

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

AN ORDINANCE

**AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT
OF \$139,515.00 PAYABLE TO SHANNON MONK FOR SANITARY
SEWER WORK, AUTHORIZING FOR THE 36TH STREET PHASE
IIIB: BILLY MITCHELL TO GENERAL HUDNELL PROJECT, A 2012-
2017 GENERAL OBLIGATION BOND AND FEDERALLY FUNDED
PROJECT, LOCATED IN COUNCIL DISTRICT 4.**

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WHEREAS, on May 12, 2012, voters approved the 2012-2017 General Obligation Bond Program which provided \$6 million towards the improvements of 36th Street; and

WHEREAS, this project provides for the reconstruction of the roadway along 36th Street from Billy Mitchell to General Hudnell to include curbs, sidewalks, a shared use path and a drainage channel; and

WHEREAS, on April 13, 2017, City Council approved Ordinance 2017-04-13-0243 authorizing a funding agreement with Port Authority of San Antonio (Port SA) for a capital project in an amount not to exceed \$1,539,960.00; and

WHEREAS, a previously executed contract with Shannon Monk for the 36th Street Phase IIIB project, from Billy Mitchell to General Hudnell, for \$8,078,660.90 was approved by City Council on June 6, 2015, through Ordinance 2015-06-04-0481 and previous change orders totaling this contract \$774,748.56; and

WHEREAS, this change order will increase the contract by \$139,515.00 to a contract amount of \$8,992,924.46; and

WHEREAS, as part of the development of the Project Tech building, this change order allows the 36th Street contractor, Shannon Monk, to install the sanitary sewer line for Project Tech while the 36th Street Project is still under construction; and

WHEREAS, the \$139,515.00 will be funded from Port SA Site Development Project funds (also known as Project Tech) and no reimbursement from Texas Department of Transportation (TxDOT) and Federal Highway Administration (FHWA) will be needed; and

WHEREAS, this is a one-time capital expenditure in the amount of \$139,515.00 for the 36th Street Phase IIIB: Billy Mitchell to General Hudnell Project, made payable to Shannon Monk, available from 2017 Certificates of Obligation included in the FY 2017-2022 Capital Improvement Budget from the Port SA Site Development Project, otherwise known as Project Tech; **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 a Change Order to a General Obligation Bond and Federally Funded Project with **Shannon Monk** in the amount not to exceed \$139,515.00 for Sanitary Sewer Work.

SECTION 2. Payment in the amount not to exceed \$139,515.00 in SAP Fund 40099000, Other Capital Project, SAP Project Definition 16-00014, Port SA Site Development, is authorized to be encumbered and made payable to Shannon Monk, for sanitary sewer work. Payments for services are contingent upon the availability of funds and the sale of future City of San Antonio, Certificate of Obligation Bonds in accordance with the adopted capital budget. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

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 or more affirmative votes, otherwise it shall be effective on tenth day after passage.

PASSED AND APPROVED this 3rd day of August, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney