

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

AN ORDINANCE

ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A 2017 ASPHALT OVERLAY – PACKAGE 5 CONTRACT TO CLARK CONSTRUCTION OF TEXAS, INC., IN AN AMOUNT NOT TO EXCEED \$5,262,783.50 OF WHICH \$187,875.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS AND \$13,000.00 WILL BE REIMBURSED BY CPS ENERGY FOR NECESSARY ADJUSTMENTS TO THEIR EXISTING INFRASTRUCTURE.

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WHEREAS, City Council approved \$64 million in the FY 2017 Budget to complete both in-house and contract street maintenance projects, and of this amount, approximately \$54 million in street maintenance projects will be completed through the use of construction contractors; and

WHEREAS, the Transportation and Capital Improvements (TCI) began construction of the FY 2016-2017 Street Maintenance Program by utilizing two existing contracts that were awarded by Ordinances 2016-09-01-0649 and 2016-09-01-0650, totaling \$9,148,458.30; and

WHEREAS, in addition, TCI will be utilizing four Contracts that were awarded through Ordinance numbers 2016-10-13-0789, 2016-10-13-0790, 2016-10-13-0791, and 2016-10-13-0792, totaling \$26,482,246.65; and

WHEREAS, this Ordinance accepts the lowest responsive bid submitted by **Clark Construction of Texas, Inc.** in the total amount not to exceed \$5,262,783.50 for 2017 Asphalt Overlay –Package 5 Contract for the FY 2017-2022 Infrastructure Management Program; and

WHEREAS, San Antonio Water Systems and CPS Energy will be participating in this Project in order to complete necessary adjustments to their existing infrastructures; and

WHEREAS, the City will be reimbursed an amount of \$187,875.00 from San Antonio Water Systems and \$13,000.00 from CPS Energy; and

WHEREAS, funding for these Projects may include, but is not limited to the General Fund, Certificates of Obligation, and Advanced Transportation District (ATD) Program, ROW Penalty Funds, and other funding sources; and

WHEREAS, the requirements for each task shall be detailed in the individual work orders assigned and the City makes no minimum guarantee pertaining to the volume of work. If funding for any work activities is not previously appropriated, funding will be identified and appropriated through subsequent City Council action; **NOW THEREFORE**,

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

SECTION 1. Funding for this ordinance in the amount of \$5,262,783.50 is available in the FY 2017 Budget.

SECTION 2. If approved by City Council, payment not to exceed the budgeted amount is authorized to Clark Construction of Texas, Inc and should be encumbered with a purchase order.

SECTION 3. Funding in the amount of \$187,875.00 will be reimbursed by San Antonio Water System (SAWS) and \$13,000.00 will be reimbursed by CPS Energy.

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 9th day of March, 2017.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney