of the Amendment, in the form attached hereto and incorporated herein for all purposes as **Exhibit I**, are hereby approved.

SECTION 2. Payment is authorized to be encumbered and made payable to Civita S Corp 2019 for reimbursement of construction phase engineering services, in an amount not to exceed \$300,000.00. Payment is in support of the West Military Drive & Ingram Road Connectors Project, using Fund 45099000, with WBS 23-01618-01-02-01 and General Ledger Account

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5201170. Funding is provided by GO Bonds and is budgeted in the FY2020-FY2025 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 Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall become effective immediately upon its passage by eight (8) votes or more and upon ten (10) days following its passage if approved by fewer than eight (8) votes.

PASSED AND APPROVED this 5th day of March, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

City Clerk

Andrew Segovia, City Attorney

ATTACHMENT I

DRAFT