

**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 FOR THE FY 2017
INFRASTRUCTURE MANAGEMENT PROGRAM (IMP) AND
AWARDING THE 2017-2018 TASK ORDER CONTRACT FOR
FLATWORK AND STREET IMPROVEMENTS, PACKAGE 23 TO D.
GUERRA CONSTRUCTION, LLC, FOR A TERM OF TWO YEARS AND
IN AN AMOUNT NOT TO EXCEED \$3,272,427.50, OF WHICH \$98,500.00
WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM FOR
NECESSARY ADJUSTMENTS TO ITS EXISTING INFRASTRUCTURE.**

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WHEREAS, the Infrastructure Management Program (IMP) is a five-year rolling program which focuses on the maintenance of San Antonio's Infrastructure; and

WHEREAS, in 2009 the first Americans with Disabilities Act (ADA) Sidewalk Transition Plan was established city wide; and

WHEREAS, the Sidewalks Program is part of the FY 2017-2021 IMP; and

WHEREAS, sidewalks projects are constructed annually throughout the City to help make San Antonio a more walkable community; and

WHEREAS, to provide a walkable community environment, sidewalks and crosswalks will need to be ADA compliant and available to all citizens; and

WHEREAS, the flatwork and street improvement projects will include, but is not limited to, the construction of sidewalks, curbs, wheelchair ramps, retaining walls, street improvements, and any other work required for the completion of the assigned projects located throughout the City in relation to the FY 2017 Infrastructure Management Program (IMP) and Neighborhood Access and Mobility (NAMP) Program; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **D. Guerra Construction, LLC**, in the total amount not to exceed \$3,272,427.50 for flatwork and street improvements, Package 23, for the flatwork and street improvement infrastructure projects located citywide; and

WHEREAS, funding for these projects will come from, but is not limited to, Advanced Transportation District (ATD), General Fund, Certificate of Obligation (CO's), or other funding sources and the City makes no minimum guarantee pertaining to the volume of work; **NOW THEREFORE**,

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

SECTION 1. The lowest responsive bid of **D. Guerra Construction, LLC**, in the total amount not to exceed \$3,272,427.50 for the flatwork and street improvement infrastructure projects located citywide is hereby approved. 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 Task Order Contract is hereby awarded to **D. Guerra Construction, LLC**.

SECTION 3. 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.

SECTION 4. Payment not to exceed \$3,272,427.50 for a 2 year contract, is authorized to be encumbered with a purchase order and made payable to D. Guerra Construction, LLC, for the construction services throughout the City, for the FY 2017 Infrastructure Management Program (IMP) awarding the 2017-2018 Task Order Contract for Flatwork and Street Improvements, Package 23.

SECTION 5. Funds in the amount of \$98,500.00 are authorized to be received from SAWS as per reimbursement agreement for respective utility work related to these Flatwork Task Order projects in the fiscal year 2017 through fiscal year 2018 Infrastructure Management Program (IMP). The funding for any work orders not previously appropriated will be identified and appropriated through subsequent City Council action.

SECTION 6. 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 7. 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 _____, 2017.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

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