

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

AN ORDINANCE

AN ORDINANCE AWARDDING THE 2017-2018 CITY-WIDE TASK ORDER CONTRACT FOR FLATWORK AND STREET IMPROVEMENTS, PACKAGE 25 TO AUSTIN CONSTRUCTORS, LLC; MCOR CONSTRUCTION COMPANY; HESI ENTERPRISES, LLC; BLUETEX IRRIGATION & CONSTRUCTION, LLC; J&P PAVING CO, INC., AND E-Z-BEL CONSTRUCTION, LLC, IN THE AMOUNT NOT TO EXCEED \$980,000.00 FOR EACH CONTRACT, FOR A TOTAL FOR ALL SIX CONTRACTS IN AN AMOUNT NOT TO EXCEED \$5,880,000.00 OF WHICH \$363, 682.60 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS) FOR NECESSARY ADJUSTMENTS TO EXISTING INFRASTRUCTURE.

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WHEREAS, during the FY 2018 Budget process, City Council approved \$5 million for the Sidewalk Maintenance Program, a component of the Infrastructure Management Program (IMP) and \$2 million for Neighborhood Access and Mobility Program (NAMP) to complete sidewalk and pedestrian-related projects; and

WHEREAS, on August 3, 2017, the San Antonio City Council approved Ordinance 2017-08-03-0521 adopting the FY 2018 Action Plan and Budget including the 43rd year of Community Development Block Grant funding of \$12,167,381.00, and included in this funding is \$2,532,662.00 for EastPoint Neighborhood Infrastructure Improvements such as streets, sidewalks, lighting, drainage, etc.; and

WHEREAS, a Request for Competitive Sealed Proposals (RFCSP) for the 2017-2018 Task Order Contract for Flatwork and Street Improvements Package 25 was released in July 2017, and advertised in the San Antonio Hart Beat, on the City's website, and in the Texas Electronic State Business Daily, with six contractors selected: Austin Constructors, LLC; MCOR Construction Company; HESI Enterprises, LLC; BlueTex Irrigation & Construction, LLC; J&P Paving Co., Inc.; and E-Z Bel Construction, LLC; and

WHEREAS, these contracts will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract; and

WHEREAS, expenditures for these services are subject to available funding and are authorized by individual projects at the time work is requested or project funds are appropriated through

ordinance, and requirements for each task shall be detailed in the individual work orders assigned, and City makes no minimum guarantee pertaining to the volume of work; and

WHEREAS, if funding for any work activities is not previously appropriated, funding will be identified and appropriated through subsequent City Council action, and potential funding sources may include, but are not limited to, Neighborhood Access and Mobility Program (NAMP), Advanced Transportation District (ATD), Street Maintenance Program (SMP), various federally funded projects, or other funding sources; **NOW THEREFORE**,

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

SECTION 1. The City Manager or her designee is authorized to execute five task order contracts with Austin Constructors, LLC; MCOR Construction Company; HESI Enterprises, LLC; BlueTex Irrigation & Construction, LLC; J&P Paving Co., Inc.; and E-Z Bel Construction, LLC, each in the amount not to exceed \$980,000.00 per year per firm.

SECTION 2. The following financial adjustments are hereby approved:

- a. 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 for current and future fiscal years.
- b. Payment not to exceed \$ 980,000.00 for a 1 year contract, is authorized to be encumbered with a purchase order and made payable to Austin Constructors, LLC, for the construction services throughout the City, for the 2017-2018 City-wide Task Order Contract for Flatwork and Street Improvements, Package 25.
- c. Payment not to exceed \$ 980,000.00 for a 1 year contract, is authorized to be encumbered with a purchase order and made payable to MCOR Construction Company, for the construction services throughout the City, for the 2017-2018 City-wide Task Order Contract for Flatwork and Street Improvements, Package 25.
- d. Payment not to exceed \$ 980,000.00 for a 1 year contract, is authorized to be encumbered with a purchase order and made payable to HESI Enterprises, LLC., for the construction services throughout the City, for the 2017-2018 City-wide Task Order Contract for Flatwork and Street Improvements, Package 25.
- e. Payment not to exceed \$ 980,000.00 for a 1 year contract, is authorized to be encumbered with a purchase order and made payable to BlueTex Irrigation & Construction, LLC., for the construction services throughout the City, for the 2017-2018 City-wide Task Order Contract for Flatwork and Street Improvements, Package 25.
- f. Payment not to exceed \$ 980,000.00 for a 1 year contract, is authorized to be encumbered with a purchase order and made payable to J&P Paving Co., Inc.,

for the construction services throughout the City, for the 2017-2018 City-wide Task Order Contract for Flatwork and Street Improvements, Package 25.

h. Payment not to exceed \$ 980,000.00 for a 1 year contract, is authorized to be encumbered with a purchase order and made payable to E-Z Bel Construction, LLC., for the construction services throughout the City, for the 2017-2018 City-wide Task Order Contract for Flatwork and Street Improvements, Package 25.

i. Funds in the amount of \$363,682.60 are authorized to be received from SAWS as per reimbursement agreement for necessary adjustments to its existing infrastructure. The funding for any work orders not previously appropriated will be identified and appropriated through subsequent City Council action.

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 shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

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