

AN ORDINANCE

AUTHORIZING A CHANGE ORDER FOR THE THEO AVENUE AND MALONE AVENUE CORRIDOR IMPROVEMENTS PROJECT, A 2012-2017 BOND FUNDED PROJECT, IN THE AMOUNT OF \$282,394.88 AND AUTHORIZING PAYMENT TO CAPITAL EXCAVATION COMPANY FOR CURBS, SIDEWALKS, DRIVEWAY APPROACHES AND THE RESURFACING OF PAVEMENT AT THE INTERSECTING STREETS BETWEEN THEO AVENUE AND MALONE AVENUE, LOCATED IN COUNCIL DISTRICT 5.

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WHEREAS, City Council previously authorized a construction contract to **Capital Excavation Company** through Ordinance No. 2015-02-12-0085 in connection with the Theo Avenue & Malone Avenue Corridors Project for an amount not to exceed \$15,095,329.00 of which \$4,788,426.00 was reimbursed by San Antonio Water System (SAWS) and \$1,029,145.00 was reimbursed by CPS Energy; and

WHEREAS, this Project provided for the reconstruction of approximately 1.25 miles of the one-way street Theo Avenue and 1.25 miles of the one-way street Malone Avenue from IH35 to Zarzamora, including two 11-foot travel lanes, an 8-foot parking lane, a 5 foot bicycle lane, 4-foot sidewalks, curbs, driveway approaches and drainage improvements throughout the project limits; and

WHEREAS, in addition, the Project also provided for traffic signal upgrades to be included at the intersections of Nogalitos and Theo Avenue and Nogalitos and Malone Avenue; and

WHEREAS, this change order will provide for curbs, sidewalks, driveway approaches and pavement restoration on the following cross streets: Phyllis St., Charlotte St., De Soto St., Gladys St., Adina St., Buffalo St., Carnot St., Collingsworth Ave., and Frelon St.; and

WHEREAS, this Project will further enhance mobility as well as promote neighborhood connectivity for pedestrians traveling to and around transit corridors, nearby retailers, St. James Catholic School, Palm Heights Christian Academy and the Palm Heights Center; and

WHEREAS, previous change orders have increased this contract by \$515,611.74, to a total of \$15,610,940.74; and

WHEREAS, this change order will increase the contract by \$282,394.88, to a new total contract amount of \$15,893,335.62 for which funds are available from the 2012-2017 General Obligation Bond Program and included in the FY 2017-2022 Capital Improvement Budget; and

WHEREAS, this Ordinance approves a change order to the construction contract with **Capital Excavation Company** in the amount not to exceed \$282,394.88 for improvements to the intersecting streets between Theo Avenue and Malone Avenue; **NOW THEREFORE**,

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

SECTION 1. The Change Order in the amount of \$282,394.88 for improvements to the intersecting streets between Theo Avenue and Malone Avenue for the Theo Avenue & Malone Avenue Corridors Project is hereby approved.

SECTION 2. The City Manager or her designee is hereby authorized to execute a Change Order to the Contract with **Capital Excavation Company** in the amount of \$282,394.88.

SECTION 3. Payment in the amount not to exceed \$282,394.88 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00316, Theo Avenue & Malone Avenue Corridors, is authorized to be encumbered and made payable to Capital Excavation Company, for construction 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 8th day of June, 2017.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney