

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

AN ORDINANCE

**AUTHORIZING A UTILITY-DRIVEN CHANGE ORDER TO E-Z BEL
CONSTRUCTION, LLC IN THE AMOUNT OF \$125,230.52 WHICH
WILL BE REIMBURSED BY CPS ENERGY FOR THE WILSON
BOULEVARD (CLUB DRIVE TO DONALDSON AVENUE) & THESPIAN
ISLAND PROJECT, AN AUTHORIZED 2012-2017 GENERAL
OBLIGATION BOND PROJECT, LOCATED IN COUNCIL DISTRICT 7.**

* * * * *

WHEREAS, the Wilson Boulevard (Club Drive to Donaldson Avenue) & Thespian Island Project provided for reconstruction of sidewalks and curbs on the west side of Wilson, from Club to Donaldson Avenue, and construction of a center concrete grassy median to provide pedestrian refuge and resurfacing along Wilson Boulevard, from Club Drive to Donaldson Avenue; and

WHEREAS, the operational improvements made around Thespian Island included widening the existing island at Kampmann, to provide a dedicated right-turn lane to Donaldson while keeping the original island shape intact; and

WHEREAS, Ordinance No. 2015-06-04-0479 approved a contract with **E-Z Bel Construction, LLC** in the amount of \$808,105.00 for the Wilson Boulevard (Club Drive to Donaldson Avenue) & Thespian Island Project; and

WHEREAS, improvements for SAWS water, SAWS sewer and CPS gas were included with the Project; and

WHEREAS, CPS Energy joint bid its improvements with the Wilson Boulevard (Club Drive to Donaldson Avenue) & Thespian Island Project, which included the replacement of three gas mains, gas services and associated facilities; and

WHEREAS, this Ordinance approves a Change Order in the amount not to exceed \$125,230.52 to the construction contract with **E-Z Bel Construction, LLC** for the Wilson Boulevard (Club Drive to Donaldson Avenue) & Thespian Island Project; and

WHEREAS, Change Orders have increased the contract by \$76,795.37, this utility driven change order will increase the contract by \$125,230.52 to a contract amount of \$1,010,130.89; and

WHEREAS, CPS Energy will reimburse the entire amount of this Change Order and compensate **E-Z Bel Construction, LLC** for the additional work on CPS Energy's facilities; and

WHEREAS, this is a one-time capital expenditure in the amount of \$125,230.52 for the Wilson Boulevard (Club Drive to Donaldson Avenue) & Thespian Island Project and will be reimbursed by CPS Energy; **NOW THEREFORE**,

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

SECTION 1. The Utility-Driven Change Order in the amount of \$125,230.52 for the Wilson Boulevard (Club Drive to Donaldson Avenue) & Thespian Island Project is hereby approved.

SECTION 2. The City Manager or her designee is hereby authorized to execute a Utility-Driven Change Order to the Contract with **E-Z Bel Construction, LLC**. in the amount of \$125,230.54 which will be reimbursed by CPS Energy.

SECTION 3. The following financial adjustment is hereby approved:

- a) Funds are authorized to be received from CPS Energy to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00322, Wilson Blvd (Club-Donaldson) & Thespian, and the budget shall be revised by increasing WBS element 40-00322-90-09, CPS Contribution and SAP General Ledger 4502280, Contribution from other Agencies, in the amount of \$125,230.52.
- b) The amount of \$125,230.52 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00322, Wilson Blvd (Club-Donaldson) & Thespian, SAP WBS Element 40-00322-05-02-06, Construction - CPS Gas and SAP General Ledger 5201245.
- c) Payment in the amount not to exceed \$125,230.52 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00322, Wilson Blvd (Club-Donaldson) & Thespian is authorized to be encumbered and made payable **E-Z Bel Construction, LLC**, for utility-driven services.

SECTION 4. 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 5. 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